

CASE SCENARIOS



A multitude of case scenarios with corresponding questions are available to be used with small or large groups to help analyze current protocols, unpack differing philosophical viewpoints, and broach issues that could otherwise be difficult to raise.

How to Use Case Scenarios

There are numerous scenarios included in this section of the toolkit. To be aligned with the toolkit's focus, all scenarios have a student as the survivor.

The goal was to provide a plethora of examples that can be used to spark conversations about attitudes, responses, and best practices related to gender-based violence on campus. It is not intended for each campus to go through every scenario. Some of the case scenarios are more suited for key stakeholders (on and off campus) working directly on responding to students who have experienced sexual assault, dating violence, domestic violence, and stalking.

The scenarios can be mixed and matched depending upon the audience and the primary issues that the stakeholders want to address. A few potential uses may be for training, for focus groups, and in stakeholders meetings. The scenarios fall into the following categories:

- Brief Case Studies
- Disclosure by Someone Other than Survivor
- Survivor Discloses
- Investigation & Collaboration
- Interim Measures, Student Conduct Hearings & Sanctions

Within each category, there are a few questions to help guide the discussion. Feel free to use the questions, add others, or develop your own. Questions for the first few set of case scenarios are also provided at the end of this document so that they can be copied to be used by facilitators or as a worksheet.

CONTENT WARNING

The prevalence of gender-based violence makes it likely that one or more of the individuals discussing these scenarios have experienced sexual assault, stalking, domestic or dating violence. Therefore, these scenarios may bring up emotions and trauma for those individuals. It is recommended that when introducing the scenarios that this fact is acknowledged and people are given the freedom to excuse themselves from participating in any part of the discussion. For large groups and trainings, it is best practice to have someone who is an advocate and is skilled in trauma-informed counseling be available for people to talk to if needed.

BRIEF CASE STUDIES

The following short scenarios provide a range of situations under the umbrella of gender-based violence. After the scenario is read, ask everyone to share their first reactions and discuss:

1. What would you want to happen in this scenario?
2. What would happen if this occurred on our campus?
3. What other information do we need to know to help guide a safe, culturally-relevant, and holistic response?

The college has a women's center that operates a rape crisis hotline that is staffed by peer advocates. Someone calls the hotline and reports that her friend was raped at a fraternity party. She is not sure what she should tell her friend to do.

Matt and Susie are newly dating. Susie is the star of the college track team. Matt is aware of this and bragging to all of his friends about Susie's skills. He is asked to "prove it," so one night Matt secretly video tapes Susie having sex with him. Susie is completely unaware of the taping. Matt shares the video via snapchat with many of his friends. The video quickly makes its way around campus.

A bisexual student shares with her academic advisor that one of her professors has been making unwanted advances towards her and stares at her in ways that make her feel uncomfortable. For the past month she has noticed him in places she has never seen him before, including the local coffee shop she works at part time on weekends.

Kim goes to the student health center. She has missed her period. She confirms she is pregnant. When receiving the news she breaks down in tears. She tells the nurse that she was raped and does not want the baby.

Clyde and CeCee are married. They have one child together who is a toddler. Clyde is a junior professor and as part of the condition of acceptance of employment, the college agreed to have CeCee transfer as a graduate student and continue her studies for free. The couple relocated for Clyde's job. CeCee has not made friends on campus given her studies and duties as a mom. Clyde goes to all the new faculty events and is out often. He is home less and less. When CeCee confronts him about this he becomes angry and slaps her across the face. CeCee screams, "You promised you would never hit me again." She calls the police and files for a protection order. She brings the protection order to the campus administration.

There is a student conduct hearings scheduled in two days. The student is a football player. He is accused of raping another student at a party. There is no corresponding criminal investigation but the campus investigation found substantial evidence. The survivor is refusing to testify at the hearing and now says nothing happened.

Professor Friendly holds office hours four times a week. He is very accessible and has a great reputation among the student body. One day, Allen comes into his office and tells him that he has been carrying around a lot of guilt for the past year and needs to get the guilt off his chest. Last year, as part of the hazing at his fraternity, they made every pledge find a young woman to bring to the fraternity house and forced the women to perform oral sex on the pledges in front of the rest of the fraternity.

Daniel joined Hillel as soon as he started college. He was active in his temple youth group while in high school and wants to keep that connection to his faith and create a community around him. During his second semester at college he was sexually assaulted by another male student he met on an online dating site. He tells the Rabbi at Hillel about it but does not want the information to go any further.

Latisha is the first person in her family to go to college. She met Zane in her African American studies class and was immediately smitten. They went out a few times. On their third date, Zane told her he expected her to have sex with him. Latisha didn't want to lose Zane and told him she needed more time. He told her if she just relaxed things would be okay. They were kissing and he took off her clothes. She tried to stop the rest and told him "no" but he forced her to have sex with him. He told her he would call in a few days. Latisha is afraid for her parents to find out since they have done so much to help her. Latisha called her sister and told her what happened. Her sister encouraged her to tell someone on campus. Latisha is part of a group that supports first generation college students. She told her advisor from that group.

Pierce, a tenured professor, was accused of sexually harassing students. Lisa is one of his victims. She is also the student who organized and caused an official investigation to be launched against him. She is using social media to raise awareness about sexual harassment on campus. Pierce is popular amongst the other professors. This semester Lisa's grades are much lower than they have been in subsequent semesters. She claims the lower grades are a result of retaliation.

Dana's boyfriend walked into her room to find Dana in bed with Cindy. They were kissing. Dana's boyfriend started screaming at them, calling them whores and lesbians. Then he decided to join them and took off his pants. Dana told him to get out of her room. He held Dana down and raped her anally. Cindy ran out of the room and called 911.

Stephanie needs to participate in work study in order to pay for her tuition, room and board. She barely makes enough money to survive between paying for tuition and paying off loans. However, obtaining her degree is important to her. She was placed in the computer lab through work study for the past two summers. One of the IT staff always tells her how beautiful she is and what he would do to her if he was younger. Last week he called her into his office. When she went in he was masturbating. He told her if she told anyone he would make sure that she lost her work study placement.

BRIEF CASE STUDIES

Courtney was raped. She refuses to say by whom, but she has been depressed and hypervigilant about her security since the rape occurred. The depression and hypervigilance is almost to the point that she is unable to attend classes because she is so busy checking window and door locks, checking reports from campus police, and making sure her path to class is clear of crowds. Courtney was referred to a rape crisis advocate by a friend. The local rape crisis center has advocates that hold office hours on campus a few days a week. She sees an advocate counselor and tells her that she feels like she is having a mental breakdown.

Brittany is freshmen at a faith based institution. She recently began a relationship with a man who is not a student. He stopped by to surprise her with flowers one evening. They were talking and lost track of time before realizing how late it was. He lives far away from campus and her roommate was gone for the weekend. It was decided it would be okay for him to spend the night. He woke her up during the night and was rubbing her breasts and vagina. Brittany told him to stop but he continued to do so and inserted his fingers into her vagina. On Monday she told her close friend who is also an RA what happened. Brittany begged her not say anything because she was concerned about what others would think. It is against school policy to allow men to stay overnight in the campus housing designated for women.

James and Michael met at a party on campus and have been dating for the past four months. James is a student at the college. Michael previously attended the school but dropped out last year. He still hangs out with some of his friends he met while attending the college. James has decided that he wants to end the relationship so he can ensure he fully gets the “college” experience and does not miss out on anything. Michael is not happy about this decision. He texts Michael many times every hour of every day, he shows up at parties and makes a scene, and even tried to force himself on James at one party. Most recently, he showed up at James’ apartment drunk and made a scene to the point that one of the neighbors threatened to call the police.

Dehlia is in her second semester of college. She did very well her first semester. When she returned from winter break she seemed different. She began to miss classes and stopped participating in social activities. Every freshman has an advisor at the college and her advisor asked to meet with her. Dehlia explained to her advisor that she was sexually abused for two years when she was in middle school. The person that abused her has moved back in with her mother. He was there when she went home for winter break and is worried about returning home over the summer.

Sarah and Jonas have been dating for a few weeks. They met on campus. They both have developmental disabilities. Sarah goes to the health clinic to get birth control. The doctor says she first needs a full physical including a gynecological exam. Sarah indicates she has not been sexually active. During the exam, the doctor notices bruises on Sarah’s back and tears and bruising in her vaginal area. Both are consistent with indicators of violence.

Shaun is a part-time graduate student. He is transgender. He works at a coffee shop in the student center. He has been interviewed by the college paper about his experiences on campus and he has been open about the need for campus to expand its education about diversity. One day after work, he is approached by two male students. They said that he is a freak and would show him what a real man is like. One student holds him down while the other inserts his penis into Shaun’s mouth.

The following short scenarios provide a range of situations where the sexual violence is reported or disclosed to the campus or law enforcement by someone other than the survivor. For the subsequent scenarios discuss these questions:

1. What should the person do with the information they have learned?
2. What additional information is needed before a decision can be made as to next steps?
3. How can the survivor's safety and confidentiality be protected if there is a decision on the part of the campus to investigate the allegation?
4. How could a campus' response help support the survivor in lieu of any formal action?
5. Would anything be different about the campus response if it was the survivor who directly disclosed?

Kathy is in the second semester of her freshman year at a small private college. The campus administration and faculty are very familiar with Kathy's parents. Her parents live 3 hours away and come to see her at least once a month. They also call the administration and faculty regularly to address any concerns on Kathy's behalf, although some wonder if Kathy has the concerns or if it is her parents being over protective. One day, the Dean of Students receives a call from Kathy's father. He reports that Kathy has seemed distant lately and when they pressed her on it she broke down in tears. Kathy told them that she went to a party at an off-campus apartment and while there she met a guy. She was drinking. She went back to his place and when she woke up the next morning she realized she was the victim of acquaintance rape. She does not want it reported. Her parents do not care what she wants and demands the campus take immediate action.

Tina is a fulltime student at a state college. One evening she is out at a concert with friends. The venue is not on campus but in the downtown area of the city. While at the concert, she is approached by a young man who recognizes her from a class they apparently take together. During the course of the evening, he gropes her and pushes her into a corner of the concert hall and tries to insert his fingers into her vagina. She fights him off. She then reports the incident to the bouncer who calls the police. Tina fills out a report with the police. She does not know the name of the person who sexually assaulted her. The police contact the college to find out the names of the other students in Tina's classes. Before the contact with from the local police, the campus had not heard about this incident.

Seth and John have been living together since they were freshman. The first year they were roommates in the dorms, second year in the fraternity house, and this year in an apartment. They consider themselves brothers. They tell each everything but have agreed to the "bro code" that includes nothing they say to each other gets shared to others. John is gay. He has not come out because he fears he will be thrown out of the fraternity and be ostracized on campus. Seth has known about John's sexuality since they were freshman and it is a non-issue. Last weekend John was raped by a fraternity brother who graduated last year and was back on campus for homecoming weekend. John is distraught but does not want to tell anyone out of fear he will be outed. Seth goes to see a counselor on campus every other week to help him with his impending parent's divorce. The counselor is a graduate student studying social work. He tells his counselor what happened to John because he wanted advice about how to help his friend.

BRIEF CASE SCENARIOS

The following short scenarios provide a range of situations where the sexual violence is disclosed by the survivor although the intentions of disclosure are not necessarily formal campus or criminal justice response. For the subsequent scenarios discuss these questions:

1. What is your first reaction to the situation?
2. What safety issues, if any, are raised for the survivor? For the larger campus community?
3. What should the person do with the information they have learned?
4. What additional information is needed before a decision can be made as to next steps?
5. What is the current campus response to this situation?
6. How does this response meet the needs of the survivor and balance any legal requirements?

It is homecoming weekend at a large state school. There are parties scheduled all weekend, along with the big football game, and networking events. The college really encourages alumni to meet with current students so that they can provide them with career advice. Samantha an engineering student attends one of the alumni networking events. She meets Steven, a successful alum who graduated with an engineering degree and is well-known in the engineering field. Although Samantha is only 19, Steven buys her several glasses of wine and says it is their little secret. After all, he says, he drank a lot when he was in college. During the event, Steven pinches Samantha's butt. He places his hands all over her. Sometimes he happens to brush over her breasts. He gives her a lot of compliments and lets her know he can help her career. Samantha is extremely uncomfortable and does not know how to handle the situation. She does not want to upset him and hurt her reputation in the engineering field. He asks her for her number and she gives it to him. She feigns a headache and leaves the party. Before she gets back to her dorm, Samantha receives a text from Steven saying he would like her to meet him for one more drink before he leaves town and he also thinks he can set her up with a summer internship. Samantha does not know what to do. Her residence advisor sees that she is shaken up when she returns to the dorm. Samantha tells her what happens without giving her too many specifics to identify the alum.

Eliza is women's studies major. She is usually very engaged in class but lately seems distracted and has been handing in assignments late. Professor Journey asks Eliza to come to her office this week to discuss her recent performance. When asked what is going on Eliza says someone she used to date is bothering her. Dealing with it has been taking up a lot of her time. For example, she receives text messages all hours of the day and night letting her know that she is being watched. Private photos she took when she was with this person are being sent to her friends over snapchat and Instagram. A few days ago her tires were slashed. She has not reported these incidents to anyone because she thinks that if they are ignored they will stop. Also, she feels as a strong woman she should be able to handle it herself. Eliza promises to get her studies back on track.

Rose, a transgender woman, attends a medium sized state school. There has been a lot of education on campus lately about LGBTQI+ issues because of a growing number of hate crimes. In fact, the college has finally designated a few bathrooms as all gender bathrooms. Rose only feels comfortable using the all gender bathrooms and is relieved they exist. She always tried not to use the public bathrooms on campus. One day, Rose was walking out of an all gender bathroom and a campus employee walked by her and said "you tranny trouble maker." Rose does nothing but walks away as quickly as she can. Several days later, after using the same restroom, a few male students are waiting and start shouting, "Are you a man or woman" and "Do you want to fuck men?" Rose is part of a group of students that are trying to establish a student diversity center on campus. At a planning meeting she talks about what happened to her. The faculty advisor to the group is at the meeting and hears these stories.

Amanda is a senior at college. She frequently spends time with the men's college crew team. She used to date a former crew member but he graduated and then they broke up. Many of her friends are still on the crew team so she gets invited to parties. One of the crew members hosted a bash at a hotel downtown. They rented rooms there so no one would have to drink and drive. Amanda and some of her friends attended. During the course of the evening, Amanda went up to one of the bedrooms because she was dizzy from drinking too much. She is not sure what happened next but she woke up and knew something was not right. She was naked. One of Amanda's friends drove her to the hospital. She had a forensic exam. The hospital believes she was given roofies. The police were called to the hospital. Amanda provides information about who was at the party. She believes the person who assaulted her was someone on the crew team and remembers spending time with one person in particular. The detective assigned to the case contacts the college to get the names of all the Crew members and shares the name of the primary suspect and victim. The college had no knowledge of the incident until contacted by the detective. The Title IX Coordinator researches and finds the primary suspect has a prior sexual misconduct case. The Title IX Coordinator reaches out to Amanda. Amanda says she does not want any type of campus action taken but she would like help ensuring that no one from the Crew team has contact with her.

Tania is a survivor of child sexual abuse. She joined a support group on the college campus that helps her deal with feelings that arise as an adult, especially around trust with intimate partners. The support group is run by a community-based agency. Tania has made some friends from the support group. During one of the meetings she discloses that she went on a date. She found herself very attracted to the guy and as a way to calm her nerves drank heavily during the evening. They went back to his dorm room. Things heated up quickly. When they were fully undressed in his bed, she decided she wanted to stop. She told him to stop but he said it was too late. He told her she worked him up and it was not fair to leave him that way. She didn't want to go any further but felt guilty so had sex anyway.

Stacey is a junior and commutes to college where seventy-five percent of the students are commuters. The campus is tiny and the college uses part of many other buildings in the city to hold classes and offer student services. The college has an agreement with a gym to offer reduced rates to students. Stacey uses the gym almost every day. Stacey met Susan at the gym. Susan is an adjunct professor. Susan and Stacey start a friendship that turns into a romantic relationship. They date secretly as this is an ethical violation for Susan's job. After 8 months, Stacey decides she wants to end the relationship as they are in different stages of their lives. Susan is not in agreement. She continues to try to show her affection at the gym. Susan logged into the college's system and knows when Stacey will be going to and coming from class. She finds a way to be outside buildings at those times. Stacey does not want Susan to lose her job but tells her she will report her if this behavior continues. As a way to proactively discredit Stacey, Susan goes to the Dean of Students and reports that she is concerned that a student named Stacey is actively using drugs. The Dean then speaks to Stacey. Stacey reveals everything that has been happening and asks that the college help keep Susan away from her.

INVESTIGATION & COLLABORATION SCENARIOS

The following scenarios address investigation and collaboration. Accompanying each scenario is guidance on issue spotting and potential questions for discussion. Campuses are encouraged to modify scenarios and questions as needed to more accurately reflect their current climate. These scenarios have been designed to be used with multi-disciplinary stakeholders such as law enforcement, campus police, Title IX Coordinators, SANE, on and off-campus advocates, mental health professionals, etc. It is important to provide sufficient time for discussions around any of these scenarios.

ON CAMPUS SEXUAL ASSAULT - Survivor Does Not Want Criminal Justice Response

Meredith found piles of pornography in her boyfriend's dorm room. This led her to snoop on his laptop where she discovered Jeff subscribed to many pornography sites where he could watch women engaging live in all types of fetishes. When she confronted Jeff about her discovery, Jeff turned the conversation around telling her if she would perform the sexual acts he desired he would not have to turn to porn to be satisfied. He showed her photos he had taken of other women he was intimate with. The photos showed the women in various stages of bondage and sexual positions. He became very aroused when he talked about the photos and held Meredith down to show her what he liked. He took a photo of her afterwards as she was crying and trying to get herself dressed. Jeff is on an international student visa. Meredith thinks that maybe this is what men from other countries expect. Her friend urges her to alert the student counseling center who in turn contacts campus safety services. Safety service officers take a report from Meredith. She indicates she does not want any type of criminal action taken. Safety services calls the Title IX Coordinator and the local police department. They tell the local police department about the issue but say the victim is not interested in prosecution and wants confidentiality.

Potential Discussion Questions:

1. What is your first reaction to this situation?
2. What safety concerns do you have for Meredith? For others?
3. In your opinion should the counseling center have contacted campus safety? Why or why not?
4. In your opinion, should campus safety have contacted the Title IX Coordinator? Why or why not?
5. Should campus safety have contacted the local police department against Meredith's wishes? Why or why not?
6. Does Jeff's student visa impact the investigation? If so, how?
7. What is the role of the Title IX Coordinator in this scenario?
8. What services are available on campus or in the community to help improve Meredith's emotional, physical, and well-being?
9. Should the campus and local law enforcement work together to investigate this crime? If so, what would that look like?
10. What interim measures should be in place, if any, while an investigation is pending?

Some issues to consider: responsible employees vs. confidential advisors, obligations of campus security authorities, survivor autonomy, timely warnings, international students, intimate partner violence, role of Title IX Coordinator, and interim measures.

UNNAMED SURVIVOR – Disclosure from Witness

Greg was recruited by the college to be on its baseball team. He is not the star but is a starter and a reliable player. Greg used to be close to his other starter teammates but recently Ken, the assistant coach, has noticed tension among the team and with Greg in particular. Greg has been isolating himself at practices. The other starters have been taking cheap shots at Greg and trying to make him look bad in practice. After a practice, where there was pushing and shoving among teammates, Ken asks Greg to stay after practice so he can talk to him. Ken shares his observations and asks Greg what is going on. Greg refuses to talk. He tells Greg that he is looking at being cut from the starting lineup if he doesn't tell him what is going on. Greg then says that he is having a disagreement with some of his teammates about what happened at a party a few weeks ago. He doesn't want to go into details but they had a difference of opinion about how women should be treated. Ken continues to press Greg and the only other information he learns is that there was alcohol and a party and the teammates had their fun with the same girl.

Potential Discussion Questions:

1. What is your first reaction to this situation?
2. What should Ken do with the information that Greg shared with him? Is this a legal obligation? Moral? Ask people to be specific – e.g. if Ken should report this information, to whom? Should there be follow-up?
3. What is Ken's obligation to Greg?
4. What concerns, if any, do you have for Greg?
5. If there is an investigation, what entities should be involved?
6. How should the campus and law enforcement work together to investigate this crime?
7. What, if anything, is the obligation of the athletic department? Would anything change if the students involved were not athletes?
8. What information, if any, is needed about the survivor?

Some issues to consider: non-reporting and undisclosed survivors, responsible employees, reporting from third party, athletes and athletic department obligations, campus investigations, and collaboration with non-campus entities for investigation and services.

INVESTIGATION & COLLABORATION SCENARIOS

SEXUAL ASSAULT IN CAMPUS HOUSING

The college has had some fiscal hardships. Enrollment is down as is alumni giving. In trying to maintain high academic standards, the college decided to dismantle the public safety department and now rely on the Sheriff's office to respond to crimes on campus. One evening while in bed in her dorm room, Trudy was sexually assaulted. She did not see his face. He felt her breasts and touched her vaginal area. He said he would be back soon for more. Trudy immediately reported this through the campus emergency phone system and to her resident advisor. The call was put through to the Sheriff and the campus administration was notified. The Sheriff's office took three hours to respond. They said there was nothing they could do with the story and told her to make sure she locked her dorm room when she was in it.

Potential Discussion Questions:

1. What is your first reaction to this situation?
2. What safety concerns do you have for Trudy? For others?
3. Are services available on campus or in the community to meet the identified needs? If they are available, how would Trudy get connected to them?
4. What are the resident advisor's obligations in this situation?
5. What could help improve stakeholder responses?
 - a.) What protocols and agreements would be helpful to be in place between campus and non-campus entities to prepare for this type of situation?
 - b.) What trainings should campus stakeholders receive? Who should give these trainings?
6. What other types of actions should be taken to protect students?
7. What would change if anything if the identity of the perpetrator was known and was another student?

Some issues to consider: MOU's with law enforcement, responsible employees, timely warning vs. emergency notifications, training for campus personnel on Title IX, appointment of Title IX coordinator/investigator, and building relationships with community-based rape crisis centers.

SEXUAL ASSAULT DURING STUDY ABROAD PROGRAM

Alexandria spent one semester in Europe through the campus' semester abroad program. It is customary for the College Study Abroad Office to hold a debriefing session when students return. Karen is the person in the office who conducts the debriefing sessions. She wears many hats at the college but is the primary contact for students interested in study abroad and international students attending the college. Alexandria has rescheduled her debriefing session three times. Karen knows something is going on with Alexandria and when Alexandria finally shows up for the meeting, Karen asks her what is wrong. Alexandria says she is dealing with it, but when away she was raped by a member of the family she was placed with. It happened six months ago and she doesn't want to think about that time her life and that's why she has been avoiding the meeting.

Potential Discussion Questions:

1. What is your first reaction to this situation?
2. What are Karen's obligations after hearing this information from Alexandria?
3. What assistance and supports may Alexandria need?
4. Are services available on campus or in the community to meet the identified needs?
If they are available, how would Alexandria become connected to them?
If they are not available, what needs to take place to make them available?
5. What safety concerns do you have for other students in the study abroad program?
How should the campus respond to any concerns?
6. What is the role of a Title IX Coordinator in this situation?
7. How should the campus participate in an investigation?
8. What protocols and agreements would be helpful for the campus to have with foreign entities in case of the occurrence of sexual violence involving students in study abroad programs?
9. Are there accommodations/interim measures the school should consider for Karen?

Some issues to consider: Clery geography, MOU's/agreements with foreign entities, responsible employees, role of Title IX Coordinators, and interim measures.

INVESTIGATION & COLLABORATION SCENARIOS

UNNAMED SURVIVOR(S) – OFF CAMPUS HOUSING

In the past year, the city police department has received two reports of drug facilitated rape and one domestic violence incident from the same building near campus. This is a building many city college students live in as there is limited housing on campus. It is known as a “party” apartment complex. While the college does not own the apartment, it does work with the apartment’s management company to try to reserve a percentage of the apartments each year for its students. The management company has informed the college of the problems it is having. Over the weekend, another sexual assault occurred in the apartment complex involving at least one person enrolled at the college. The college’s general counsel wants the campus to send out a timely warning.

Potential Discussion Questions:

1. What is your first reaction to this situation?
2. Do you agree with the general counsel that a timely warning should be issued? Why or why not?
3. What would currently happen if your campus received this type of information?
4. In your opinion, does the college have other obligations (legal or not) in this situation to help protect the campus community?
5. What other information would be helpful in assessing the situation?
6. What would happen now if this occurred near your campus?
7. What types of agreements, protocols and referral system would you want to have already been in place before receiving this information?

Some issues to consider: Clery geography, timely warnings, responding in a respectful and culturally relevant manner, understanding what facilitated rape means, potential reactions to law enforcement, language barriers, family response to hearing about a sexual assault, immigration, and safety concerns for larger community.

CAMPUS SEXUAL ASSAULT TASK FORCE

A university is holding its third internal (campus-based) task force meeting on gender-based violence. The task force consists of representatives from the counseling center, campus police, the Dean of Student's office, the HR department, the diversity center, the student conduct board, and the health center. The Title IX Coordinator and general counsel also attend. The task force's goal is to examine current responses, gaps in services, and share best practices and lessons learned from other higher education institutions. There has been tension from the beginning with the group. At today's meeting, the campus police indicate they do not understand why not all incidents are simultaneously reported to local law enforcement and asks the general counsel to look into if that should be mandated. Another member of the task force says that he does not agree with the university having a separate response at all. Either it is a criminal case or nothing. It is unfair to have students expelled based solely on a finding from a student conduct board.

Potential Discussion Questions:

1. What is your first reaction to this situation?
2. What are the benefits of having a sexual assault task force? What are the challenges of having a task force like this?
3. Who should be involved in the task force?
 - a.) What organizations/offices?
 - b.) How should representative from the different entities be selected?
 - c.) Who should not be involved in the task force?
4. What meeting structures should assist in keeping the task force effective?
5. What activities could help the task force members have respectful discussions? Explore individual bias?
6. What is the role of the task force in relation to community-based sexual and domestic violence task forces?
7. How should the task force connect with other campus entities including student groups?

Some issues to consider: structure of meetings, development of clear role and purpose of task force and its members, creation of mission statement and other grounding statements to help keep group focused on the same goals, use of a facilitator, cross-training and training on gender-based violence – e.g. occurrence, impact, best practice responses, and legal obligations.

INVESTIGATION & COLLABORATION SCENARIOS

SURVIVOR UNSATISFIED WITH OUTCOME OF INVESTIGATION

A student who filed a complaint after being sexually assaulted is not happy with the outcome. After being raped, she called the campus police and the officer that showed up at her dorm seemed to have an attitude. The officer was more focused on if she had been drinking, what she had been wearing, and how far they went before she believed she withdrew consent. The campus officer gave her a list of resources. The student called him several times to see where the investigation stood and always got the response that he could not tell her anything. The student was not surprised when the school decided not to go forward with a student conduct hearing. The student is now meeting with Kelly, an advocate from the local rape crisis center. She recounts her experiences to Kelly. She says she knew from the very beginning no one would believe her and she should have never contacted the police. For the past few years, Kelly has been working closely with the campus helping develop a sexual violence prevention program and a trauma informed intervention response and know many of the responders with whom the student interacted.

Potential Discussion Questions:

1. What is your first reaction to this situation?
2. What can Kelly do with the information the student shared with her?
What are some considerations/factors that may impact if and how information can be shared?
3. Can Kelly use this information in a way that does not compromise survivor confidentiality?
If so, how and with whom would Kelly connect?
4. Would anything change about your response to this scenario if Kelly worked as a rape crisis advocate at a student health center?
5. What happens on your campus when a survivor is not happy with the outcome of an investigation or feels mistreated?
6. How can stakeholders use survivor experiences of outcomes to improve their responses?
7. What concerns, if any, do you have for the survivor's safety?
8. Are there supports the survivor may need? In your community, how would the survivor become connected to these services?

Some issues to consider: confidentiality and privilege, confidential advisors, VAWA compliant information of release forms, collaboration, cross-training, role of advocates (system and individual), and feedback from survivors.

OFF-CAMPUS SEXUAL ASSAULT – Involvement of Faculty and Student

Marcus is in a close relationship with Peter, the teaching assistant (TA) assigned to his political science class. They both share the same interests in sports, foreign affairs, and movies. Peter is a graduate student and 3 years older than Marcus. When it becomes clear that they are both attracted to one another Peter says they have to keep their relationship a secret as it is not permitted by the college due to his position as a TA. Marcus is very excited about Peter. This is his second relationship. One night, John is at Peter's apartment and Peter says he wants them both to get high as it is better for sex. Marcus consents. They take Molly and smoke cocaine. During this, Peter decides it would be good to introduce rough sex. Marcus is not interested but Peter forces Marcus into a hog-tied position and assaults Marcus. Marcus heads directly to the emergency room after he leaves Peter's apartment. The SANE nurse administers an anonymous rape kit. Marcus requires stitches and has severe contusions all over his body. Marcus does not want the police notified because he is afraid he will get into trouble for illegal drug use.

Potential Discussion Questions:

1. What is your first reaction to this situation?
2. Should the hospital contact law enforcement? Why or why not?
3. If not discussed above, what should be done with the rape kit?
4. If the hospital does contact local law enforcement, how can that contact be made without compromising Marcus' confidentiality and wishes?
5. Should the campus be notified of the incident? Why or why not?
 - a.) If so, by whom?
 - b.) How should the campus proceed if it received this information?
6. What would be the current response in your community to this incident?
 - a.) Would the response be any different if drugs were not used?
 - b.) Would the response be any different if Marcus was female?
7. What safety concerns do you have for Marcus? For others?
8. What assistance and supports may Marcus need?
9. Are services available on campus or in the community to meet the identified needs? If they are available, how would Marcus get connected to them? If they are not available, what needs to take place to make them available?

Some issues to consider: honoring Marcus' wishes and confidentiality, anonymous rape kits and evidence collection, relationship between campus and local law enforcement, responding in a respectful and culturally relevant manner, intimate partner violence, and interim measures to help keep Marcus safe.

SURVIVOR DOES NOT WANT ANY RESPONSE

Chu is a commuter student at the local community college. She has been sponsored by relatives and has lived in the United States for a few years. She lives with her relatives, works part-time in order to pay for tuition, and helps out at with her younger cousins. Chu has never dated. In her culture dating is not allowed until she meets someone she will most likely marry. One evening after class, she was walking to her car parked in a campus parking lot and was sexually assaulted. Someone called out her name, when she turned he pulled her into the bushes. Chu could tell he was masturbating while he was using his other hand to cover her mouth. Another student heard Chu screaming after her assailant fled the scene. The other student called 911. When the police arrive, Chu is still crying but is refusing to talk.

Potential Discussion Questions:

1. What is your first reaction to this situation?
2. What should be the response of law enforcement to this incident?
3. What is the law enforcement's role in notifying the campus about the incident?
4. Does the campus need to be notified about the incident? If yes, how?
What assistance and supports may Chu need?
5. What should the college's obligation be, if any, to investigate this incident?
6. What is the role of the Title IX Coordinator in this scenario?
7. What safety concerns do you have for Chu? For others?
8. Are services available on campus or in the community to meet the identified needs?
If they are available, how would Chu get connected to them?
If they are not available, what needs to take place to make them available?

Some issues to consider: responding in a respectful and culturally relevant manner, potential reactions to law enforcement, language barriers, family response to hearing about a sexual assault, immigration, and safety concerns for larger community.

SURVIVOR DOES NOT WANT A CAMPUS RESPONSE

Danielle attends a small private faith-based college. About half the students are from Ohio and the other half are from around the country or from other countries. Many students find their spouses at this college or others go on to seminary. Danielle is not from Ohio. This is the first time she has lived away from home. She is in the first semester of her freshman year. She meets two upper classman who tell her there is a secret party on campus and only the coolest freshman are invited. Danielle is nervous about it, has not made many friends on campus, and decides to go to the party. At the party, people are using alcohol and other drugs. Danielle has never even tried alcohol before. She is told she has to take shots. Through the course of the evening Danielle becomes intoxicated. The other people at the party undress Danielle and take photos of her in compromising positions. She is sexually assaulted by multiple people. The college does not have a women's center or any confidential advisors except for priests. Danielle is too ashamed to speak to a priest. She feels like she has sinned. She attempts an overdose in her dorm room. Campus security is contacted by another student who finds Danielle. An ambulance is called. When Danielle gets to the hospital and is examined, the doctors believe she was recently sexually assaulted.

Potential Discussion Questions:

1. What is your first reaction to this situation?
2. What would be the current response on your campus to this situation?
3. Would the response be any different if alcohol was not used to facilitate the sexual assault?
4. What safety concerns do you have for Danielle?
5. How may Danielle's faith impact the investigation and response?
6. Are services available on campus or in the community to meet the identified needs?
If they are available, how would Danielle get connected to them?
If they are not available, what needs to take place to make them available?
7. How should the campus and law enforcement work together to investigate this crime?
8. What are responses the campus should take regardless of law enforcement investigation and response?
9. If Danielle did tell a priest about her rape, what would be the priest's obligation if any to report it to Title IX Coordinator? To law enforcement?
10. If Danielle was 17, would anything change about the response?

Some issues to consider: definition of consent, alcohol facilitated sexual assault, confidentiality and privilege, trauma-informed and survivor-centric responses, multiple offenders, confidential advisors, collaboration with non-campus entities for investigation and services, and faith-based institutional response.

INTERIM MEASURES, STUDENT CONDUCT HEARINGS & SANCTIONS SCENARIOS

The following scenarios address interim measures, student conduct hearings and sanctions. Accompanying each scenario are three to five questions to help spark discussion. These scenarios are focused on what happens after a complaint is received or action taken by a survivor, the campus, or law enforcement.

At a small rural college there are only six buildings for classrooms and two dorms. Most students live in rental properties or one of the houses associated with the Greek system. Juan Carlos and Samantha dated for three years; two of which were in high school. They came to college together. Juan Carlos has always been protective and jealous. He liked to be wherever Samantha was. He told her it hurt his heart not to be in eyesight of her. When Samantha wanted to end their relationship things turned violent. Being such a small college, everyone was aware of what was going on and Samantha obtained a protection order from the county court. She provided copies to the college administration. She has asked that the college ensure that Juan Carlos has no contact with her. Currently, they are in the same dorm, have two classes together, and two other classes occur in the same building at the same time.

Potential Discussion Questions:

1. What type of violence is outlined in this scenario?
2. What interim measures may Samantha need to feel safe and supported?
3. Who can the campus partner with to help design and implement these interim measures?
4. What steps should be taken to help enforce the protection order?
5. Is there anything else the campus should do in this scenario? If so, how can it be done in a way that fosters safety and respects survivor autonomy?

The student disciplinary process at a private college allows for either party to have an advisor of choice accompany them into the hearing. Tomorrow a hearing has been scheduled for a situation in which the student respondent is facing allegations of sexual misconduct. The complainant is participating. It is 4 p.m. the day before the hearing and the college gets a request for a continuance from an attorney that the respondent has retained. This would cause an extension beyond 60 days since the student received notice about the complaint. The Title IX Coordinator calls the complainant to let her know what is going on. She asks the Title IX Coordinator to recommend an attorney that can represent her.

Potential Discussion Questions:

1. How should the Title IX Coordinator respond to the complainant's request?
2. What policies should be in place pertaining to advisors of choice for complainants and respondents? Attorneys?
3. What circumstances may justify extending time frames for investigation and hearing student conduct complaints?
4. Is there anything else the campus should do in this scenario to help create a fair and equitable hearing process?

INTERIM MEASURES, STUDENT CONDUCT HEARINGS & SANCTIONS SCENARIOS

The debate team at the community college is a strong contender winning state and national competitions. Professor Talksalot has been the faculty coach to the team for the past 10 years. He is well respected and is able to attract money to the college. Gyrmaine joined the debate team this year and immediately became one of the stars on the team. Gyrmaine is gender non-conforming. Professor Talksalot has provided extra coaching time to Gyrmaine. They have developed a bond so it did not seem odd to Gyrmaine when Professor Talksalot asked Gyrmaine to come to his hotel room when they were at a competition out-of-state. In the room, Professor Talksalot began to stroke Gyrmaine's leg and told Gyrmaine that he has never felt this way about a student before. He said he is very attracted to Gyrmaine and asks for oral sex. When Gyrmaine refuses, Professor Talksalot forces himself on Gyrmaine and puts his penis in Gyrmaine's mouth. When the team returns home, Gyrmaine reports the incident to the Title IX Coordinator and asks for help and protection from Professor Talksalot.

Potential Discussion Questions:

1. How should the Title IX Coordinator respond to Gyrmaine's report?
2. What information should be shared with Gyrmaine about options in response to this sexual assault?
3. What interim measures may Gyrmaine need in order to feel safe and supported?
4. What assistance may Gyrmaine need as a survivor of rape and by whom?
5. What other steps should the campus take to help protect students from Professor Talksalot?

Jamie and Jordyn had a brief romantic relationship. Jordyn ended the relationship after Jamie violated Jordyn's privacy and body. Jordyn made a complaint to the school and the school put a no contact order in place. One evening after a few drinks, Jordyn decides to reach out to Jamie to see if they can resolve their differences amicably. Jamie calls the campus police and tells them that Jordyn is breaking the no contact order.

Potential Discussion Questions:

1. What are the goals of a no contact order?
2. How should the campus police respond to Jamie's call?
3. Is there anything about the dynamics of an intimate partner violence situation that should impact decision making of responders?
4. What supports may Jordyn need? Who is best situated to reach out to her?
5. What other responses may the campus consider in this scenario?

INTERIM MEASURES, STUDENT CONDUCT HEARINGS & SANCTIONS SCENARIOS

Joe has been accused of sexual harassment and stalking by another student. He is a sophomore at the college. This is his first reported violation. He denies the accusations. The campus is moving forward with a conduct hearing. They have already put into place a no contact order with the alleged victim and has changed Joes' class schedule. Joe's parents have hired one of the best criminal defense attorneys they could find. They have also put the college administration on alert that they plan to sue the college. The attorney sends a subpoena to the University's Custodian of Records and to the Title IX Coordinator demanding all records associated with the alleged victim, including her college application, her grades, her health records and any other information that could be pertinent to her character. The attorney additionally wants to conduct a deposition with the alleged victim and with the campus public safety officers that responded to the incident and others on campus that conducted the investigation. The alleged victim shows up in the Title IX Coordinator's office and asks that the college protect her and help her get out of the deposition. She says she is unable to handle all the stress and is ready to leave college.

Potential Discussion Questions:

1. How can the campus help Joe understand the student conduct hearing process and reduce the chance for creating a hostile environment?
2. How should a campus respond to requests for records pertaining to a complainant? Requests for depositions?
3. Would the response to Joe's attorney be different if there was also a criminal justice response happening? If so, how? If no, why not?
4. What should be the role of the Title IX Coordinator in this scenario?
5. What concerns do you have, if any, for the complainant? How can those concerns be alleviated?

Artem is on a student visa from the Ukraine and is studying international political science. He has been reported several times to the campus police over the years for touching and groping women without consent. After the third report, the college decides to take action. It is a protracted investigation and student hearing process. During the interim, Artem's grades have dropped. He has lost a lot of weight and his friends report he is isolating himself and drinking heavily. Artem's friends are concerned about his health and well-being and ask the college to help Artem.

Potential Discussion Questions:

1. What is the college's responsibility, if any, to assist in Artem's health and well-being?
2. What supports may Artem need during the investigation and hearing process?
3. How can an investigation and hearing process be structured to be fair and equitable yet mitigate negative consequences on complainants? On respondents?
4. If Artem is found to have violated the student conduct code, what sanctions should be considered? What about a transcript notation?

INTERIM MEASURES, STUDENT CONDUCT HEARINGS & SANCTIONS SCENARIOS

Two weeks ago, Jenna's friend reported to the Title IX Coordinator that Jenna is being stalked and harassed by her former partner. Jenna ended the relationship after jealousy and control reached new levels. Jenna was not allowed to go where she wanted or dress how she wanted. One day Jenna's partner forced her to have sex and also strangled her during the act. Since Jenna ended the relationship, she is being stalked and harassed. The college put a no contact order in place. Someone is posting vile things about her on yik yak (e.g. she has STDs and is a whore). She knows it is her former partner. One day before the hearing is to take place, Jenna makes an appointment to see the Title IX Coordinator. She tells the coordinator that if the hearing goes forward, she believes she will be killed.

Potential Discussion Questions:

1. How should the Title IX Coordinator respond to Jenna's fears?
2. What other stakeholders may be helpful in assessing lethality and increasing Jenna's safety?
3. What are other campus actions that should be considered? Other non-campus actions?

A college went through a student conduct hearing and Evan the star of the lacrosse team was found responsible for raping another student. The sanction was expulsion. There was no criminal case pursued by the county prosecutor. After being expelled, the student went public with the situation. There was a lot of press coverage, including investigative stories conducted by local and national news outlets. Evan named the complainant publicly. The news stations have been planted on the grounds of the college, have contacted the survivor's family and friends, and are inundating the college with requests for information about the incident.

Potential Discussion Questions:

1. Should the college respond to the media? If so, how? If no, why not?
2. What is the role of the campus in helping protect the survivor?
3. What concerns does this scenario raise for the survivor? For the university?
4. How can the campus partners/stakeholders collaborate to respond collectively to the above listed concerns?
5. How could the media have been more properly prepared to cover stories about sexual violence?

Questions for Brief Case Studies

1. What would you want to happen in this scenario?

2. What would happen if this occurred on our campus?

3. What other information do we need to know to help guide a safe, culturally-relevant, and holistic response?

Questions for Disclosure by Someone Other Than Survivor Scenarios

1. What should the person do with the information they have learned?

2. What additional information is needed before a decision can be made as to next steps?

3. How can the survivor's safety and confidentiality be protected if there is a decision on the part of the campus to investigate the allegation?

4. How could a campus' response help support the survivor in lieu of any formal action?

5. Would anything be different about the campus response if it was the survivor who directly disclosed?

Questions for Survivor Disclosure Scenarios

1. What is your first reaction to the situation?

2. What safety issues, if any, are raised for the survivor? For the larger campus community?

3. What should the person do with the information they have learned?

4. What additional information is needed before a decision can be made as to next steps?

5. What is the current campus response to this situation?

6. How does this response meet the needs of the survivor and balance any legal requirements?
