

BILL: S2015-SB13

TITLE: Resolution on Sexual Respect

SPONSOR: Josh Berlowitz, Junior Class Senator
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Whereas sexual respect is defined as respect for others' sex, gender, sexual orientation, and sexual boundaries in both attitudes and actions,

Whereas relationship respect is defined as respect for personal boundaries in all interpersonal relationships in both attitudes and actions,

Whereas one in five women will experience sexual violence by the time they graduate college (Krebs et. al., 2007). This rate has remained the same since studies in the 1980s (Koss, Gidycz, & Wisniewki, 1987). Additionally, 1 in 71 men had been raped or suffered an attempt within their lifetime (CDC),

Whereas 5% of women on college campuses experience rape or attempted rape every year (Kilpatrick, Resnick, Riggiero, Conoscenti, & McCauley, 2007; American College Health Association, 2013),

Whereas Middlebury College policy lacks an affirmative consent policy while our peer schools, including Amherst, Hamilton, Haverford, Swarthmore, Tufts, and Wesleyan, have much more progressive policies,

Whereas 96% of respondents at the most recent It Happens Here event defined consent affirmatively,

Whereas definitions of consent which are not affirmative lead to victim-blaming,

Whereas 17 reports of sexual misconduct were made to Middlebury authorities during the 2013 school year. Of those seventeen reports, only five went to judiciary processes. Of those five, only three cases reached a verdict. Of the three verdicts, only one respondent was found guilty of sexual misconduct. That student was not expelled,

Whereas serial rapists commit 9 out of 10 sexual assaults on campus (Lisak). The perpetrators of these crimes are in the minority, and the majority of students practice sexual respect,

Whereas the six voices heard in the Middlebury Unmasked project indicate that serious reforms need to be made to Middlebury's judiciary processes,

Whereas sexual respect is a topic of high importance to the Middlebury student body, as demonstrated through the existence of clubs and events like the Resilience Project, SAOC, JusTalks, Cliteracy, It Happens Here,

Whereas it recently took the College 145 days to adjudicate a rape that was videotaped,

Whereas current mechanisms aimed at overseeing sexual conduct, including the Sexual Assault Oversight Committee (SAOC), are failing to provide meaningful dialogue regarding sexual respect,

Whereas creating a norm of sexual respect requires both administrative efforts as well as the efforts of student leaders (Dunn 2015),

Whereas other schools, including Amherst College, have demonstrated that Student Governments can serve as effective tools in establishing norms of sexual respect, and that Student Governments can bridge the gap between the needs of students and administrative policy,

Whereas Middlebury's SGA has yet to engage in any dialogue surrounding sexual respect,

Whereas Silence and inaction creates an environment which is hostile to survivors,

Whereas WomenSafe provides a support group "for individuals who have experienced sexual and dating violence" to "Middlebury students of all gender identifications,"

Whereas the WomenSafe support group is "supported by Grant No. 2010-WA-AX-0010 awarded by the Office on Violence Against Women, U.S. Department of Justice," but this grant is limited and will run out,

Be it resolved...

Student Government Association Reforms

That SGA affirms that creating a campus culture defined by sexual **and relationship** respect is desirable.

That Section II, Part (O) of the SGA Bylaws be added as follows:

(O) Director of Sexual and Relationship Respect

The Director of Sexual and Relationship Respect organizes initiatives and conversations on how to create foster greater sexual and relationship respect on campus. They facilitate programming and policy on sexual respect and related issues, including but not limited to bystander training. The Director of Sexual and Relationship Respect sits, *ex-officio*, on the Sexual Assault Oversight

Committee. The **Director of Sexual and Relationship Respect** serves as a liaison between student groups, administrators, and **community partners** on issues of sexual respect.

Judicial Process Recommendations

That Middlebury College should institute a policy of Affirmative Consent, the affirmative, conscious, and voluntary agreement to engage in sexual activity.

That Middlebury College should create an online feedback mechanism on the Judicial Process.

That Middlebury College should ensure both parties have access to counsel.

That Middlebury College should institute regulations that prevent students from being able to prolong the judicial process.

That Middlebury College should prevent discussion of either the claimant or the respondent's sexual and mental health histories.

That Middlebury College should train investigators to better refrain from victim-blaming during their investigations.

That Middlebury College should introduce recording into investigations to provide more accurate investigations and expedite judiciary processes in such a way that does not violate any party's sense of comfort when providing testimony.

That Middlebury College should make the names, photos, and credentials of current Middlebury investigators publicly available on Middlebury's website.

Structural Recommendations

That Middlebury should acknowledge that improving the judicial process and going beyond compliance is desirable.

That Middlebury should provide spaces for students, faculty, and staff to have input on the Title IX process. This may include the creation of a Title IX review committee, which identifies areas of improvement based on public concerns or the use of the Sexual Assault Oversight Committee (SAOC) as a sounding board.

That Middlebury College's Policy Against Sexual Misconduct, Domestic Violence, Dating Violence and Stalking should be **renamed Middlebury College's Policy on Sexual and Relationship Respect.**

That Middlebury College should reframe issues of sexual misconduct, domestic violence, dating violence, and stalking as sexual **and relationship** respect in order to

foster a more respectful campus community rather than respond to only the worst parts of our sexual **and relationship** culture on campus.

That Middlebury College should hire a Sexual **and Relationship** Respect Educator to allow for increased programming around sexual respect and also give more insight and resources to Title IX compliance.

That the Sexual Assault Oversight Committee should be renamed such that its name more accurately corresponds to its role on campus.

That Middlebury College should continue funding the WomenSafe support group for survivors.

New Conversations

That SGA should host a forum **this academic year** on *Middlebury Unmasked* with administrative participation.

That discussions of sexual **and relationship** respect should consider how the architecture of social spaces facilitates sexual assault, as well as what can be done in terms of lighting, exits, etc. to create safe spaces.

LEGISLATIVE ACTION

Originally Proposed.

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