

In her speech on September 7th, Secretary DeVos suggested we look to experts for ideas about how to strengthen the current guidance on Title IX, an important piece of legislation that protects students' rights to educational opportunities regardless of gender. I am a researcher and faculty member in the field of social work with over eighteen years of experience in the areas of domestic and sexual violence, both as a social worker and as a researcher. My fourteen peer reviewed publications have been cited more than a thousand times. I am writing in the hopes that my expertise will be useful to Secretary DeVos and her colleagues as they make decisions that will shape the lives of students in the years to come.

While I applaud the previous administration for their important work to ensure that the well-established Title IX protections related to sexual harassment and sexual violence were being enforced by our nation's schools, I agree with Secretary DeVos in her assessment that Title IX implementation is imperfect and further changes are needed to better protect the safety and well-being of all students.

Research that I have conducted on the experiences of campus personnel (Title IX Coordinators, Administrators, Victim Advocates, Student Affairs staff, lawyers, and others) implementing Title IX and related guidance should be useful to the Secretary in ensuring that the voices of those responsible for upholding Title IX on their campuses are heard. Two different research studies that I have conducted (one with a colleague) have identified four important findings that are relevant to any discussion of future guidance.

**1. Both studies confirm that, overall, campus personnel are appreciative of the Obama administration's efforts to address sexual violence on campuses and provide guidance to campuses.** In one study, participants described a welcome culture shift on campuses that finally brought sexual assault out of the shadows, providing administrators useful guidance needed to implement reforms. The other study also confirmed that campus administrators and personnel overwhelmingly believe that the changes on campuses have improved campus handling of sexual assault. *This finding underlines the importance of making sexual violence prevention and response explicit responsibilities of universities in order to ensure optimal learning environments for students.*

**2. Contrary to some claims, both studies illustrate that campus administrators have carefully considered the fairness and protection of student rights to due process as they implemented reforms.** Participants described a number of ways their campuses have sought to ensure fairness, for example by (a) revising policies to provide complainants and respondents with equivalent access to information, (b) ensuring identical rights to appeal decisions, and (c) hiring staff to support respondents through the process of an investigation and hearing in an effort to ensure that students accused of a violation have access to quality information about the process and their rights therein. In another study, participants were asked to rate their campus' priorities when implementing Title IX. Fairness and due process related goals were ranked significantly higher than all other types of goals, including supporting victims in the campus response, suggesting that campuses have seriously and carefully considered how to ensure their process is fair to all students. *It is imperative to acknowledge and support the work campuses have already undertaken to protect due process, and balance the rights of accused students with the need to protect survivors' access to educational opportunities under Title IX law.*

**3. While campus personnel can identify problems in the current guidance related to Title IX, overall they are not terribly frustrated and they largely disagree with claims that campus sexual assault has been given too much attention.** In one study, participants rated their level of frustration as neutral, suggesting that there is not a widely held sense of frustration about current Title IX guidance. Participants also disagreed with the suggestion that campus sexual assault has been exaggerated or given too much attention in recent years. *If those most directly responsible for their campus' response to sexual violence are not frustrated and do not think Title IX has overreached, we must ensure that any revisions to the guidance does not inadvertently undermine the work that campuses have undertaken to make themselves safer.*

**4. Both studies suggest the need for research evidence to guide campus responses, attention to experts on sexual violence, and the need for technical assistance, support and funding to assist campuses in meeting their Title IX obligations.** Funding research on campus responses is crucial for creating a rigorous evidence base. While lawyers have a crucial expertise on interpreting Title IX and relevant case law, many other experts have equally valid knowledge to contribute, including sexual assault victim advocates, medical professionals, psychologists and social workers, law enforcement, Title IX coordinators and many others. Campuses have grown their sexual assault related functions in recent years and need assistance, both in terms of concrete guidance and funding to support their efforts. *Research, technical expertise, and funding would go a long way towards ensuring that Title IX guidance is implemented appropriately.*

My research with campus staff and administrators, summarized above, is some of the only research that has captured the experiences of the staff and administrators who are responsible for Title IX related activities. It is imperative that any efforts to revise Title IX guidance seek continued input from this group of stakeholders. In summary, the research I have conducted suggests that the changes made to Title IX guidance over the last six years, while not perfect, have spurred colleges and universities to take action to prevent and respond to the large numbers of sexual assaults on campuses. Overall, college and university staff think these changes are needed and reasonable, providing protections for both complainants and respondents in sexual assault conduct proceedings. Many of the problems with Title IX could be alleviated by having the research base and resources necessary to implement the guidance. I hope that Secretary DeVos takes these findings into account when reviewing and updating Title IX guidance.