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Dear NASPA Members,

Sexual assault and sexual violence are serious issues facing American higher education. As an association of professionals dedicated to cultivating academic success, student development, and civic engagement, NASPA is committed to ensuring that sexual assault and sexual violence have no place in our campus communities.

Sexual assault and violence are grotesque violations of campus values and norms. As educators, NASPA believes the best of our institutions of higher education is reflected in their commitment to deep intentional learning and self-reflection; a process leading to an enhanced understanding of one's self, one's community, and one's place in the world. Unique talents are nurtured and refined, new passions and skills developed, and interpersonal bonds formed. Sexual assault and sexual violence undercut all of these.

When students experience sexual assault their world is changed. The process of learning is interrupted, the course of personal development and growth altered, the bond of social trust broken. Sexual assault and violence cause immeasurable harms; some public, some private; some personal, some institutional; but all are an intolerable break from the purpose, mission, and values of higher education.

Over the course of the past several months, NASPA has taken a number of steps to confront sexual assault and sexual violence in higher education. We have worked to contribute to policy conversations, provide professional development to our members, and ultimately to support students.

The following are initiatives NASPA has been involved in regarding sexual assault and sexual violence:

Participation in the Violence Against Women's Act Negotiated Rulemaking

In January, Lisa Ann Erwin, National Chair of [NASPA's Public Policy Division](#) and Vice Chancellor for Student Life and Dean of Students at University Minnesota-Duluth, was appointed to the [U.S. Department of Education Negotiated Rulemaking Committee for the Violence Against Women Act \(VAWA\)](#). This panel of experts – representing the Department of Education, sexual assault advocacy and student survivor groups, general counsels, campus police and conduct officers, campus safety advocates, and representatives from all sectors of U.S. higher education — was charged with drafting rules and regulations to implement portions of the VAWA statute.

After three working sessions held over the course of the winter and early spring, the committee reached [consensus on draft regulatory language](#). Over the next several months this draft language will be open for public review and comment. Final regulations are expected to be published by the Department of Education in the fall.

As implied by the term “negotiated rulemaking,” the proposed final regulations reflect a consensus agreement that emerged from a diverse group of constituents with many perspectives. Do these proposed final regulations read as they would if NASPA alone were to craft them? No.

Do they reflect the hard, incremental, and deeply engaged work of Erwin and others to find consensus on a complex and multifaceted issue? Yes. NASPA certainly hopes that these new regulations can assist in addressing sexual assault and related issues on our nation’s college and university campuses.

NASPA will continue to work with campus colleagues and association partners to ensure student affairs professionals have a clear and concrete understanding of what these new regulations mean to campus policy and procedure. We will continue to monitor the roll-out of the regulations over the next year and engage in on-going dialogues with officials from the Department of Education and the Department of Justice to address any compliance challenges and share successful institutional practices.

Engaging the White House Task Force to Protect Students from Sexual Assault

As has been well covered in the media, President Obama launched a [White House Task Force to Protect Students from Sexual Assault](#). The task force is charged with directing interagency efforts addressing sexual violence and sexual assault, including coordinating federal enforcement efforts by executive departments and agencies and helping institutions meet their obligations under federal law. NASPA welcomes presidential leadership and attention to this critical issue.

To support the work of the task force and to share NASPA’s campus-informed perspective, NASPA Vice President for Research and Policy Brian A. Sponsler was invited to participate in a meeting held at the White House on Feb. 21. Those from the higher education association community included colleagues from the National Association of Independent Colleges and Universities ([NAICU](#)), American Association of Community Colleges ([AACC](#)), Association of Community College Trustees ([ACCT](#)), the State Higher Education Executive Officers Association ([SHEEO](#)), and American Association of State Colleges and Universities ([AASCU](#)). In addition, [Valerie Jarrett](#), Sr. Advisor to President Obama; [Lynn Rosenthal](#), White House Advisor on Violence Against Women; and [Catherine Lhamon](#), Assistant Secretary, Office for Civil Rights represented the task force.

At this meeting, Sponsler discussed ways the work of the task force could be supportive of on-going institutional efforts to address sexual assault. The committee also suggested that clarity was needed to address the complexity of Clery Act and Title IX compliance guidance and advocated for additional resources to support prevention and wellness programs at the campus-level.

More recently, on April 11th, NASPA staff participated in the White House Data Jam on Protecting Students from Sexual Assault, sponsored by the [Office of the U.S. Chief Technology Officer](#). This working group meeting included survivor advocates, computer programmers, policy experts, philanthropic representatives, and web designers. Throughout the day, discussions explored unique ways in which technology, data, and web-based engagement tools could support students, enhance campus safety, and make the campus climate around sexual assault and violence more transparent.

Finally, NASPA will be represented at a White House event at the end of April when Vice President Biden and members of the task force release their initial progress report and findings to the public.

Taken together, these engagements represent NASPA's continued efforts to work with policymakers and administration officials to craft effective and helpful solutions to reduce sexual violence and support all students impacted by its occurrence.

Legal Links: Understanding Campus Obligations for Student-to-Student Sexual Harassment

Early this year, [NASPA's Research and Policy Institute](#), in collaboration with the Education Law Association, released the inaugural issue of *Legal Links*, a publication series connecting student affairs and legal communities. The first issue – "[Understanding Campus Obligations for Student-to-Student Sexual Harassment: Guidance for Student Affairs Professionals](#)" – provides clear, concise, and understandable guidance to address Office of Civil Rights (OCR) enforcement standards for campus compliance regarding Title IX sexual harassment. At a time when institutions policies and practices related to Title IX are under increased scrutiny, and practitioners face a fluid and complex set of often disjointed compliance requirements, *Legal Links* provides practical and actionable direction to self-audit policy and procedures. A NASPA member benefit, this publication has been very well received and broadly disseminated.

In recognition of the timeliness and utility of this publication, NASPA has provided a number of copies directly to senior-level policy audiences in Washington, D.C., including all members of the [Task Force to Protect Students from Sexual Assault](#) and [key leaders in the U.S. Senate](#). We believe this issue of *Legal Links* reflects a proactive and constructive approach to assisting institutions in developing and implementing institutionally appropriate policies to combat and adjudicate Title IX and other sexual violence incidents. As the legal issues surrounding the Clery Act and Title IX evolve, NASPA will continue to produce and make available publications to inform policy debates and institutional practices.

Staying Engaged

Moving forward, NASPA staff and volunteer leaders will continue to engage and monitor discussions in the fluid and complex policy environment surrounding sexual assault, sexual violence, and proper enforcement of Title IX on our nation's college and university campuses.

As the higher education community anticipates a new "Dear Colleague" letter from OCR – a letter we hope offers clarifying guidance – know that NASPA stands ready to respond.

We will provide an initial quick take on the substance of the letter. But more importantly, NASPA will provide members with a supplement to the most recent *Legal Links* issue brief. The briefs original authors will thoroughly digest the forthcoming “Dear Colleague” letter and provide an update for members on the implications for practice and policy at the institutional level. This supplement will build on January’s issue and keep this important resource up to date.

Keeping Students at the Forefront

Adequately addressing and responding to sexual assault and sexual violence, both at the institution and policy-levels, require a coordinated and transparent effort by all parties. NASPA respects the desires on the part of those in the policy community to tackle this pressing issue.

At the same time, NASPA will continue to advocate for constructive dialogues and policies that support institutions in not just adhering to compliance requirements, but developing and maintaining campus communities that are safe learning environments. NASPA members have long worked on issues of student safety and sexual health and wellness. As we move forward in policy dialogues, we will continue to seek opportunities to build on existing practices and enhance their effectiveness and reach.

However, it is imperative we acknowledge that while we work to refine and improve policies and campus practices, students are experiencing the trauma of sexual assault. Behind the numbers we see in our own assessments and read in federal statistics is a student – a student whose life has likely forever been altered. We are here to support those students and the student affairs professionals who will help them endure through this tragic event.

As a profession founded on serving students and helping them become their best selves, NASPA will remain a voice committed to finding student-centered solutions. Only together can we eradicate sexual assault and sexual violence from our nation’s college and university campuses. Together we can ensure that students continue to have safe, healthy, and welcoming campus environments to learn and grow.

Sincerely,

A handwritten signature in black ink, appearing to read "Kevin Kruger". The signature is fluid and cursive, with a long horizontal stroke at the end.

Kevin Kruger, Ph.D.
President, NASPA – Student Affairs Administrators in Higher Education