

ETHICAL DECISION-MAKERS: HOW STUDENT AFFAIRS STAFF MAKE
MORAL CHOICES IN THE FACE OF SEXUAL ASSAULT CASES ON
CAMPUS

by

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ABSTRACT

ETHICAL DECISION-MAKERS: HOW STUDENT AFFAIRS STAFF MAKE MORAL CHOICES IN THE FACE OF SEXUAL ASSAULT CASES ON CAMPUS

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This qualitative study examined the experience of seven student affairs staff at a private, religiously oriented university in the South who deal with sexual assault cases. Using Nathaniel's (2006) theory of moral reckoning (TMR) from the field of nursing in coding and analysis, several themes emerged including for staff seeing value in legal and policy training by the university, experiencing moral conflict, and being able to cope with it in order to continue in their profession.

The implications of these themes have relevance to practice, theory, and future research. For practice, because the adjudication of these cases is personally challenging, the university should encourage staff who are involved in this work to attend counseling services off campus and provide the means to do so. The

university should provide the public and students with a flowchart of the reporting process of sexual assault cases so that the process is clear. The university should also revisit housing policies surrounding moving accused students to other facilities or cancelling their on-campus options and hold a public forum to educate stakeholders (i.e., students, staff, faculty, and administrators) in the university committee about required responses of sexual assault that can happen when adjudicating these incidences. As the first study to apply TMR to student affairs staff, it showed that the theory is applicable beyond nursing. The staff admitted they do experience moral stress dealing with these highly charged cases and offered a range of ways they cope with it. Given the limited scope of the study, future research should include more perspectives – like those of campus police and Title IX coordinators and other types of campuses in other parts of the United States – and explore the meaning of consent for staff on campus.

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Chapter 1

Introduction

Student affairs administrators and staff play critical roles in the efficient running of an institution of higher education (Rosser & Javinar, 2003). Within this microcosm, their primary function is to provide vital actions central to ensuring student success on college campuses. For instance, they supervise the daily operations of residence halls, enforce university policies (e.g., fire violations in residence halls, underage drinking), oversee orientation, and create and implement diversity programs (NASPA, Student Affairs Administrators in Higher Education, 2010). They, likewise, tend to be the first responders to students as they cope with issues like the high cost of tuition and academic stress (Clark, 2005; Jacobs, 2014). In short, these university personnel lead, train, mentor, and counsel students (Cantalupo, 2011; NASPA–Student Affairs Administrators in Higher Education, 2010).

However, their duties do not end there. They must balance the welfare of students with the values and goals of the institution and the concerns of coworkers and alumni (Ehrich, Cranston, Kimber, & Starr, 2012; Reybold, Halx, & Jimenez, 2008) as well as their own beliefs and ethics (Reybold et al., 2008), while following the rules and laws that govern the institution. The stakes could not be higher. These professionals' decisions have consequences that affect students'

educational futures, the university's reputation, and overall campus safety (Bolger, 2016; Chmielewski, 2013).

One situation that has assailed campuses for decades occurs when a student is accused of sexual misconduct, which includes sexual assault and harassment (Cantalupo, 2011; McMahon, 2008a; Payne, 2008). Sexual assault is defined as "illegal sexual contact that usually involves force upon a person without consent or is inflicted upon a person who is incapable of giving consent" ("Sexual Assault," 2018, para. 1). These acts include "rape, sexual assault, sexual battery, and sexual coercion. All such acts of sexual violence are forms of sexual harassment covered under Title IX" (Ali, 2011, p. 1). Ridolfi-Starr (2016) reported that "one in five females report being sexually assaulted during college" (p. 2158). Likewise, male college students are 78% more likely to be a victim of rape or sexual assault than their male peers who do not attend college (Sinozich & Langton, 2014).

Several campus personnel might be involved in adjudicating sexual assault cases, but student affairs staff often fulfill the case's central role. In general, the student affairs staff examine evidence based on the complainant's¹ initial description of the incident. Then, they seek out a response from the accused person, who has a right to respond to the complainant who charged him or her of

¹ The term, *complainant*, is the term for the alleged victim and *respondent* refers to the accused as stated in the Dear Colleague Letter put out by the Obama administration (DCLa) (Shaw, 2016).

wrongdoing. In addition to these individuals, the investigation may include gathering statements from other people, particularly if the incident happened in a manner that involved witnesses.

Significantly, the process is dictated by federal statutes (i.e., Title IX of the Education Amendments Act of 1972 [2018], and the Jeanne Clery Act [2018]) that define the duties for *any* campus (i.e., public or private), which receives *any* amount of federal funding. Staff, then, adhere to Title IX that bans sexual discrimination on postsecondary campuses and requires colleges and universities to address complaints of sexual assault, harassment, and misconduct (Education Amendments Act of 1972, 2018; Shaw, 2016). They follow the provisions of the Clery Act, which necessitates that university employees report sexual assaults through crime alerts that are posted at the entrances of residence halls and disseminated by email (Shaw, 2016). Additionally, the universities must provide an annual disclosure of campus crime statistics to the public (Dunn, 2013).

These cases often do not lead to convictions in criminal court likely because of insufficient evidence for meeting the high standard of *clear and convincing*; however, an equivocal lesser standard of evidence is more likely to lead to consequences on the accused at the campus level that can include suspension, forfeiture of scholarships, and/or expulsion (Cantalupo, 2011; Henrick, 2013; Shaw, 2016). Yet, this situation is far from clear cut. The laws and their interpretations that guide university action can change with each new

presidential administration. For instance, Obama's administration enforced the *preponderance of evidence* standard for sexual assault cases that allowed schools to find a student guilty if the data presented a high likelihood of at least 51% of the evidence pointing to the sexual assault occurring (Chmielewski, 2013). This standard changed under Trump's administration to the stricter *clear and convincing* evidence rule that required a greater level of proof for enforcing a guilty ruling (Saul & Taylor, 2017). These policy changes are significant because they result in shifts in case judgments (Saul & Taylor, 2017) and might negatively affect victims of sexual assault by making their cases too difficult to prove.

Beyond following federal policies, student affairs staff must adhere to all other conduct codes adopted by their employing universities. These rules provide definitions for forms of behavior that are categorized as sexual assault and outline reporting procedures (McMahon, 2008a). Moreover, private institutions, specifically religious ones, can enforce additional conduct requirements for staff (e.g., limits on alcohol consumption) and character development goals for students (e.g., a focus on ethical leadership development; Baylor University, 2018). Despite these rules, some small, religious institutions have demonstrated a lack of knowledge concerning Title IX guidelines and reporting procedures, encouraging additional training for employees (Edwards, Sessarego, & Schmidt, 2018). This lack knowledge about Title IX policies may be one of the reasons

student affairs staff could undergo stress when reacting to reports of sexual assault and misconduct on their campuses (Jo, 2008; Kim & Stoner, 2008; Tull, 2006).

How small, religious universities handle these types of cases may lead to lawsuits. There have been instances where victims or accused students have sued campuses for acting unethically in their response to sexual assault allegations. These types of lawsuits highlight the problem with the inconsistencies of federal policy implementation at campuses across the U.S. as each institution handles these crimes (Creech, 2016; Izadi, 2015).

One example occurred at Bard College, a private institution, where a victim sued the institution over its handling of her case. In this instance, a female student claimed that Bard College personnel ignored her case and failed after she disclosed her assault to a college employee to inform her that she could have filed with the court for a no-contact order between her and her alleged assailant (Ridolfi-Starr, 2016). She only discovered that she could do so three years after the alleged incident when she filed an official complaint.

Likewise, some accused students have had grounds for suits against institutions that handled their cases poorly resulting in due process issues (i.e., the right to continuing a postsecondary education and the right to not have the state impugn one's name; Henrick, 2013). This type of violation is seen in the case of a male student at Vermont Law School where, despite a lack of evidence of the alleged sexual assault, he was declared at fault by student affairs staff and his

reputation ruined on campus (Hendrix, 2012). Eight months after the judgment, the school dropped all charges against him (Hendrix, 2012). This example illustrates that schools have failed their students in their management of such cases and in their ethical decision-making. Unfortunately, this is a disquieting reality at the heart of these lawsuits.

One reason, as Cantalupo (2011) observed, is “the vast majority of professionals working on the front lines in residence life, student conduct, public safety, and other departments where survivors are likely to report are not hired for, or trained in, knowledge about campus peer sexual violence” (pp. 221-222). Yet, student affairs staff play critical roles with students who are at their most vulnerable. These professionals provide students with mental and physical health resources (e.g., access to counseling services and hospital referrals) and create educational (e.g., course incompletions) and/or social consequences (e.g., the transferring of a student to/from a residence; Chmielewski, 2013). For these reasons, these professionals can experience a heavy ethical burden that might negatively impact their performance and personal lives.

Student affairs practitioners make hard decisions about whether students who violate rules are allowed to remain in campus housing or attending classes, and these decisions can cause the job to become ethically challenging (Ehrich et al., 2012). These conditions can lead to the experience of increased stress, including the moral stress created when a person faces an ethical issue or dilemma

(DeTienne, Agle, Phillips, & Ingerson, 2012). Tull (2006) found that staff who experience role ambiguity (i.e., confusion on the boundaries of their job) and role conflict (i.e., misperception of power of their position) within their positions report lower levels of job satisfaction (Rosser & Javinar, 2003). Though it is uncertain if on-the-job stress from these types of cases actually affects employee retention, researchers have found the presence of high turnover rates among student affairs professionals (Jo, 2008; Tull, 2006). Further, moral stress has been linked to poor job performance, burnout, and significant rates of turnover among student affairs staff (Brewer & Clippard, 2002; Howard-Hamilton, 1998; Rosser & Javinar, 2003; Tull, 2006). Therefore, the moral stress of handling sexual assault allegations might affect staff retention.

Losing staff in these key roles is problematic for students and the institution. When staff positions turnover within academic years, students can experience a lack of efficiency, consistency, and quality of services (Rosser & Javinar, 2003). Additionally, the university loses an investment in knowledge and incurs costs associated with employee recruitment, orientation, and training (Brewer & Clippard, 2002; Rosser & Javinar, 2003). It is important, then, to retain these professionals for university standing and student satisfaction.

Although it seems plausible to assume that cases present moral, emotional, and professional challenges for student affairs staff that might affect their retention, most research on sexual assault is tailored toward students (Franklin,

2011; Franklin, Bouffard, & Pratt, 2012; Hayes-Smith & Levett, 2010; Jozkowski & Peterson, 2013; Untied, Orchowski, Mastroleo, & Gidycz, 2012) or focused on policy compliance (Dunn, 2013; Henrick, 2013; Karjane, Fisher, & Cullen, 2002; McMahon, 2008a; Ridolfi-Starr, 2016; Shaw, 2016). In fact, even though staff face difficulty in the management of these situations and have the potential for burnout from associated moral stress, there is limited research on their experiences. Further, because private universities often have more ethical requirements for staff than public colleges (Baylor University, 2018), and because their student affairs professionals have shown to have less knowledge about Title IX policies (Edwards et al., 2018), those issues may be exacerbated. Therefore, this qualitative research study represented the first step in addressing this research gap by exploring how student affairs staff at a private university make ethical decisions concerning sexual assault cases and what they do if and when conflicts arise between law, policies, and personal ethics.

Theory

I used Nathaniel's (2006) theory of moral reckoning (TMR) that evolved from the field of nursing to understand what individuals do when they experience moral conflict. This theory centers on how nurses, who work closely with patients, deal or "reckon" with their choices amid conflict between federal law, local hospital regulations, and supervisor opinions (including doctors' orders), which can lead to moral distress (Nathaniel, 2006). Student affairs professionals,

likewise, work closely with students and must follow various federal laws, unique university policies, and the requirements of their supervisors in their respective colleges (Schluter, Winch, Holzhauser, & Henderson, 2008). Another parallel between nurses and student affairs staff is that each professional might experience little autonomy in their respective roles (Nathaniel, 2006; Rosser & Javinar, 2003). Thus, this theory was a helpful lens through which to better understand how student affairs staff navigated the various pressures they faced in a postsecondary environment.

Moral reckoning contends that once nurses believe that a moral violation has occurred at work (e.g., a nurse strongly disagrees with the execution of a patient's care), they eventually reconcile the decisions with their personal beliefs. The primary ways they manage this conflict includes the following: (a) giving up and continuing to participate in the profession with some regret, (b) making a job change, or (c) taking a stand and insisting on a policy change (Nathaniel, 2006). After deciding on a path, nurses try to resolve the moral conflict through further reflection, which can be ongoing. I argue that student affairs professionals, who experience moral distress concerning their handling of sexual assault cases, experience similar moral reckonings. Thus, they might react as nurses do to these types of pressures, namely, choose to stay in the field, change jobs, or fight for revisions to the protocol.

Statement of Problem

Student affairs professionals play central roles in student engagement and retention in college (Kuh, 2009; Rosser & Javinar, 2003). Yet, these staff members continue leaving the profession in high numbers because of burnout and stress (Brewer & Clippard, 2002; DeTienne et al., 2012; Jo, 2008). One potential contributor to that stress might be connected to the tensions and conflicts experienced by staff having to consider and reconcile a variety of perspectives (e.g., federal law, campus policy, and alumni opinions) in their roles on a college campus (Ehrich et al., 2012; McMahon, 2008).

This challenge could be complicated by requiring student affairs staff to investigate sexual assault cases, given that higher numbers of cases occur annually and federal rules are often in flux (Jozkowski & Peterson, 2013; Saul & Taylor, 2017). Further, despite numerous federal laws and campus policies meant to protect students and universities (McMahon, 2008), colleges remain the objects of lawsuits from accused students or sexual assault victims. These lawsuits emphasize the complexities of handling sexual assault cases for student affairs staff, as many student affairs professionals are not specifically trained to handle all aspects of these cases (Bolger, 2016; Cantalupo, 2011; Dunn, 2013; Henrick, 2013). For staff, these circumstances might lead to higher levels of moral stress, poor job performance (DeTienne et al., 2012), and/or resignations from their positions on their campuses or from the field of student affairs altogether.

Past researchers focused on student perspectives of sexual assaults (Hayes-Smith & Levett, 2010) but not the views of student affairs professionals, who play a vital role in managing these situations. As such, the way in which staff members respond to sexual assault cases was important to know because student affairs staff's decisions might have immediate academic and personal consequences for students on the university campus (Chmielewski, 2013) and affect their own professional choices.

Purpose of Study

Given the lack of research into the experience of staff members in the sexual assault literature on college campuses, the purpose of this research was to better understand how student affairs professionals at a private, religious university (Religiously Oriented University of the South [ROUS]), experienced the handling of sexual assault cases. In addition, I explored the role of personal ethics in the disposition of duties and investigated if any conflict existed between policy implementation and personal ethics and how student affairs staff navigated and found resolution with diverging experiences.

Research Questions

The primary research question guiding this qualitative study was: How do student affairs staff at a private university in the South describe their experiences in the disposition of sexual misconduct cases? Three specific research questions were asked:

- How do student affairs staff at a private university in the South make ethical decisions when they respond to sexual assault cases?
- What knowledge, practices, and policies do student affairs staff at a private university in the South perceive are helpful/not helpful when addressing sexual assault cases?
- In what ways do student affairs staff at a private university in the South find resolution if/when they experience moral reckoning?

Template of the Institutional Response to Sexual Assault

The institutional approaches employed to address sexual assault complaints vary across types of higher education campuses because of diverse and different interpretations of federal policies and requirements. However, similar steps occur on most higher education campuses once a sexual assault case is reported to a student affairs staff member. In this section, I offer a general template that institutions follow in these circumstances.

Two tracks are typically followed when a student reports a sexual assault. The first process is limited to the campus, and the second exists in the criminal justice system. The campus process begins after the student discloses an alleged sexual assault to the housing director. The staff member first addresses the student's immediate circumstances, which might include contacting transportation to a nearby hospital, and then the staff informs their immediate supervisor of the incident. The supervisor notifies key campus personnel, including campus police,

the Title IX coordinator, if the position exists, and the student conduct enforcement or discipline officers.

The university's personnel investigate the claim, under the purview of the Title IX office. Depending on the investigation's evidence, the Title IX office can bring all involved parties to an official hearing for disciplinary proceedings. Once the university hears the case, then the judicial panel might impose sanctions on or acquit the accused student.

Meanwhile, the criminal process begins when staff members inform campus police of the allegation. Campus police are required to notify the local police who then investigate and report their findings to the District Attorney's (DA) Office. The DA chooses whether to pursue criminal proceedings against the accused, depending on the feasibility of conviction. The university's conduct penalties can happen even if the DA chooses not to pursue criminal charges.

One challenge for campus staff involves not receiving any information about a case beyond what they report. This lack of information can be challenging because staff may not know what appropriate educational response the student or the community needs. For example, once a housing director reports the assault to the housing department's supervisor, likely a vice president of a university, the housing person typically does not know how a case is resolved (e.g., were charges brought?). However, heads of departments (e.g., vice president of student affairs, dean of student affairs, and the assistant dean of student affairs) or counseling

services staff, which might include a chaplain's office or the health center, tend to have some ongoing knowledge for student welfare purposes as a sexual assault or misconduct case proceeds through the system and could have knowledge about the final outcome of a case. As previously noted, these reporting structures vary by institution.

Personal Biography

Due to the nature of qualitative research, I must disclose any potential bias that I might carry as a researcher. I have worked in the field of higher education for the last decade as either a campus minister or a residential chaplain. As stated above, chaplains play a limited role within the reporting structure for sexual assault on a college campus. I had limited experiences with sexual assault cases in my chaplain role. There were times when students shared their experiences of sexual assaults on the college campus with me. Under current federal law, as a chaplain, if they asked for privacy, I could not discuss the information they shared. My role was limited to listening; I was not able to be a formal advocate. I found my inability to help them legally to be challenging. With support from colleagues, I kept these students' stories confidential. In this light, I admit that my lens tends to lean toward caring for the alleged victims of sexual assault instead of caring about the rights of the accused students.

However, in approaching this topic, I maintained awareness that sometimes students and staff working to obtain satisfactory resolutions to

complex matters seek outcomes that might not be possible. Students (i.e., victims and the accused) could feel betrayed; staff could feel limited; and all parties might wish for different results. Because of my own challenges of working with these matters on a private, religiously affiliated campus with highly educated individuals and a plethora of policies, I wondered how student affairs staff, who play active roles in these cases, navigated the potentially conflicting demands they might experience when addressing the aspects of and students involved on both sides of sexual assault cases.

Definition of Terms

There are some terms that are particular to the field of higher education and to the policies or laws that surround sexual assault cases. The terms as applied to the purpose of this study are defined in this section.

Sexual assault. Sexual assault is any illegal, “nonconsensual sexual activity obtained through force or threats, verbal coercion, or intoxication” (Jozkowski & Peterson, 2013, p. 517). To clarify, sexual assault is a broader set of behaviors than rape, although rape could be included within the range of sexual assault behaviors. Sexual assault can also include sexual harassment, which involves one person making unwanted sexual advances to another person.

Ethics. Ethics is both a broad field of study and the specific actions that people take in making decisions (“Ethics,” 2017). As a field, ethics is concerned with how people choose between the various options available to them in a moral

situation that might involve right versus wrong as well as personal opinions versus policy decisions.

Student affairs. Staff in this field oversee residential halls, student and Greek organizations, judicial affairs, career placement, and other critical campus areas. In these roles, they provide services and opportunities that drive student development and success NASPA–Student Affairs Administrators in Higher Education, 2010).

Ethical decision-making. Ethical decision making refers to the process behind making a choice and is the way that people conclude what harm might occur or might be avoided in any given situation (Crossan, Mazutis, & Seijts, 2013). It represents an individual’s attempt to determine the best possible outcome for all parties involved during a dilemma.

Title IX of the Education Amendments of 1972 (Title IX). This federal law was passed in 1972 and bans sex discrimination on college campuses. It has been interpreted that sexual assault and sexual harassment are violations of Title IX because they create hostile educational environments based on sex (Hendrix, 2012). Any university that receives federal funding is subject to this law.

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crimes Statistics Act of 1990. The Clery Act (2018) was passed in 1990 as part of a push for transparency of crime on college campuses. It is named for Jeanne Clery who was murdered in her college dorm room. It was the belief of her

parents that if she and others had known that criminal violence had been on the campus the previous three months, prevention of further crimes could have occurred (Dunn, 2013). Under the Clery Act, all crimes, including sexual assaults, are required to be reported by universities who receive any form of federal funding (Dunn, 2013).

Moral reckoning. Moral reckoning consists of several stages where the person who has experienced a moral conflict or ‘situational bind’ eventually finds resolution and then reflects on the issue; they come to terms with the reality of a moral dilemma (Nathaniel, 2006, pp. 427-428).

Dear Colleague Letter (DCLa). Developed during the Obama administration on April 4 of 2011, the Dear Colleague Letter provided detailed guidance to colleges and universities regarding sexual assault and harassment claims (Henrick, 2013). The letter encouraged universities to do more about sexual assaults and added more protections for victims of sexual assault on campus. It held a lower standard of proof, which was intended to encourage victims of sexual assault to come forward. It required campuses to resolve a case within 60 days.

Dear Colleague Letter (DCLb). This letter was recently revised by the Trump administration. The main changes from the DCLa to the DCLb was the option for universities to choose which standard of proof was necessary in resolving sexual assault cases – either the *preponderance of the evidence* or the

clear and convincing. They recommended a higher standard of evidence, which was intended to protect the accused from false claims. The DCLb did not contain a timeline requirement for universities needing to resolve an allegation of sexual violence.

Violence Against Women Reauthorization Act of 2013. This act known as VAWA was passed in 1994 and reauthorized in 2000, 2005, and 2013 as part of a movement of several women's groups to address domestic violence, sexual assaults, and other violent crimes against women. The act's reauthorization in 2013 required colleges to have educational programs that address VAWA-type crimes (e.g., rape) to explicitly denounce sexual violence as part of university policies, and to conduct prompt campus disciplinary hearings. The VAWA expanded the rights of both the victims and accused by requiring written advance notice of charges brought to the accused and offering the right to appeal any disciplinary outcome (Dunn, 2013).

Significance of Study

Although sexual assaults continue to occur on college and university campuses, the student affairs staff who handle these cases often lack needed training or experience with these challenging circumstances. Previous research has focused on this issue from the perspective of students or on policy implementation and not the staff members who manage these cases. Therefore, this exploration of the experiences of student affairs personnel who dealt with

student sexual assault allegations was conducted to better understand the emotional, psychological, and professional toll managing these cases can cause within these professionals. Thus, the research offered significant implications that might affect student affairs staff's work experiences, might inform administrators about policy implementation, and might provide understanding about how staff members find personal resolution in the face of moral reckoning.

Summary

Sexual assaults affect the individual lives of students as well as the campus community at large. I argued that part of addressing the problem of sexual assaults on campus involved considering how student affairs staff respond to these cases and what type of ethical decision-making practices they used for seeking professional and personal resolution. The goal of this chapter was to present the rationale for this study based on literature and to set a course for discovery that takes place within the bounds of higher education, ethics, policies, and the complicated narratives of sexual assault.

Chapter 2

Literature Review

This literature review starts by focusing on three broad themes relevant to the work of higher education personnel who work with students: (a) compliance with sexual assault laws and policy reviews, (b) staff ethics on campus, and (c) sexual assaults and student perspectives. The first theme highlights how sexual assault laws, policies, and programs are implemented and followed in the higher education context. The second theme addresses in a general manner the nature of staff ethics on a college campus. The third theme reviews the plethora of research on sexual assaults and students. The chapter concludes with an overview of the theory of moral reckoning (TMR), which forms the theoretical framework that guided this exploration of the personal ethics involved in the disposition of duties by student affairs staff.

Compliance with Sexual Assault Laws and Policy Reviews

Research on sexual assaults in higher education is concerned with how universities respond to federal laws and policies. This section highlights: (a) college personnel's lack of knowledge or implementation of laws (i.e., Title IX, the Clery Act, and the Violence Against Women Act) and (b) the role of prevention programs on campuses. The interpretation of laws by higher education leaders and their legal counsels can impact how institutions engage in prevention-

oriented programming; therefore, the laws are addressed to set the stage for understanding the potential for ethical conflict and moral reckoning.

Lack of Knowledge and Compliance Concerning Laws

With several laws and policies governing the actions of universities (i.e., Title IX, the Clery Act, the Violence Against Women Act, and until recently, the Dear Colleague Letter), the understanding and enforcement of these federal rules can be difficult. In addition, the laws themselves “lack...a carefully crafted, uniform definition based on scientific evidence, which could be employed by all institutions subject to the requirements of Title IX” (Shaw, 2016, p. 1368). For example, the April 4, 2011, Dear Colleague Letter (DCLa) states:

Sexual violence, as that term is used in this letter, refers to physical sexual acts perpetrated against a person’s will or where a person is incapable of giving consent due to the victim’s use of drugs or alcohol. An individual also may be unable to give consent due to an intellectual or other disability. (Ali, 2011, p. 1)

The above definition, which was meant to provide clarity, failed to deliver details about the circumstances that lead to incapacitation. Such lack of detail impacts how professionals interpret the meaning of consent by questioning how many drinks it might take to become incapacitated in order to be unable to give consent (Shaw, 2016). Researchers (e.g., Cantalupo, 2011; Dunn, 2013) argued that the sexual assault related laws must be amended because the lack of a clear definition

of consent renders it impossible for administrators to follow legal requirements (Shaw, 2016). As a result of this complexity, campus staff might be likely to fail to be consistent in their responses to allegations of sexual assaults (Rammell, 2014).

This confusion can result in compliance issues for universities. For example, 80% of postsecondary institutions submit crime reports to the federal government, but only 37% of them report sexual assault statistics within the bounds of the Clery Act by reporting the different types of sexual assaults on campus with delineations indicating forcible or nonforcible assaults (DeMatteo, Galloway, Arnold, & Patel, 2015). Additionally, campuses continue to come under investigation by the Office of Civil Rights (OCR) from the Department of Education for Title IX violations that are “based on their handling of campus sexual assault” incidences (DeMatteo et al., 2015, p. 231). Consequently, some schools have acted contrary to the law’s requirements (Cantalupo, 2011).

An example of a higher education institution failing to properly handle sexual assault cases happened at Baylor University.² In 2016, Baylor administrators were identified as mishandling sexual assault cases. At this institution, football players accused of sexual assaults were protected from

² While there have been other ethical failures in recent memory by universities involving staff and faculty, like USC and Michigan State, those cases did not focus on student affairs staff, so they are not discussed in this study.

prosecution by the university's athletics department, despite victims reports to various university officials about dozens of incidences over several years.

In an external report about the university's actions, Smith and Gomez (2017) concluded that Baylor produced "a fundamental failure ... to implement Title IX of the Education Amendments of 1972 and the Violence Against Women Reauthorization Act of 2013" (p. A-2). They detailed instances in which university administrators discouraged students from making assault reports and created a campus climate that was unsafe for students and disrespectful to their complainants. Smith and Gomez (2017) concluded that the university "contributed to or accommodated a hostile environment" (p. A-3) as an ethical failure of the institution's leaders. The Baylor University case highlighted how lack of enforcement of the law alongside the disregard for women's and human rights increase the likelihood of unethical behavior by university personnel and influence how sexual misconduct cases are handled. The cases mishandled by Baylor's administrators underscored a need for research into what ethical practices promoted within higher education when personnel must address the aftermath of sexual assault cases.

Review of Prevention Programs

Despite issues of compliance, universities try to influence student behavior on sexual assaults. In some instances, they do so by offering bystander intervention programs or initiatives. In such educational training, students gain

understanding about the nature of sexual assault, harassment, and consent by role-playing scenarios of sexual violence and discussing current statistics of rape to highlight the prevalence of sexual assaults on college campuses.

Katz and Moore (2013) conducted a meta-analysis of 12 studies based on 2,926 students to see the overall impact that these types of programs have on intervention and prevention of sexual assaults. The authors concluded that students who were “trained reported increased intent to help others” and less rape myth acceptance (Katz & Moore, 2013, p. 1063). The *rape myth* consists of stereotyped and false beliefs about rape, rape victims, and rapists that are not actually true (Franklin et al., 2012). An example of this is evident in beliefs like the way a woman dresses or acts can mean “she asked for it” or that a man cannot control his sexual impulses (McMahon, 2010, p. 4).

Coker et al.’s (2015) comparative study of incidences of sexual assault on three campuses mirror the results from Katz and Moore (2013). The researchers noted that the one campus with a bystander prevention program had lower occurrences of sexual violence in comparison to the two campuses that did not have programs (Coker et al., 2015). Thus, the researchers suggested that bystander prevention programs have a place in the sexual assault education provided to college students.

However, in spite of the educational programs that universities facilitate, these crimes continue to be underreported. One reason is some students are

reticent to come forward and report these crimes (Orchowski & Gidycz, 2012; Sabina & Ho, 2014). In addition, as stated previously, universities struggle with compliance with sexual assault laws and policy reviews, leading them to underreport incidences and fail to follow reporting standards. As a result, it is likely that universities will continue to face lawsuits from complainants and respondents, especially when students feel wronged. This theme underscores the need for research on how the staff who work in these tense environments manage sexual violence cases.

Staff Ethics on Campus

The following studies examined how administrators in postsecondary institutions handle ethical dilemmas as part of working in higher education. For example, Rezaee, Elmore, and Szendi (2001) surveyed 292 members of the National Association of University Business Officers from a random selection of colleges, on the impact that the university's specific code of conduct had on their actions when processing university expenses. Although the authors found that most respondents agreed that codes of conduct were important, only 19% of those surveyed responded that violations of those same codes were addressed and corrected by supervisors (e.g., conflict of interest violations). Rezaee et al. (2001) suggested that because some members of the campus community (e.g., the survey participants) are not involved in the creation of these codes, they do not support or enforce them. They concluded that staff should play a role in the crafting of the

guidelines for conduct so as to encourage accountability across campus (Rezaee et al., 2001).

Researchers have shown that academic administrators can experience internal conflict. Ehrich et al. (2012) found that over two-thirds of 174 mid-level faculty course coordinators at undergraduate and graduate levels from three universities reported observing academic dishonesty and unethical behaviors in their coworkers. An example of this type of response, seen as academic dishonesty, was experienced when mid-level staff became aware that a dean overrode a professor's decision to fail a student who plagiarized, effectively bypassing university policy. This action caused personal ethical conflicts for those who knew of the dean's decision (Ehrich et al., 2012). Similarly, these employees would experience internal stress when they witnessed senior personnel overburdening junior staff with unrealistic work demands (Ehrich et al., 2012). From these examples and others, Ehrich et al. (2012) found that the tension between professional ethics and personal values created the space for moral quandaries to exist.

In a similar vein, Catacutan and de Guzman (2016) explored how 18 college deans at 13 institutions in the Philippines, who had served a minimum of two years, handled ethical dilemmas in their jobs as administrators. The researchers found three main types of dilemmas: *behavioral* (how staff behave), *structural* (how policies are enforced), and *political* (how decisions are made).

The *behavioral* difficulties involved school discipline of staff. This issue was seen, for example, when a dean felt conflicted about sanctioning a staff member for a policy violation because he/she interpreted the required punishment as too harsh (Catacutan & de Guzman, 2016, p. 496). The *structural* predicaments typically occurred in situations of shared governance. This conflict manifested, for instance, when a dean disagreed with and was outvoted by an admissions committee's decision to allow a student into a program for which she was not eligible because they wanted to "give her a chance" causing other students who were qualified to be overlooked (Catacutan & de Guzman, 2016, p. 499). Finally, a *political* concern was when a high-ranking university official asked the dean to admit a son/daughter of a friend who did not meet the criteria for entrance to the college (Catacutan & de Guzman, 2016, p. 501). Catacutan and de Guzman (2016) concluded that the work of deans has an essential ethical dimension, which requires that "moral sensitivity" and a "foundational knowledge" of ethical principles are in the skillset of educational administrators (p. 507).

In summary, only a limited number of studies examined how staff experience moral predicaments in the execution of their jobs, be it from codes of conduct, internal conflicts, or pressure from others. Of the studies listed, the focus has been on the academic side of higher education, not in the field of student affairs, revealing a gap in the research. The previous work did not look at how dealing with sexual assault or misconduct may lead to questions of ethics, which

may have major implications for the staff member, the student, and the institution. This exploration of student affairs professionals' experiences addressed the research gap regarding the management of sexual assault cases in higher education.

Sexual Assaults and Student Perspectives

Most research on sexual assaults focuses on the issue from the student perspective. This section covers three thematic areas: consent, the use of substances, and student (victim) responses after sexual assault. Combined, these areas depict a convoluted picture of the college student experience with sexual assault.

Consent

The research of Jozkowski and Peterson (2013) noted the differing interpretations of the term, *consent*. They surveyed 185 students and asked them their definitions of consent and how they expressed consent, positively or negatively, in a sexual encounter. The authors found that men used aggressive tactics and deception to convince their female partners to engage in sex acts with them. For example, one female participant explained that a male student would “push her down” ((Jozkowski & Peterson, 2013, p. 520). Another participant said he would “stick it in and if she objects, just pretend that I had done it by mistake” (Jozkowski & Peterson, 2013, p. 520). For these students, consent, then, “gets

confusing and complicated” when one partner, usually the female, is not allowed “to say anything” (Jozkowski & Peterson, 2013, p. 522).

Within such inconsistent views of consent may be an implicit acceptance of the *rape myth* by students (McMahon, 2010, p. 4). McMahon (2010) examined the perpetuation of the ‘rape myth’ when she surveyed 2,338 incoming first-year students on a large, northeastern campus. Using the Illinois Rape Myth Acceptance Scale and the Bystander Attitude Scale³, McMahon (2010) found that if students identified as (a) male, (b) pledging a fraternity/sorority, (c) athletes, (d) a person without earlier rape education, or (e) a person who did not know someone who had been sexually assaulted, they had a higher acceptance of the rape myth than those who had opposite identifiers in each of the above categories. Further, McMahon (2010) reported that students who had rape education or who knew someone who had been sexually assaulted were more likely to intervene in an assault scenario. The author concluded that it was important to include the rape myth as a topic in bystander prevention programs. As mentioned earlier, bystander education focuses on defining sexual assault, preventing sexual violence, and using scenarios of rape to help others recognize and stop the attack from occurring.

³ Both The Illinois Rape Myth Acceptance Scale and the Bystander Attitude Scale use a series of survey questions and scenarios to measure what an individual’s attitudes are towards rape and sexual assaults, and the people who report or commit them (McMahon, 2010b).

Although sexual assaults are committed by all genders, statistically, women are the main victims on college campuses (Bolger, 2016; Chmielewski, 2013). For this reason, more studies on this topic look at male actions. For example, Gidycz, Orchowski, and Berkowitz (2011) discussed the role that bystander intervention programming can play on male understandings of sexual assault. The authors reported that men who took part in the program showed less sexual aggression in a four-month follow-up. Franklin et al. (2012) found that men who reported committing sexual assaults reported experiencing higher levels of pressure from their male peers. These males were more likely to maintain group secrecy (e.g., lying to protect a friend from the law) and to consume higher volumes of pornographic material, alcohol, and drugs than their male peers who did not report committing sexual assaults (Franklin et al., 2012).

Substance Use

Several researchers examined how the use of substances, like drugs or alcohol, occurs in conjunction with sexual assaults. Lawyer, Resnick, Bakanic, Burkett, and Kilpatrick (2010) researched how many sexual assaults involved substances, either taken voluntarily or involuntarily. Participants for the study were 314 female college students from a mid-size, southeastern university. Lawyer et al. found that 84.6% of the drug-related assaults had voluntarily consumed alcohol beforehand, 29.6% of the respondents reported a drug-related sexual assault or rape; 15.4% of the assaults were from involuntary incapacitation;

and 5.4% reported a forcible sexual assault or rape without any form of incapacitation. Perhaps the most striking finding was that drug-related assaults were five times more frequent than forcible assaults that occurred without the influence of drugs or alcohol on the college campus (Lawyer et al., 2010). According to this study's findings, drugs play a critical role in sexual assaults.

Franklin (2011) sought to examine the link between alcohol, self-control, and victimization among women attending a northwestern public university by surveying 221 university women with an average age of 21 during the spring semester of 2007. Franklin found that when women reported being in places of increased exposure, like a bar or party, they were more likely to report becoming a victim of sexual assault. The participants reported consuming alcohol and drugs in these places of increased exposure. Unfortunately, this research highlights the vulnerability of women to sexual predators in a college setting. The collection of studies suggested that when alcohol and drugs become part of the environment, the risk of sexual assault may increase.

Student Responses in the Aftermath of Sexual Assaults

In addition to research focused on contributing factors of sexual assault, some studies explore how women try to oppose sexual predators. Turchik, Probst, Chau, Nigoff, and Gidycz (2007) surveyed 378 undergraduate women about how they thought they might resist a sexual assault scenario and then did a follow-up two months later. Turchik et al. examined how the women's intentional (e.g.,

planning to fight back), psychological (e.g., feelings of insecurity), and situational (e.g., location) factors predicted the use of confrontational tactics in response to a sexual assault situation. Just over a quarter of the respondents (28%) reported experiencing an assault by the follow-up assessment. From that sub-set of participants, further analysis revealed those women who expected they would use verbally assertive and nonforceful tactics (e.g., saying “no” or pleading or reasoning) did so. They also used physically assertive tactics (e.g., pushing or hitting the assailant) as the attack severity intensified when they felt confident in counterattacking and if they were isolated from others (Turchik et al., 2007). As a result, Turchik et al. suggested that programming designed to help women resist sexual assaults should focus on creating a sense of confidence and empowerment.

Beyond examining how women resist during a sexual assault, researchers have explored the responses of students in the aftermath of a sexual assault experience. Orchowski and Gidycz (2012) surveyed 374 college women at the beginning and at the end of the academic year. They found that 85% of those who experienced victimization prior to attending college and 95% of those who experienced an assault during the 7-month period between surveys confided in a female peer but did not report their incidents to the police (Orchowski & Gidycz, 2012).

Sabina and Ho (2014) conducted a literature review of 45 articles and reached similar conclusions. They noted that more victims reported informally to

a peer or friend (about 41%) instead of to the police or parents (about 12-15%). Additionally, Sabina and Ho found the articles that previous researchers had reported between 20% and 52% of victims as seeking medical or mental health services even when not officially reporting the crime to the police or student affairs professionals.

Sabina and Ho (2014) and Orchowski and Gidycz (2012) did not investigate why students chose not to report the assaults. However, Zinzow and Thompson (2011) surveyed 127 female sexual assault victims about disclosing their sexual assaults. The participants' data led to the researchers finding 12 barriers to reporting sexual assaults. The five most common barriers or reasons for choosing not to report included the following:

“I handled it myself” (70%), “I thought it was not serious enough, not a crime” (68%), “I didn’t want anyone to know” (45%), “I didn’t want involvement with the police or courts” (43%), and “I felt shame or embarrassment” (42%).” (p. 719)

Zinzow and Thompson suggested that sexual assault education and confidentiality in reporting would help to alleviate some of the barriers.

In sum, the relevant research related to sexual assaults contained a variety of female experiences, limited male understandings, and student issues that include the meaning of consent, the use of substances, and the aftermath of sexual assaults. Taken together, these dimensions portrayed a higher education context

vulnerable to sexual assaults. In an environment that has both student victims and perpetrators, it becomes the job of the staff to resolve these cases.

Theory of Moral Reckoning

This study's foundational stance began with the theory of moral reckoning (TMR), which addresses how staff might deal with difficult and conflicting decisions that cause them to feel a moral crisis. Moral reckoning draws attention to the inner conflict that a person experiences when faced with a dilemma.

Although it comes from the field of nursing, the theory is well suited for this study because of the depth that it provides in recognizing the challenges staff members experience after facing moral tension. Nathaniel (2006) created the theory based on interviews with nurses from several locations who had experienced some situational bind or conflict at work. Moral reckoning "captures a three-stage process as nurses critically and emotionally reflect on motivations, choices, actions, and consequences of a particularly troubling patient care situation" (Nathaniel, 2006, p. 425). The three stages are (a) *ease*, (b) *resolution*, and (c) *reflection*. Each stage has its own properties through which nurses move. (See Table 2.1 Stages of Moral Reckoning)

Table 2.1

Stages of Moral Reckoning

Stages	Properties
Ease	(a) Becoming (b) Professionalizing (c) Institutionalizing (d) Working
Resolution	(a) Giving Up (b) Taking a Stand
Reflection	(a) Remembering (b) Telling the Story (c) Examining Conflicts (d) Living with the Consequences

The stage of ease consists of four unique properties. These include the following: (a) *becoming*, which signifies central beliefs and values of the person; (b) *professionalizing*, which has to do with learning professional norms; (c) *institutionalizing*, which is comprised of learning institutional social norms; and (d) *working*, the exclusive practice of the work of nursing (Nathaniel, 2006). As nurses learn on the job and become comfortable in the position, they experience each of the states of ease in chronological order (i.e., becoming, professionalizing, institutionalizing, and working).

For instance, the ease stage begins when nurses learn to articulate why they want to be in the profession (i.e., becoming). Next, they absorb what the field

requires of them in their positions (i.e., professionalizing) and learn specific ways to handle their jobs at a certain medical facility (i.e., institutionalizing). Lastly, nurses become comfortable in their jobs (i.e., working). If a conflict occurs during a high-stress incident (e.g., a disagreement over a patient's course of treatment while working), the nurse experiences a *situational bind* (Nathaniel, 2006). This conflict is a point of turmoil caused by the struggle between core beliefs and other claims (Nathaniel, 2006). For example, a situational bind might be if a nurse believes a supervisor prescribed a dangerous amount of medication that could be harmful to the patient. Then, they must "reckon" with this conflict.

The stage of resolution, then, begins when nurses decide to resolve the situational bind. They may act in one of two ways when this occurs: (a) *take a stand* or (b) *give up (accept the situation)*. Both actions may lead to a range of results. Nathaniel (2006) noted the nurses' actions might include the following: (a) take part (with regret) "in an activity they consider to be morally wrong" (p. 431) by following the doctors' orders, (b) break the rules by ignoring the doctor's orders, (c) blow the whistle on a doctor's poor decisions, (d) initiate negotiations on behalf of patients and care standards by becoming activists to seek policy changes within the workplace, (e) transfer out of the unit, (f) quit their job, (g) leave the profession, or (h) implement a combination of the aforementioned activities (Nathaniel, 2006).

Once selecting a path of resolution, the stage of reflection occurs and contains four components. First, as nurses undergo *remembering*, they reflect on the moment of moral crisis. This stage may occur over many years and continue to produce strong emotional responses within these nurses. Second, the nurses may verbally *tell the story* to peers and colleagues, which enhances their reflection. Third, nurses may *examine the conflicts* by reevaluating their responses, personal ethics, and professional guidelines. Finally, nurses may choose to *live with the consequences* of their actions. At this point, the nurses opt to accept the decisions they made during points of conflict (Nathaniel, 2006).

The TMR has not been applied in previous research in the field of higher education or specifically to student affairs staff and administrators. Campus personnel addressing sexual assault and misconduct incidences and cases experience taxing levels of stress, which could be construed as similar to the stress levels experienced by nurses. These university staffs have students' educational futures, future job opportunities, and criminal records to keep in mind. In addition, student affairs staff, like nurses, have limited autonomy, which can affect their job satisfaction (Tull, 2006). As a result of these pressures, high turnover exists in both higher education and nursing that may be exacerbated by ethical conflicts (DeTienne et al., 2012; Schluter et al., 2008). Even though the outcome of a medical issue may lead to a patient's death, the effect on students who have been involved in these sexual assault incidences can be severe.

As a result, student affairs staff wrestling with these types of issues can experience great stress (DeTienne et al., 2012; Reybold et al., 2008). As such, the use of this theoretical framework helped provide a better understanding of the challenges affecting student affairs staff who deal with these high-stakes emotional incidences. I applied this theory as a lens through which to view moral reasoning and reveal the internal processes that occur within student affairs professionals who must handle the outcomes or aftermath of sexual violence on campus.

Summary

The goal of this chapter has been to give an overview of the research on this topic, noting that specific research into staff, ethics, and sexual assaults at universities is limited. The theory of moral reckoning guides this work by helping to provide insights into how the staff experience sexual assault cases, which fills a research gap. This review showed the need to explore if student affairs professionals at universities experience ethical conflicts about sexual assault cases, and if they do, how these professionals act to resolve them.

Chapter 3

Method

This chapter presents the rationale for the methodological approach, the research questions, background on the site selection, and a discussion of the research design. Next, it contains the strategies used for participant recruitment and data collection, data analysis, and the promotion of trustworthy findings. The chapter concludes with a discussion of ethical considerations and the limitations of the research.

Methodological Approach

The methodological approach was qualitative (Bogdan & Biklen, 2007; Creswell & Poth, 2017), because of the focus on understanding the experiences of student affairs staff who handle sexual assault cases. Qualitative researchers explore a phenomenon in-depth in order to understand the experiences of participants within the natural setting (Bogdan & Biklen, 2007; Gall, Gall, & Borg, 2007). Qualitative researchers identify patterns within the data to help reveal meaning (Creswell & Poth, 2017). These researchers combine these patterns into detailed descriptions of the problems they seek to understand more deeply.

I incorporated the case study approach, which is: “(a) [an] in-depth study of (b) one or more instances of a phenomenon (c) in its real-life context that (d) reflects the perspective of the participants involved in the phenomenon” (Gall et

al., 2007, p. 447). The case was formed by participation of the student affairs professionals working at one private, non-secular university of medium size. This qualitative case study highlighted the in-depth experiences of these student affairs staff who managed aspects of sexual assault cases on the single higher education campus.

Research Questions

The primary research question guiding this qualitative study was: How do student affairs staff at a private university in the South describe their experiences in the disposition of sexual misconduct cases? Three specific research questions were asked:

- How do student affairs staff at a private university in the South make ethical decisions when they respond to sexual assault cases?
- What knowledge, practices, and policies do student affairs staff at a private university in the South perceive are helpful/not helpful when addressing sexual assault cases?
- In what ways do student affairs staff at a private university in the South find resolution if/when they experience moral reckoning?

Site Selection

The site for this study was a Religiously Oriented University of the South (ROUS), which is a private, non-secular university of medium size (approx. 12,000 students). The reason behind the selection of a medium-sized university

was to find enough willing interview participants across multiple student affairs positions to gather a variety of perspectives on the topic.

A private institution was selected because these types of institutions often have more ethical requirements for staff than public universities. In fact, this university had adopted a student and staff code of conduct that addressed sexual assault, misconduct, harassment, and the necessity of reporting sexual assault incidences. For example, it requires any member of the ROUS community who becomes aware of sexual harassment or misconduct to report to the Title IX office. It also forbids any member of ROUS to retaliate against a person who has raised allegations of sexual assault or harassment.

Finally, this campus, like all public and private institutions that take federal funds, was subject to federal laws for reporting incidents and resolving conduct issues related to sexual assaults. As such, it was required to follow the requirements as spelled out in Title IX legislation, The Clery Act, and the Violence Against Women Act, which were discussed earlier. It is important to note that, recently, this campus was found to have failed to enforce Title IX law in the handling of some sexual assault allegations and was the subject of an investigation by the federal government's Office of Civil Rights, under the Department of Education.

Study Design

There were two sources used for data collection: one-on-one interviews and a post-interview demographic survey. The main source of data was the face-to-face, semi-structured interviews with seven individuals representing a variety of departments within student affairs at ROUS. The study's goal was to better understand how student affairs staff perceive managing these cases affects their ethical views; therefore, it was important to seek out people who play different roles during the adjudication of these cases to get a deeper, and broader understanding of how this duty affects them.

The interviews were conducted in the staff person's campus office. Each interview lasted between 30 to 60 minutes and was audio-recorded for transcription. The interview protocol consisted of questions concerning the definition of sexual assault, the procedures that staff follow when a sexual assault is reported, any possible conflicts or challenges that staff face in responding to cases, and how they find personal and professional resolution after addressing a sexual assault case. (See Appendix A for the interview protocol.)

Yin (2017) noted that saturation occurs when the researcher no longer hears new information from the participants. This study reached saturation with the seven participants. Within those interviews, the staff provided a vibrant picture of their experiences handling sexual assault cases.

The secondary source of data was a demographic survey, which was administered after each interview. It provided additional context regarding the participants while maintaining their anonymity. (See Appendix B for the demographic survey.) The questionnaire collected information about the participant's age, number of years working in student affairs, degrees awarded, and department of employment.

ROUS Participants

For the selection of student affairs participants in this study, there were two criteria that needed to be met for inclusion in the study. The first criterion was each participant must be a full-time, student affairs staff member at ROUS. While many capable professionals could have been involved with sexual assault cases on the ROUS campus, the professional staff in student affairs offered an opportunity to gain perspective from their unique, close relationships to students (Howard-Hamilton, 1998; Reybold et al., 2008; Reynolds, 2013).

The second criterion for inclusion in the study required that each student affairs professional had previous experience with a student reporting a sexual assault case. This precedent was critical because I wanted to know how they handled these cases. I did not want to interview them about hypothetical responses.

In addition, I sought to interview the Title IX coordinator of ROUS because of this position's ongoing involvement with sexual assault cases on the

campus. Typically, individuals in this role are not in student affairs, but they play an integral role in deciding if there will be disciplinary proceedings against the accused based on the evidence at hand. The Title IX coordinator might have been able to supply a broader point of view about the university's approach to handling these cases procedurally. However, the Title IX person declined to participate in an interview.

In total, I emailed specific student affairs departments' directors from orientation, chaplaincy, discipline and conduct standards, housing and residence life, career services, and student inclusion via the LGBTQ+ and women's centers. I explained the study in the recruitment email and asked the directors to either forward the invitation email to staff who met the criteria or to send me the names of potential participants so I could send them the recruitment email directly. (See Appendix C for invitation email.)

The departments' directors forwarded the email and asked for interested individuals to contact me directly. I followed-up with staff to set dates and times for the interviews. I conducted three interviews after receiving three email responses from the student affairs staff who received the forwarded invitation email. (See Appendix D for staff invitation email.)

Because of the low response rate to the email solicitation, I went, in person, to five student affairs department directors' offices to ask for their assistance in recruitment (of the seven student affairs departments on campus only

five offices were back from vacation). The three departmental directors (housing, student support, and student involvement) forwarded the staff invitation email once again, enabling the study to gain two participants. Finally, at the end of the first six interviews, I used snowball sampling and asked the participants if they knew any coworkers whom I might contact to recruit for participating in interviews. Based on these recommendations, I sent out the recruitment email directly to three individuals, and two agreed to participate in the study. I conducted a total of seven interviews with student affairs professionals from the offices of the chaplain, student conduct and discipline, residence life and student housing, and student support services.

The seven participants included four currently working in residence life and student housing: Maria, Dusty, Ryan, and Brook. Brook had worked in the Title IX office at her previous institution, a large public university. Abby worked in student support at ROUS but had worked in a Title IX office at a previous campus' in the past. Abby's participation was particularly helpful because the current Title IX administrator at ROUS declined my invitation to participate. Participant Crawford worked in the student conduct office and was responsible for settling sexual assault and misconduct cases. Finally, Sue was a campus chaplain and was the only participant who was not required by federal mandate to report any incidences of sexual assault and misconduct that students might convey

to her. Table 3.1 contains the specific backgrounds of each of the seven participants.

Table 3.1

Summary of Participants' Characteristics

Name	Age range	Gender	Degrees attained	Department	Position (years)
Abby	41-50	Female	PhD	Student Support	18
Brook	31-40	Female	BA, MBA	Housing	7
Crawford	41-50	Male	MA	Conduct	15
Dusty	31-40	Male	BM, MA	Housing	11
Maria	41-50	Female	BS, MEd, EdD	Housing	20
Ryan	20-30	Male	BA, MS	Housing	3
Sue	61-70	Female	BS, MS	Chaplain*	22

Note. The names used above are pseudonyms. BA = Bachelor of Arts, BM = Bachelor of Management, and BS = Bachelor of Science; MA = Master of Arts, MBA = Master of Business Administration, MEd = Master of Education, and MS = Master of Science; EdD = Doctor of Education and PhD = Doctor of Philosophy. * indicates privileged status with no mandatory reporting requirement.

In summary, the participants had worked in the student affairs field for an average of 13.7 years, with their years of experience ranging from 3 to 22 years, and as stated above, they represented four different student affairs departments. Four of the seven had worked at other institutions prior to their tenures at ROUS. However, most of their work years were spent at ROUS, ranging from 1 to 22 years at this institution. Ryan had the least experience among the group of professions due to working only three years in total. Maria and Sue had the most

years of experience in student affairs at ROUS with 20 and 22, respectively. The profiles of each of the seven participants appear in the following paragraphs.

Abby

Abby was a female in her 40s and an administrator responsible for a specific student support department that offers students a safe place to process personal identities like race, gender, or sex. She earned a Doctor of Philosophy (PhD) and had 18 years of experience in student affairs. She has been at ROUS for one year. In her work, she had served on the side of victim support and advocacy as well as student conduct enforcement.

Abby found that her involvement “early on in my undergrad, and somewhat into my masters” with community partners shaped her views about sexual assault. She stated, “working with some of our local shelters and rape crisis centers and such” helped her develop the skills for appropriately responding to students. To this end, Abby relied on her experience when helping students who have been assaulted. She believed that some elements needed in handling these types of cases require “that you delve into the field, first-hand.”

Nevertheless, Abby came to ROUS with considerable experience. At a previous public institution, Abby did work as a Title IX coordinator and had a role in deciding the outcomes of sexual assault incidents. In addition, she explained, “I always seek out any opportunity that I can for training workshops” at national conferences, like NASPA (National Association of Student Personnel

Administrators). Therefore, she continues to keep herself informed about how to handle these types of cases

Brook

Brook was a female in her 30s holding the Bachelor of Arts (BA) and Master of Business Administration (MBA). Brook had accrued seven years of student affairs experience by previously working as a Title IX coordinator at a public university and as a resident hall director (RHD) in a housing department before coming to ROUS. She currently worked in an administrative role in housing and with two years of tenure at ROUS.

Brook explained that she was initially untrained for handling sexual assault cases; however, Brook had taken a “higher ed[ucation] law class, so I learned a lot about Title IX law, what that looks like, and how universities respond to it.” However, Brook’s knowledge of handling sexual assault cases was not accrued during her academic training. She admitted that she “learned how you adjudicate those matters....and how...you investigate [and] interact with survivors or students who are making claims of sexual misconduct or sexual assault, like, working through that with them” in her job at the previous institution. She also gained helpful information from “training sessions and working with offices on the campus” as part of working in student affairs.

Crawford

Crawford was a male in his 40s working in the ROUS student conduct office and had served as a Title IX officer. Crawford occasionally participated on ROUS's three-person judicial panel for deciding the findings of responsibility in sexual assault and misconduct cases. Crawford had accrued 15 years of student affairs experience at both public and private universities and had five years of tenure at ROUS at the time of his participation in the study.

Crawford explained that “my master’s [degree] is not in higher education. I did a liberal arts master. But I tried to tailor it to higher education as much as I could.” Crawford clarified that he took counseling classes during his MA program “relating to addiction, drug and alcohol use, or leadership...I did a huge mediation track; different things like that to try to make it more relevant to the field.” This academic focus helped him gain valuable skills that he applied when handling these challenging cases. In addition, Crawford described attending professional conferences annually to supplement his education. These conferences, hosted by National Sexual Assault Conference (NSAC) or the National Association of Student Personnel Administrators (NASPA), provided continuing education opportunities that Crawford found to be helpful in learning how to handle sexual assault cases.

Dusty

Dusty was a male in his 30s who held the Bachelor of Music (BM) as well as the Master of Arts (MA) degrees. He currently served at ROUS as an RHD in the housing department and had accrued 10 of his 11 years of professional student affairs experience at ROUS. When Dusty was an undergraduate, he had exposure to a university group, called Eyes Wide Open, which was started by his friends. This student organization's mission was to bring awareness about sexual assaults on college campuses. Dusty reflected that by attending those meetings, he learned that a friend and mentor of his had been assaulted, which "was very like impactful" for him. This "eye-opening" experience made him more aware about how widespread sexual assaults were at colleges, even among his friends. Dusty admitted that the group was also where he learned "how to have conversations and support students," and he used these well-honed skills in his work at ROUS.

Maria

Maria was a female in her 40s who had the degrees of the Bachelor of Science (BS), Master of Education (MEd), and Doctor of Education (EdD) degrees. She had accrued 20 years of student affairs experience and worked at ROUS in the housing department as an administrator. Maria recalled the focus of her master's program was student development theory, knowledge of which she said proved to be helpful when handling sexual assault cases. In addition, Maria gained an expanded understanding of sexual assault policy in her higher education

doctoral program. It enhanced her knowledge of how Title IX was rolled out across colleges and universities by the Trump administration, and this education has proved beneficial in her current role.

Maria noted that being in class while being an employee at a university enabled her to develop a rich perspective about the issue. For example, in one class, she played the role of a district attorney (DA) trying to gather the facts of a sexual assault case. She reminisced, “It was interesting since I was both ... an employee and a [student] here. So, a lot of it wasn’t new for me, but ... looking at it from the DA’s perspective was certainly interesting and different.” That experience expanded her capacity to reflect upon the myriad cases of sexual assault more deeply than she might have been able to by just fulfilling her job duties.

Ryan

Ryan was a male in his 20s with both BA and Master of Science (MS) degrees. He worked as an RHD in the ROUS housing department and had accrued three years of experience in student affairs, all at ROUS. This position was Ryan’s first full-time job in the field.

Ryan’s BA and MS degrees helped give him a general understanding of sexual assault cases. He recalled, “I did a counseling class where we talked about traumatic events where [sexual assault] could fall in, but it was never the extended topic of discussion.” Ryan further explained that in “none of my classes in grad

school did sexual assault come up and did we spend [a large] amount of time talking about what the implications were.” Therefore, he expressed feeling untrained and unprepared to handle these traumatic events, because of having only basic, introductory, and academic exposure to the complex nature of sexual assault.

Sue

Sue was a female chaplain in her 60s, who had a BS and an MS with a focus in professional counseling. She worked in the chaplain’s department and had 22 years of career experience in student affairs, all at ROUS. She planned to retire at the end of the academic year in which her interview occurred.

Sue’s path to the field started while she was a student worker in a chaplain’s office. After several years, her boss encouraged her to pursue further education, which led her to ROUS’ counseling program. She earned an MS degree that was focused on “the counseling kind of background.” Sue explained that “the educational background is just your basic foundational understanding of...when you hear something not making preconceived judgments.” This information helped her learn the appropriate ways of reacting to students. However, Sue derived knowledge about sexual assault matters during university-based continuing education and training events. She noted that how laws are implemented on the ROUS campus affects students.

Data Analysis

Data collection, interview transcriptions, and data analysis occurred simultaneously. I transcribed the interviews that I conducted within 48 hours, so if I had found it necessary to add interview questions, I would have been able to make these changes immediately. However, I did not encounter the need to gain more explanation from any of the participants, so I did not make interview protocol changes or return to any earlier participant to ask for further clarification.

The coding began immediately after I completed the transcription. I used open coding, meaning no codes were established prior to conducting analysis. Among these initial codes, I used phrases and words used by the participants such as “collaboration with colleagues,” “frustrated,” or “conflicting thoughts” (i.e., in vivo codes), because they represented the emic perspectives of the participants (Saldaña, 2013).

After coding one interview, I would move on to coding the next interview. If I found additional codes in that transcript, then I returned to the previously coded interview(s) to search for those newly noted codes. This technique, called the constant-comparative method, required that I transcribe, code, compare, and recode all transcripts until no new codes emerged (Bogdan & Biklen, 2007; Gall et al., 2007; Strauss & Corbin, 1990). This iterative process of focused coding enabled me to assess the initial codes, determine their strengths and weaknesses in relation to all available data, and adjust based on the comparisons I made within

the data (Charmaz, 2014). The goal was to make explicit any phenomena that the participants experienced (Charmaz, 2014). Once I no longer identified new codes or themes, the data reached saturation. Therefore, I stopped collecting new data after interviewing seven participants.

Next, I placed the data into meaningful segments and combined the ideas of those segments into singular categories or categorical phrases or themes. This led to the development of parent themes that incorporated several of the original codes (Creswell & Poth, 2017; Gall et al., 2007). These parent codes included “coping,” “moral conflict,” and “challenges to reporting structure.”

Trustworthiness

According to Creswell and Poth (2017), there are nine strategies for ensuring research validity or trustworthiness in a qualitative study. I applied four of these strategies in this qualitative study: (a) clarifying the presence of any researcher bias; (b) conducting member checking; (c) generating a detailed, in-depth description of each theme; and (d) engaging with a peer reviewer (Creswell & Poth, 2017). I discuss each of the four in this section on trustworthiness.

Clarifying Researcher Bias

In the first chapter, I discussed my experience and background concerning this topic within the field of higher education and any biases that I might have developed based on my work with students in my former campus and residential chaplain roles. Because chaplains play a limited role within the reporting structure

for sexual assault on a college campus, I had limited experiences with sexual assault cases. Importantly, I maintained an awareness that satisfactory resolutions to complex matters might not be possible, understood that student affairs staff might have to deal with students (i.e., victims and the accused) expressing a sense of betrayal, and recognized staff's limitations in working toward socially just outcomes.

Member Checking

A critical step for promoting trustworthy findings is gaining approval of the findings from the participants, which is known as member checking (Yin, 2017). To confirm that I interpreted their perspectives correctly, I sent the preliminary themes back to the participants for their review via email. I gave the participants one week to respond to my email. Only one participant responded to the email. She asked for clarification about how I was securing the data. Once I responded to her concern, this participant agreed that the findings accurately portrayed her experience of this phenomenon. No other participants gave a response, so I considered their silence as acceptance of the themes.

Generating a Rich, Thick Description

The use of detail is vitally important in qualitative research. Detail allows for a full picture of the research outcomes or findings. To this end, I conveyed the themes with direct quotes obtained from interviews to create authenticity in the writing and for generating highly detailed, thick descriptions from the data (Gall

et al., 2007). The depth that was sought in conducting this qualitative research helped to authenticate the interpretations and findings of the study.

Having a Peer Reviewer

Having another person scrutinize the data strengthens and confirms the findings (Bogdan & Biklen, 2007). As a result, I had a colleague who is familiar with conducting qualitative research and is a former member of a student affairs department read my work. I thought she was uniquely qualified because of her methodological and professional expertise. As I coded the data, my colleague analyzed and coded data. I compared our two sets of codes to check for interrater reliability. I found we had agreed on data interpretation. Next, I compared her wording to mine. There were some incidences where I thought her word choice captured the experience more accurately, so I exchanged some of my codes for her codes. After reviewing the codes, we talked over the phone a week later and discussed the preliminary themes that arose from each of our data interpretations. My peer reviewer agreed with the themes and findings based on reviews of two of the interview transcripts.

Ethical Considerations

I followed the guidelines and policies of the Institutional Review Board of the University of Texas at Arlington and the requirements established by ROUS to ensure that the participants would experience no harm or risk by gaining approval to conduct the qualitative study. (See Appendix E for study approval.)

Due to the sensitivity of the research and to ensure privacy for participants, I protected the identities of the seven participants. I protected the institution and the participants by using pseudonyms and by not providing specific position titles in accordance with IRB approval. I stored data in a safe manner by using a recorder without internet connectivity, changed identifying markers in the data when I took out the names of buildings or changed the names of offices, and removed any identifying information from the transcripts, like the name of the campus, as necessary. I deleted the original recordings that would have linked the participants to their pseudonyms to protect their actual identities. These steps ensured the confidentiality of the participants and ROUS was maintained.

Limitations

For any type of research, there are limitations; this study was no different. The findings for this study reflected the views of the individuals from a single institution. The site for this study was a private, non-secular, and religiously affiliated university of medium size in the South. As such, the type of policies and procedures employed at this university might differ from those employed by large, public institutions. Likewise, rules might vary from different regions across the United States. As such, the student affairs staff participating in the study represented a unique culture and staff experience.

Further, the collected experience of the student affairs staff interviewed from this study was limited. The viewpoints of other student affairs personnel on

this campus and other campuses were not represented in this study. Other limitations might be found in the interview data. As sexual assault is a sensitive subject that includes how people apply their ethics in approaching problems, the participants might have responded with socially desirable answers in an effort to please the researcher and “to present oneself in a favorable light” (Gall et al., 2007, p. 218). In addition, participants could have been dishonest in their responses to make themselves appear more knowledgeable and experienced than they were. Despite these limitations, this study’s findings provided a unique contribution to the higher education field through interviews with student affairs staff working with students involved in sexual assault cases at a postsecondary institution.

Summary

This chapter specified the rationale for the methodological choices and design of the study. I discussed the recruitment procedures, participants, and data analysis. The chapter concluded by highlighting the procedures used to certify the trustworthiness of data and ethics in gathering research, as well as the possible limitations to the study.

Chapter 4

Findings

The purpose of this qualitative study was to better understand how student affairs professionals at the Religiously Oriented University of the South (ROUS) experienced the handling of sexual assault cases. Seven interviews with current ROUS student affairs employees who were from four separate departments were conducted to describe how managing sexual assault cases impacted the participants. Additionally, each of the interviews highlighted each participant's personal engagement with moral stress and conflict.

This chapter is divided into four sections. The first section provides information about the reporting process at ROUS. The second section discusses the staff's perspectives on adhering to the sexual assault laws and policies. The third section outlines the employees' feelings of moral stress and conflict in their work. The final section explores the way student affairs staff cope with conflict and find resolution.

ROUS' Sexual Assault Process

There are a set of practices in place for training student affairs staff regarding the management and reporting of sexual assault incidences at ROUS. These approaches vary depending on the type of role the staff member plays (e.g., mandatory *vs.* confidential). This section describes the processes that are in place for staff involved in the disposition of these cases.

The procedure begins with all university employees undergoing an initial online training offered by Human Resources. Among other topics, it helps staff identify if abuse has occurred and details ROUS' policies in response to sexual assault incidences. This overview of sexual assault and abuse gives all staff some understanding of the nature of the crime and how the institution addresses it.

However, student affairs staff who may play key roles in the disposition of these types of cases undergo additional training on the topic. For example, those who are new to the departments of housing and chaplaincy, which both experience a high amount of contact with students, have training on reporting sexual assaults that focuses on what to do when students approach them. Student affairs staff who choose to participate in the adjudication of conduct cases, including sexual assault, undergo an additional training from the conduct office that goes over university expectations and standards for determining guilt and consequences. These staff, then, make-up a rotating, three-person panel that decides sexual assault cases; the panel's members can work in departments other than those specifically responsible for investigating Title IX or student conduct cases. Any department can require staff to participate in any of these training sessions annually, but undergoing the training is not a legal requirement for all student affairs staff.

After receiving the training, staff must follow the university's reporting procedures, which clearly articulate moving the case hierarchically from

supervisor to supervisor until it goes to the Title IX office for a formal investigation. For example, this process likely begins when a student talks to the resident assistant (RA) about an alleged incident. The RA then notifies the residence hall director (RHD). According to Brook who worked in housing, the RHD will “take down information and incidents. An incident report [is] filed” with the housing department. At the same time, a separate care report is produced and sent to the dean of student’s office that according to Brook, will “work with the students and give them resources [places and people to turn to in the aftermath of sexual assault].” Simultaneously, Brook noted, “that [the incident report] goes to our Title IX office ... they will reach out to the student to conduct a Title IX investigation [that collects data from all parties involved in the reported incident].” As part of this structure, the RHD notifies the University police (UPD) of the sexual assault. However, the RHD is not required to disclose all details of the alleged assault if the alleged student victim does not want to report the sexual assault or misconduct to the UPD officially. They are required to give all the details to the Title IX office. If the student does file a report with the police, then the UPD will initiate a formal criminal investigation, which is separate and apart from the work done by the Title IX office. (See Figure 4.1 for an example.)

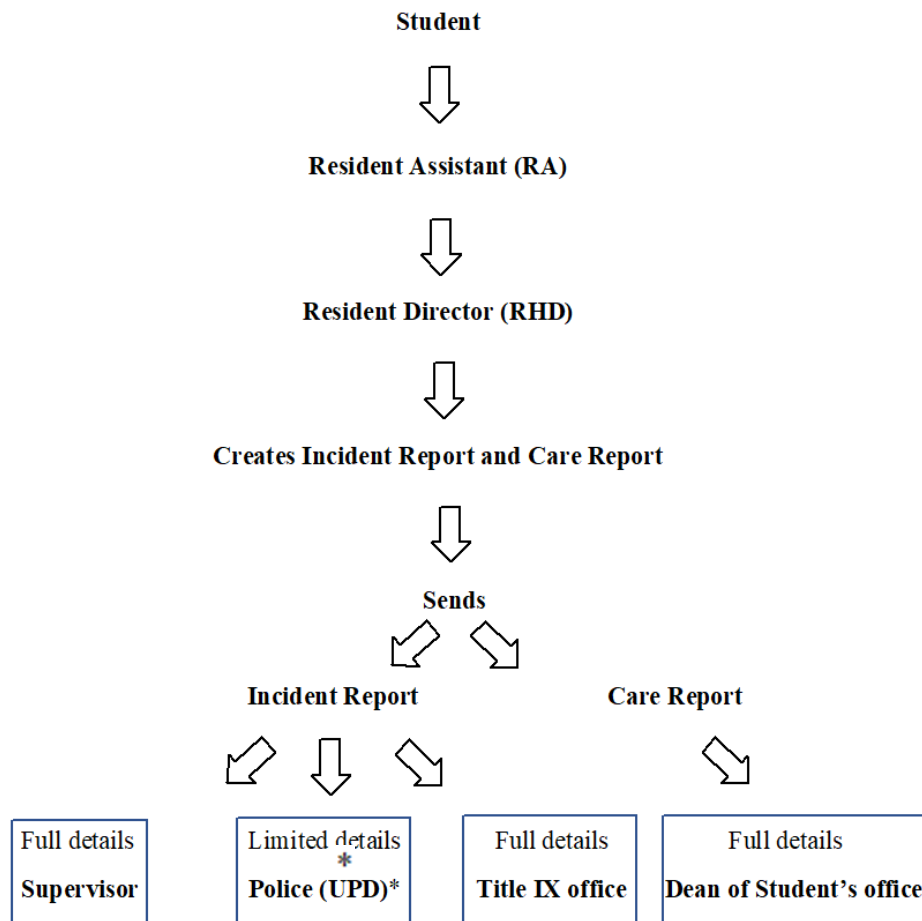


Figure 4.1. Example of reporting flowchart for the housing department with limited disclosure with * indicating that the police receive limited details if a student requests it; otherwise UPD will be provided full details of the incident.

For mandatory reporters, defined as all ROUS paid staff except the chaplain’s office and health services, an incident report of sexual assault must be given in full detail to the Title IX officer who subsequently conducts an investigation. These mandatory reporters must notify the university police department (UPD), but they are allowed to leave out incident specifics like location or the name(s) of the accused as required by the reporting student.

Confidential reporters must only report how many of each type of incident that has been shared with them with the Title IX office and UPD. Confidential reports have no obligation to provide any incident to any other staff or to UPD.

Although seemingly straightforward, the reporting process can become difficult. Due to the many layers of reporting, a flowchart, like Figure 4.1, was given to the housing staff. For student affairs staff in other departments that report, like student support services or conduct, they report the allegation to the Title IX office and to UPD. However, they do not have to fill out an incident report. Another potential issue is determining who is a mandatory reporter and who is a confidential source. In those cases, the ROUS legal department will make the final decision based on federal law.

The university has sought to address these unclear areas of law and policy through training. The legal definitions of sexual assault, misconduct, and consent must be understood to follow the above process. If a staff member does not think an incident can be considered sexual misconduct, for instance, it could very well go unreported. Equally important, staff must know their respective roles and the policy requirements that they need to follow when responding to incidences of sexual assault.

Interpreting and Adhering to the Federal Laws and University Policy

This section discusses the participants' perspectives on adhering to federal laws and university policies. It includes their views on training, their definitions

of assault, and other key terms. It ends with a discussion on what message the efforts of staff convey to the university at large.

Cantalupo (2011), Dunn (2013), Napolitano (2015), Rammell (2014), and Shaw (2016) pointed to the complexities of interpreting federal laws and policies, like Title IX, the Clery Act, or the Dear Colleague Letters (DCLa & DCLb) of the Obama and the Trump administrations in the context of higher education because each policy focuses on different aspects of response to sexual assaults on campus. At ROUS, the difficulty that comes from interpreting these various laws is mitigated to some extent by online and in-person training sessions. Nevertheless, some of the staff who participated in the study still struggled with the application of the definitions in practice. Abby, from student support, remarked, “I think the nature of Title IX is that, yes, there is stuff that’s black and white, but there’s so much gray to this work, just in general, that it creates a friction automatically.” Chaplain Sue conveyed her belief that the laws were unclear. She spoke specifically about the Dear Colleague Letter (DCLa), which she said was “foundational.... [it] guides how we define ... [sexual assault cases] and...how we respond to them.” However, Sue added: “the Dear Colleague Letter is vague. It doesn’t really spell things out.” Therefore, the vagaries of the laws require “interpretation.”

At ROUS, the legal department provided that guidance. Yet, even with that assistance, it did not reduce the weight of the responsibility on the staff. The

participants noted that they were fully aware that they are dealing with students' lives and their futures, which heightened the pressure on them to handle these incidents with care. Abby explained:

You're dealing with students [who can be both the victim and the accused] that have very different needs, experiences, things that they've been through. And so, it does kind of, again, create this friction of not always knowing and 100% feeling like I'm doing exactly what I should be doing, need to be doing, the best thing that I can do to support all students in the process.

Abby's work with students had an air of uncertainty because of the variety of needs that students had when a sexual assault happened.

Abby's work was further complicated because she worked in student support, a department that offers students a safe place to question and study personal identities like race, gender, or sex. Students wanted her to keep what they told her confidential, but she could not offer it in cases involving sexual assault and misconduct due to reporting requirements. Managing this tension between what students wanted and what the law required created a fear of failure within Abby. She lamented that "these are federal mandates, so the last thing you want is to...end up on the front page of 'x' newspaper [or] website." She reported having anxiety about being named in the press if she did not perform her duties correctly, either from the perspective of the student or the institution.

Another challenge for staff was that the interpretations had been amended under the Trump administration. Ryan, Maria, Brook, and Dusty, all from housing, observed the changing legal environment. Ryan reflected, “I know there’s a lot of laws circulating. I know the Dear Colleague Letter, then that was just rescinded, or parts of it was rescinded, and now who knows?” The main change in the two letters is a modification of the evidence standard from the *preponderance of evidence* to the *clear and convincing*. The DCL removed the legal timeline of 60 days to investigate a sexual assault incident to “being reasonably prompt” (Saul & Taylor, 2017, para. 19). As many of the professionals are involved in investigations (i.e., by providing evidence to the Title IX office if the student reported to them or by participating in the adjudication panel), adjustments in these policies about cases equal changes to their job responsibilities. Crawford, who was one of the student conduct staff, tentatively suggested that “we are figuring things out based on ... the new expectations that have been presented by OCR [Office of Civil Rights] ... It’ll be interesting to see how that impacts our process.” For most of the participants, the revisions to federal law added to the confusion regarding the proper disposition of a case.

Yet, in spite of the uncertainty voiced by several participants, RHD Dusty held a more positive view. He described incidences in the past where experienced assistant directors in housing “would always ask all these questions, and there were no answers to them.” As a result, he noted:

Training here has been better in the past couple of years in regard to how we handle the situations and incidences when they occur. Mainly because the university, as a whole, has, kind of, tightened up and solidified, made it a little bit clearer how we handle them.

For Dusty, ROUS had improved their on-campus policy training programs from the past. As sexual assault cases continue to affect campuses, the instructions offered to staff have needed to evolve.

With the ever-changing educational landscape, Sue thought the annual training programs were more important than ever. She believed that participating in the training afforded her a deeper understanding about the available options for responding to sexual assault cases at the university. Sue had the campus ministers learn from “director of counseling, who is also the point person for the university on sexual assault” during her scheduled training sessions, so they could be better prepared to support students who approach them after a sexual assault. Because Sue was a chaplain, she did not have the obligation to report sexual assault incidences, but she believed in being able to help students discern what options were available to them when processing their experiences with her or the other campus clergy.

In summary, university training and personal learning on the job contributed to staff competencies for handling cases involving these serious matters. Staff discovered how to address issues of unclear laws and definitions,

manage student expectations in reporting sexual assaults, and stay on top of current legal requirements for institutions of higher education. The university made a point to improve its training to better serve the students' and staff members' needs.

Conceptions of Sexual Assault, Misconduct, and Consent

This section details the way that staff interpret and adhere to legal and policy considerations of sexual assault and misconduct through three subthemes: (a) conceptions of sexual assault, misconduct, and consent; (b) challenges of the campus reporting structure; and (c) the message that staff convey through their actions about sexual assault to the wider campus community.

The student affairs staff who participated in the study presented definitions for sexual assault, misconduct, and consent. Maria (Housing staff) offered a general guideline for what she considers a sexual assault, stating it “runs from inappropriate touching to rape and everything in between.” Brook (Housing staff) expanded the definition to include “revenge pictures or any sort of threats that go along with something related to an intimate partner.” Dusty (Housing staff) added “unwanted comments and gestures and so forth” as other actions that fall under the category of assault. Their acknowledgment of the actions being “unwanted” leads, then, to the concept of “consent.”

The participants held similar views about what constituted consent. Sue (Chaplain) succinctly explained that sexual assault occurred when “any obvious

abuse, attack, and any *unwanted contact*” happens or “when a person has clearly expressed that they are *not interested* in the contact,” but the aggressor continues pursuing sexual contact (emphasis added). However, some of the participants acknowledged that this term was not always clear cut for the students they serve, as previously discussed in the literature review by Jozkowski and Peterson (2013). Crawford (Conduct staff) expressed frustration about students’ lack of awareness about consent:

It’s actually a shame, and ... there's got to be a better way as far as outreach or education goes to explain consent to people. I think it’s ridiculous that people in today’s day and age can say, “Well, I’m not sure what consent is,” or “I didn't know I had to ask to do this, but not that.”

Thus, some participants admitted that students were sometimes in doubt if an incident was an assault.

Sue admitted that there were times she had to tell the students they were assaulted even when they did not understand that they were. She expressed, “I don't even think that [the student] really did see it as someone assaulted them. Because then when I start talking about, well, did you give consent? No. Were you able to give consent? No. That’s an assault.” Thus, although the actions were clearly a crime to Sue, the student did not visibly discern that what happened as a sexual assault.

The complicating factor in these cases was often linked to the use of drugs or alcohol. Abby (Student support staff) explained:

A lot of what I've encountered throughout my time doing the work is cases where one or both parties are intoxicated or under the influence of drugs and alcohol or either one. And then, obviously in th[ose] case[s] [there are] questions around consent and is there consent?

Abby believed that if a student takes an alcoholic drink, they may feel complicit in the incident. Similarly, Sue stated: “Because they were drinking, they [the victim] ... had trouble acknowledging that they were assaulted.” She recalled that she had students who, unfortunately, believed, ““I was drunk, and that was my fault”” so the sexual acts that occurred later were not assault. However, she strongly felt that “if a student was drunk, then consent did not happen, even if the student [victim or respondent] cannot see that.” This tension between consent to drink and consent to engage in sexual activity is part of the difficulty in defining consent on the college campus.

While Maria, Dusty, Brook, Abby, and Crawford understood the definitions of sexual assault and misconduct similarly, it is important to note that not all the participants held the same views about student perspectives. Ryan from the housing department sought to operate in a similar manner of the support provided to students like Chaplain Sue. Ryan tended to defer to the student’s perspective in cases of sexual assault. He recalled:

When it comes to a strict and hard definition of sexual misconduct...I don't want to say, "You know it when you see it," because that's not it at all. For me, it's that the student is sharing with me that they feel like they were assaulted, or they feel like they were, something inappropriate happened. I take what their story is, and I help them to get the help and assistance that they need.

Sometimes helping students meant Ryan erred on the side of the "victim," even if he was uncertain if an assault occurred. As a result, Ryan recounted experiencing internal conflict about the nature of consent when confronted with situations that involved confusing boundaries. For instance, Ryan related that a student had let another person in the dorm room and consented to some sexual acts, but not all.

Ryan recalled:

I don't want to try to think [about] what was going through her mind because it's not for me to think about [and justify]. What happened was she said that she said, 'No,' and he kept going, and that's where we are right now.

For Ryan, even though the student consented in the beginning, she did not continue to give consent, so the meaning of the event as a sexual assault was clear because of the student's perspective about what happened to her. The student made a claim, and Ryan acted, even if the details provided by the student seemed unclear.

While participants could all come to a definition of sexual assault, the way that consent was understood by students continued to affect the staff who reported the information to their supervisors or the Title IX office and who determined the outcomes of sexual assault cases. The common definition given for sexual assault included “unwanted, sexual contact” was clearly conveyed by all the participants. However, how the victim might have expressed the contact as unwanted (i.e., consent) could be unclear from the student perspective, making it the staff who would then sometimes determine if consent occurred.

Reporting Challenges

Reporting requirements varied depending on the staff member’s position. For housing and conduct staff, the legal guidelines and university structures of reporting were clearly outlined. In fact, the housing director created a flow chart of the reporting structure as an internally accessible online document for staff to follow as part of learning about a sexual assault or misconduct allegation. Ryan, Maria, Brook, and Dusty noted that this flow chart helped them have a clear understanding of their role in relation to sexual assault incidences. (Refer to Figure 4.1 for an example.) Whereas, there were fewer rules articulated for the staff operating in the offices for support services or the chaplaincy.

The main differences in these areas were linked to who was or was not a mandatory reporter, which is dictated by federal regulations. These are the staff members who must convey to the university police department (UPD) and the

Title IX office any information about an alleged sexual assault or misconduct incident. At ROUS, all paid housing staff, including part-time student employees known as resident assistants (RA), are legally required to report alleged incidences to UPD and the Title IX office. As Ryan stated, “ROUS is very upfront with us by saying you are not a confidential resource; you cannot provide that to a student.” Brook plainly stated: “We’re told to report.” Thus, these mandatory reporters recognized their primary role was to notify key personnel of the incident.

It is important to note that even mandatory reporters have some limits placed upon them. If the student decides not to report the crime to the police, then some details will be withheld in the incident report. For example, Ryan explained, “We can say ... ‘a sexual assault has occurred’ and ... UPD will say, ‘Where did it take place?’ And unfortunately, it will just be ... ‘I don’t know that’ when the student might’ve disclosed” that information. This decision means the PD may not get enough information to open a formal criminal investigation, which proved a frustration to Ryan. That said, regardless of the police involvement, the Title IX office will investigate the allegations. The outcomes of their adjudications range from no action to expulsion from the university.

Conversely, professional counselors, chaplains, and ordained ministers hold roles governed by The Clery Act that granted them confidentiality in reporting, known as *privilege*. This term means that they must keep both the

identities of students involved in incidences and facts of the alleged sexual assault or misconduct cases private, whether or not students request it. By maintaining student confidence, these professionals could protect students from directly interacting with UPD or student conduct officers about the alleged incidences.

The distinctions based on role seem clear cut: mandatory reporters versus those with privilege. However, Chaplain Sue noted that the legal department's interpretation of the campus ministers' roles has varied depending on the people working in the legal department. For instance, not all campus ministers meet the Clery Act requirement of ordination that considered them a confidential source. Consequently, the current ROUS legal office necessitated that the 40 campus ministers, who are not salaried by the university, report incidences students discuss with them to the chaplain, who has confidentiality exemption for reporting, rather than to the campus police. Previously, the legal office had required the non-ordained ministers to report to UPD.

There are other staff members who operate within this gray area. For example, the peer leaders in the resident halls are not paid staff, so it was unclear based on federal law if they needed to report an incident if a student confides in them about a sexual assault. The legal department at ROUS defined a mandatory reporter, according to Dusty (Housing staff) as "faculty, staff, as well as any student staff employed by the university." So, all unpaid staff, including peer leaders, do not need to report an incident of sexual assault to the campus police.

Therefore, there was some room for confusion about who reports what to whom. That said, although the participants had a relatively clear understanding of their roles, they did not think that students were as well-informed about the responsibilities of staff. For instance, the student may not know that when they tell an RA or an RHD about a sexual assault incident, those individuals must report the incident to the police and the Title IX office. The staff acknowledged that this could lead to students getting upset that something they shared in confidence would not remain private. Staff, then, would try to be proactive in letting students know where to report. Maria (Housing staff) insisted that “we were very purposeful pointing them in the direction of confidential resources that they [students] can tell everything to if they want to, without feeling like they [students] have to report.” Thus, there was the potential for staff to feel frustrated because of the limitations placed on them and students could get upset if they believed they shared a confidence with someone who was required to report the incident.

The Message of Sexual Assault to the Wider Campus Community

ROUS leaders conveyed implicit messages about what they value to their students through their actions/inaction regarding sexual assaults. Crawford (Conduct staff) described the response of the campus as two-fold, strong on resources, weak on accountability. First, the university offers support through mental and healthcare providers for students. He stated, “I think our message is

one that we want students to feel comfortable and supported and have a ton of resources [physical and mental] here for if they've experienced something that they feel falls under...sexual misconduct in general." Crawford believed that students get the help they need after a crime of sexual assault. Yet, he worried that the message was insufficient, stating "I don't know if our message is one...of saying, you know what, we are committed." He explained,

I know ... we are committed, I think, as a community ... and as an institution ... to try to put a stop or to lessen the amount of occurrences that occur when in regard to Title IX. But I don't know if our outcomes [in sexual assault cases] necessarily lend themselves to that [reduction in incidents of sexual assault].

Because Crawford was part of the team that decides cases of sexual assault, the messages to the campus community, as seen in the case outcomes of sexual assault allegations, were not as strong as he wanted them to be. His thinking about firmer enforcement of policy led Crawford to suggest that a discussion and a review of outcomes by all student affairs staff and administrators could demonstrate "that this is something that we don't tolerate on campus." He believed that this solution would create a cohesive community response to sexual assaults at ROUS.

Sue (Chaplain) showed a similar dissatisfaction with some of the outcomes of sexual assault or misconduct incidences. She offered one example

where a complainant requested a transfer because his roommate was having sex in the room while the complainant was supposedly asleep. This request came after the complainant asked the roommate to stop. However, the transfer request was denied because the case was handled as a sexual misconduct violation. According to policy, students are moved only if the violation is more serious than misconduct. Sue wished, “There [was] another way ... within our policies and procedures ... to handle this.” However, she admitted, “Usually, that’s ‘no,’ because we do have those set policies and procedures for a reason.” She believed that the reason behind the policy might be that the university wanted to encourage students to solve their own problems, particularly ones that are seen as low risk. Yet, she felt this approach could compromise student safety.

Conversely, Maria and Abby both thought that a message of protection and support was conveyed to students through the mandatory reporting structure. Maria described the reporting structure as “meant to protect students,” empowering to students, and a source of accountability for the university in the following:

It’s meant to protect the community. It’s meant to keep universities from, you know, brushing things aside, but it’s also something that I just want the person who’s coming forward to have some control and to make sure that they understand what will happen next and that they control that information.

Maria viewed the policy as allowing students to choose how much information they share with those in authority when they report allegations of sexual assault. This hope of letting the student “have control” is why she made every effort to inform students as soon as they arrived on campus about who were and were not confidential sources are for sexual assault reporting.

Abby interpreted the university’s sexual assault and misconduct reporting policies as supportive of victims. She said, “The point of the process has really been around ... not only making sure our campuses and our communities are safe ... but also ... trying to give some power back, particularly to ... survivors going through the process.” To Abby, the whole basis of the reporting structures involved having tools for supporting students during traumatic events and improving student safety in a proactive way.

Therefore, the participants, as a whole, felt that the campus community understood the university was there to support them through an ordeal like assault. However, several of the participants questioned if the university’s rules and processes always conveyed the right message. Crawford felt that the outcomes of assault investigations did not discourage future incidences. While Maria, Abby, and Sue were concerned about how the rules sometimes did not provide sufficient support to the students. These staff’s views reflected a misalignment between the rules and the needs of the students, which led them to

feel some internal conflicts or situational binds, which will be discussed in greater length in the next section.

Moral Conflict with Sexual Assault Responses

The role that student affairs staff play when handling sexual assault cases involves reconciling personal ethics with federal law, university policies, and professional requirements. Nathaniel's (2006) theory of moral reckoning (TMR), although developed from nursing, applies to the student affairs staff's experience of moral stress, because they spoke of personal conflicts that arose from attempting to meet job requirements. Essentially, the participants described experiencing stress on the job due to their internal feelings about the situations that students describe to them or that they have an obligation to report or adjudicate. When student affairs staff reconcile the moral conflict, they make ethical decisions.

Sexual assault cases create difficult professional moral conflicts for student affairs staff. Maria described the feelings surrounding the outcome of cases, "It's just one of those really hard situations where... nobody walks away and says, that was great. Let's do it again." She provided a scenario of the tension for the campus where she suggested that the student affairs system falls short of bringing redemption to either the complainant or the accused as follows:

I think, to me, the biggest challenge is there are no winners. Nobody's ever going to be happy with the outcome. Even if you know they, quote-

unquote, win ... There are no winners, ever. And so, it is really hard for the student to feel like we're adequately supporting them because we can't make them whole.

For Maria (housing director), moving a student who was allegedly sexually assaulted to a different room or canceling a housing contract cannot fix a "broken individual." For this reason, she felt as if she was not able to fully support students, which created a moral conflict for her.

Several participants felt burdened because they knew that their decisions in sexual assault incidences could influence the future of the students involved. Crawford noted that "especially with Title IX cases and sexual misconduct, they're tough and they're heavy, and there's a lot to consider with every party involved." He highlighted the seriousness of these cases when sharing the following:

When I go home at night, and I was contemplating whether a student is to be suspended or expelled, there's conflict in me because it's difficult to think about a college career that's in your hands or how does this...impact[s] a person.

He admitted that having this power over the future of students weighed on him and led him to feel an internal moral conflict.

While Crawford expressed apprehension over students, Abby felt concern about her job when making decisions about sexual assaults on campus. She said,

“I really haven't talked to anybody who's done this work that doesn't feel some level [of] anxiety, I guess, almost every day.” Her worry comes because she must keep in mind all the laws, policies, and possibilities of failures that could be affected by her decisions. Abby observed that her “fear for staff is more about: ‘Am I going to get in trouble? Am I going to make a misstep?’” In such an environment, it is no wonder that she acknowledged, “sometimes professional anxiety sort of bleeds over, and you just feel it.” Then she added that “the stuff that you've said you want to leave at work, sometimes you take home.” For Abby, handling sexual assaults created a fear that she did not follow the rules properly, which took an emotional and ethical toll.

Several other participants described how the nature of the reporting structure, either as sources exempted from reporting or as mandatory reporters, created moral conflicts. Sue, a chaplain, saw her ability to care for students as limited because she was required to adhere to the rules of privacy. She expressed her frustration: “I think being a confidential source is a challenge. You get into the ethical mire [of] what is actually best to do for the student or students involved, and yet, sometimes ... you can do nothing.” In some circumstances, Sue wanted to report the described sexual assault incident because she wanted to see some justice for the student but was bound by law not to report. Similarly, Maria, an administrative director in housing, lamented, “sometimes it doesn't feel like what ... I'm able to do is enough, and you know, I just have to be okay with that.”

Maria and Sue both understood that their roles in these cases required that they accept the limits placed on them in the reporting structure, which was not always easy to do.

Ryan and Dusty (both RHDs) expressed comparable frustrations because they were mandatory reporters. The RHD was required to report, but despite university efforts to inform students of this reality, many students did not realize that they began the formal Title IX investigation process by telling the RA or RHD. Ryan explained the tension between these two ideas more fully:

On my human compassionate side, I want to do what [the student] asked. I want [them] to feel like [they] are completely in charge of this situation and [they] have every right to tell me how to act because I want [them] to feel safe. But on the professional side, I know I have obligations that I need [them] to know what they are, and I need [them] to know I'm going to act on that.

In other words, he wanted to do the right thing for the student. However, the student had no control over maintaining privacy after making the disclosure because he was required to report the incident.

Dusty from housing, similarly, pointed to conflicts regarding the mandatory reporting structure. However, his concern came from worries that students might not speak to him about an incident because of his reporting obligations. Sometimes students do not wish for the information they share to go

to the Title IX office or to UPD. Yet, he knew he could not force a conversation with a student who did not initiate it and clarified: “I would say, personally, the challenge for me ... is always to encourage them to report, but I know I can't do that.” Dusty continued, “based on things I've learned over the years and personal experiences, there's so many [sexual assaults] that go unreported.” He believed the lack of reporting by students was “the biggest challenge” because he cannot help students who do not report incidences of sexual assault.

For Brook (housing staff), her moral conflict arose when she reflected on bias towards victims or accused students. She shared, “I think there's always going to be some sort of internal conflict because I don't think there's ever anytime to not feel biased about something.” She described that her concerns involved staff members being asked to hear difficult cases and make decisions that affect others. She explained this internal personal discord:

It's like you have to be an unbiased party when you go into those [hearings] because both of them [the students] have due process. So, trying to not jump to conclusions and not forming opinions before hearing everything. I think it's always going to be an internal conflict [for] those of us here because we are in this work to support students and to support both students [i.e., complainant and respondent]. And so, what does that look like?

The internal dispute for Brook involved how to be both professional and unbiased while caring for all affected students on both sides of the case.

Where Brook was worried about not being able to “check your bias,”

Ryan felt unprepared to handle these difficult circumstances. He admitted:

I know basic skills to hopefully get you on the phone with somebody that will be qualified to do this. But me, myself, yeah. I've never had an extended experience being able to do a lot [of] this. They train you about it, and then hopefully you never experience it.

Ryan took issue with having the responsibility of a student’s care placed solely on him: “That is unsettling for me because we're putting people fresh out of grad school into a situation where you're on call and at 3:00 a.m. that phone could ring.” He said that the initial response from on-call housing staff might not represent the best of the responses the university could offer. Ryan wished that more experienced personnel provided the initial response to students in crisis. The housing staff understood, however, that the job is stressful and accepted that their professional obligations included an on-call rotation that could mean responding to a victim of sexual assault or misconduct.

Coping

As discussed by Nathaniel (2006) in the TMR, individuals dealing with stressful professional situations may develop a range of coping strategies that help them resolve their personal ethical quandaries, like talking about it or quitting. In

fact, all the participants of this study described finding ways to resolve the moral conflicts their jobs presented to them. The following sub-sections explore various paths taken by the participants. These include: (a) enlisting help from colleagues, (b) processing emotions and taking a break, (c) accepting the result, and (d) looking for a job elsewhere.

Enlisting Help from Colleagues

All seven participants sought guidance from their direct supervisors, peer staff, and fellow professionals in other departments, who might have related expertise, to assist them in discerning what to do when faced with sexual assault incidences. For instance, Crawford confided in a colleague to help him understand his specific duties. He remarked that he would:

Go and talk to my supervisor about, ‘This is sort of where my question marks lie’ or whether it might be a little bit of a gray area. ‘Just wanted to bounce it off of you and see if you have any sort of thoughts.’

Getting some additional advice from his boss allowed Crawford to manage his role in the decision-making process.

Ryan relied on colleagues to help him when he found himself operating in unfamiliar territory concerning sexual assault. He stated, “I try to just do my best and ask the question. If something does come up, [sometimes] talking with a colleague about what... [happened in a specific case] means.” He learned that relying on colleagues in other offices has helped him think through a case, which

made it easier for him to manage the situation. This participant, then, relied on his campus partners to help him understand what was required according to university policy and federal law. This advice gave his confidence in handling these cases.

In addition to getting valuable counsel themselves, the participants relied on their campus contacts to support students. These associations were particularly important because each participant recognized that his or her involvement is only one piece in the entire, complex system in the sexual assault reporting structure. Therefore, they would connect the student with the appropriate person on campus to address whatever may be an outstanding issue. For example, Abby pointed out that “maybe what [the student] really needs at this point is counseling, [or] maybe what they really need is somebody in conduct or Title IX.” If that is the case, then she would refer them to individuals in those areas. As Abby elaborated: “I believe in soft handoffs and making sure that the people feel comfortable and safe in the process as much as possible.” Thus, the participants recognized that students involved in the aftermath of a sexual assault needed to receive support from those in the most appropriate roles. As Abby suggested, the participants might refer a student to the counseling center or to course advisement depending on what was needed. Colleagues, then, played critical roles in assisting staff, as well as the students, through these challenging circumstances.

Processing Emotions and Taking a Break

For three participants, one of the primary ways of resolving any internal conflict was to process emotions by talking about their experiences with a confidant. This type of discussion was different from enlisting colleagues' help as discussed above. Rather, it mirrored the TMR concept of *telling the story* from the stage of reflection as each participant related what the moral tension felt like to a trusted person. Sue found that talking with a colleague, who was also confidential, helped her discern her feelings as follows:

I think [you need] somebody that you can talk ... [to] this way that you trust, and you trust enough to get a different perspective too.

Because ... our own ... crap works through all of that. And we end up feeling a certain way [about sexual assault incidences] for reasons that have nothing to do with what's actually going on.

Sue expressed that discussing what she felt helped her to understand the situation better and allowed her to recognize her own issues about handling the case.

Receiving advice from a colleague helped Sue sort through her many emotions when confronted with a sexual assault incident.

Talking with a confidant benefitted Brook (Housing staff) as well. In her case, she “went to a counselor” to help her manage the stress of the job. She found these sessions were important for her to be able to “process through those emotions” that she had about her work. Brook recognized that “talk[ing] to

someone about it” who was also a confidential person would help her the most.

Both Sue and Brook found that confiding in a person helped them cope with moral conflicts.

Ryan (Housing staff) discussed the benefits of not only talking with colleagues to cope but also getting away from the campus. He described taking a vacation day, hanging out with friends, or playing multiplayer video games to get his mind off a sexual assault situation. Ryan expressed trying “not to sit alone or just dwell and things like that because ... it can be very taxing.” The magnitude of handling sexual assault situations required some of the participants to decompress. They did this by talking it out, therapy, and/or spending time with friends. In all of these circumstances, it should be noted that staff did not discuss details of cases/incidents with anyone who did not already have access to the information, like a supervisor, or who was bound by confidence, as a counselor is.

Accepting the Result

While some of the participants needed to find ways to cope with work stresses, other staff accepted work demands and were at peace with the outcomes of the sexual assault cases, whatever they were. This response is like the *give up* response Nathaniel (2006) discussed as part of the stage of resolution in TMR. In this phase, nurses stayed on the job and did not seek any changes.

Maria (20 years’ experience) and Dusty (11 years) (Housing staff) both expressed that the best way for them to cope involved accepting the situation and

moving forward. Maria stated succinctly, “It's [addressing sexual assault incidences is] a hard part of the job, but it's part of the job.” Dusty held onto his frustrations but did not express his opinions with students or anyone else stating: “I just keep it inside and let it, let it, scream inside my head and just not let it out.” He admitted that remembering why he took the job in the first place kept him from leaving it. He tried “to stay student-focused, student-centered, especially on the student experience.” These approaches permitted these student affairs staff to continue fulfilling the functions of their jobs.

Another way staff accepted their actions was when they exhibited confidence in choosing the right action during the initial response. Believing in their abilities enabled Abby (18 years) (student support staff) and Crawford (15 years' experience) (student conduct staff) to continue in their careers in student affairs. Abby believed that “a lot of it is trusting ... you have to be somebody who is comfortable with the decisions that you've made.” Abby admitted that the job takes a “special kind of person” who is to be able to manage the burden of addressing sexual assault and misconduct.

Crawford of the student conduct staff received comfort from following the outlined policies. He shared that “at the end of the day, I'm looking at what's on paper, what the details are, what our definition is, and then making a decision based on that.” Crawford focused on the facts that allowed him to agree with the

outcomes. In this way, both Abby and Crawford found confidence in their work and with the decisions they made when handling sexual assault cases.

Leaving the Job/Field

When the conflict or stress of the job in student affairs becomes too much, staff exit their student affairs positions (DeTienne et al., 2012; Kim & Stoner, 2008). Leaving the position is one potential coping response to moral conflict, as noted in the *living with the consequences* aspect of the stage of reflection in TMR. Maria (Housing staff) spoke about a colleague who chose to leave, because of a change in policy that she felt was unjust. Maria recalled, “I was able to get onboard with it enough that I stayed and continued to do my job, and she was not, and she left her job because of it.” Therefore, some staff chose to leave the job and others the field, because the stresses were too great.

For Ryan (3 years of experience) and Brook (7 years) of the housing department, the stress of the job was manageable at present, but they did not see themselves continuing to work in their respective departments for the long term of their careers. Ryan predicted, “I do see myself going towards a situation where it's a little less of the unpredictable nature that residence life is kind of known for having.” Ryan planned to move eventually to a department in student affairs or a different profession with significantly less volatility. Brook, similarly, said she was “not long for higher ed[ucation], like, I'm probably planning to transition. Not probably, I'm planning to transition out at some point.” She mentioned using her

MBA and moving into the business realm after she felt her time in student affairs was over. For these participants, then, the stress experienced in working with sexual assault incidences contributed to their decision to pursue other professional career paths or different departments within higher education.

Summary

In summary, the seven participants reported that their jobs were difficult because of the responsibility they felt they had when they addressed sexual assault cases. The experiences of staff included learning how to interpret and adhere to policy to discern the meaning of sexual assault, misconduct, and consent. Training informed how staff understood challenges to the university reporting structure and the message of sexual assault that those policies sent to the wider university community.

These student affairs employees also reflected on their experience of moral conflict in their respective jobs and described ways that they were able to cope with it to continue in this profession. For these staff members, the handling of any sexual assault incidences required professionalism, care, purpose, and support for all students affected. The need to help students created the personal moral conflicts with which they had to cope. Their strategies to deal with their professional challenges took a range of forms from seeking assistance from other staff to decompressing with friends off campus. Most of the participants remained dedicated to the profession, but a few had decided to move to another job in

higher education or another field to escape the personal stress of handling these highly charged incidences.

Chapter 5

Discussion and Recommendations

To promote campus safety, federal laws require institutions of higher education to address and report crimes that occur on college grounds. One group key to the handling and disposition of these cases are student affairs professionals. These employees are expected to make just decisions, despite any feelings of bias for either the complainant or the respondent (Chmielewski, 2013; Hendrix, 2012; Henrick, 2013) and knowing that their decisions can have a long-standing impact on the students involved and on the university community.

While there has been significant research addressing students' perspectives of sexual assault (Hayes-Smith & Levett, 2010), there has been little research involving the student affairs staff perspective. Thus, the purpose of this research study was to better understand how student affairs professionals at a mid-size religiously oriented university of the South (ROUS) experienced the handling of sexual assault cases. More specifically, this study hoped to gain an understanding of the attitudes of staff towards the training they received, their modes of ethical decision-making, and their ways of coping with those decisions. This chapter presents a summary of the findings in light of previous research; implications for practice, theory, and future research; and concluding comments about the study.

Summary of Findings

Nathaniel's (2006) theory of moral reckoning (TMR) guided this study. It centers on how nurses, who work closely with patients, deal or reckon with conflicts that can occur in the disposition of their duties as they navigate federal law, local hospital regulations, and supervisors' orders (Nathaniel, 2006). The responses made by this study's seven participants demonstrated that student affairs staff experience moral reckoning when managing their roles in sexual assault cases.

This study addressed the following overarching research question: How do student affairs staff at a private university in the South describe their experiences in the disposition of sexual misconduct cases? The following paragraphs address the three specific research questions of this study.

Research Question 1: How do student affairs staff at a private university in the South make ethical decisions when they respond to sexual assault cases?

Participants relied on and followed the policies and procedures established by federal law (e.g., Title IX, VAWA, and Clery Act) as interpreted by the campus legal department when responding to sexual assault cases. They attested to having a relatively clear division of duties, particularly the staff who worked in housing, that helped them know the roles they played in each case. And yet, working their respective jobs was not without moral stress for staff. Ehrich et. al. (2012) previously suggested that the nature of working in higher education, which

the authors described as a complex environment, creates the space for moral quandaries to exist. The findings of this study support that idea. All seven participants felt some form of moral unease, or situational bind, regarding the disposition of their duties.

The inner conflict of staff was felt for a variety of reasons. Some participants expressed discomfort with the reporting requirements or structure while other participants felt stress because of the work of interacting with these types of incidences. This observation of different types of moral conflicts arising from various aspects of the job was previously discussed by Catacutan and de Guzman (2016). The researchers found that academic deans experienced three main types of dilemmas: *behavioral* (how staff behave), *structural* (how policies are enforced), and *political* (how decisions are made). Similarly, two participants in this research study expressed feeling uncomfortable because the results of their jobs would impact the educational futures of the students involved in sexual assaults (structural and political). And another noted that her inner conflict about bias towards victims or accused students was hard to “check” before she dealt with a case (behavioral). These experiences reflect a moral space on postsecondary campuses. As Catacutan and de Guzman (2016) suggested academic leaders in higher education have an ethical dimension as part of their jobs, so too for student affairs professionals.

Research Question 2: What knowledge, practices, and policies do student affairs staff at a private university in the South perceive are helpful/not helpful when addressing sexual assault cases?

Cantalupo (2011) argued that campus staff members were undertrained and ill-prepared for the position of managing sexual assault cases. Edwards, Sessarego, and Schmidt (2018) additionally claimed that staff at religious institutions were ill-informed about Title IX. ROUS has addressed both challenges by providing on-campus policy training programs. Several participants, like Sue, Ryan, Dusty, and Maria, attended more than the required online courses. Staff in conduct, housing, and chaplaincy attended both in-person training events about specific policies and reporting practices for sexual assaults that could be renewed every year. Some staff, Crawford and Abby, described academic and professional conferences as main places where they learned about new interventions and upcoming policy changes for the field. As a result, all staff were very well-informed of federal Title IX policy. Yet, despite all staff reporting finding value in the campus' training programs, one participant still felt ill-prepared after participating in the online course, housing's policy training, and additional training from the conduct office. Therefore, on-campus training was still an area that could be improved.

Although the ROUS leadership has clearly defined roles for staff to follow in sexual assault cases, some of the participants (Abby, Crawford, and Ryan)

mentioned the changing rules did add a bit of uncertainty to the disposition of duties. In addition, the Trump administration has proposed revisions to the Dear Colleague Letter (DCLb), which has thrown more confusion into the process. This confusion brought on by DCLb was theorized to happen by Saul and Taylor (2017). The uncertainty was discussed by two participants (Sue and Abby) who found the interpretation of the DCLa /DCLb challenging because of the vague wording of the statute. This idea of uncertainty in interpreting federal laws was noted by Dunn (2013) and Shaw (2016). As a result, the campus legal department has had to provide clearer guidelines for the staff to know how to proceed in sexual assault cases. Moving forward, staff, like Brooklyn or Maria, felt confident in the ability of the university to discern what changes would need to be made.

Another area in need of clarity regarded the definition of consent. Shaw (2016), specifically, argued that the technical definitions do not provide enough information about the crime of sexual assault, containing too many loopholes about when consent may or may not have occurred within the facts of a case. The participants in the current study did not share the same confusion. In fact, all the participants expressed having similar understandings of consent. However, Crawford, Abby, and Sue believed that college students lacked an accurate understanding of consent in sex acts where they tended to interpret indirect messages as explicit acceptance of consent, which was a finding supported by

Jozkowski and Peterson (2013). In other words, consent may be discernable to staff but is not clear in the law or in student minds.

Adding to the difficulties with consent, all seven staff articulated issues of consent when drugs or alcohol became involved. The participants noted that substance use is involved in many sexual assault incidences. This finding is supported by Lawyer et al.'s (2010) report, in which 84% of college sexual assault incidences involve the use of alcohol and 45% involve the use of drugs. Given the high number of substance use in these reported incidences, clarity about consent can become a problem for staff when students are under the influence. Three of the participants, Abby, Crawford, and Sue, discussed how alcohol and drug use complicate students' understanding of consent by making students question their own role in the assault.

The participants identified a key reason why students feeling complicit was a serious issue. When students are uncertain about guilt, it may affect their willingness to report the crime. On a national level, Orchowski and Gidycz (2012) and Sabina and Ho (2014) found that underreporting was common for student victims of sexual assault, estimating 85% to 95% of victims do not officially report to the police or student affairs staff. There was a strong sense that sexual assaults were underreported by victims at ROUS as well. This failure to report meant that victims were not getting the supportive services they needed. This

challenge particularly frustrated RHD Dusty, who acknowledged his hands were tied unless students reported the misconduct.

In spite of this issue, the specific policy that staff discussed as helpful when addressing sexual assault cases involved the reporting structure. The four participants from housing agreed that having a flowchart containing if/then scenarios in reporting sexual assault or misconduct was very helpful in determining what actions to take. All staff agreed that the clarity of mandatory versus confidential reporting rules helped them know their role in the process. However, this information was not without some challenges. For one mandatory reporter in housing (Ryan), there was some concern that students may not tell him about an incident if they were unsure if they wanted to notify authorities about the “crime.” For Sue, a confidential staff member who served as a chaplain, it was challenging not to be able to provide more assistance to the student, because she was required to keep their confidence and not report.

Research Question 3: In what ways do student affairs staff at a private university in the South find resolution when/if they experience moral reckoning?

All the participants reported that they experienced moral reckoning. This process occurred when they had internal conflicts dealing with sexual assault and misconduct incidences in their respective positions. Although they handled these

experiences differently, they all addressed the moral conflict that they experienced and arrived at a place of resolution and reflection.

The three ways of coping reported by the seven participants, which were outlined by Nathaniel (2006) as ways of resolving and reflecting on actions after experiencing a situational bind, included processing emotions and taking a break, accepting the result, or looking for a job elsewhere. Participants Sue, Brook, and Ryan, reported talking with counselors, recharging with friends, playing video games, and confiding with colleagues as ways they processed their emotions from managing these incidences. Some staff (Abby, Maria, Dusty, and Crawford) even expressed that they gained acceptance of their moral choices and moved on emotionally. However, the stresses were too great for Ryan and Brook (housing) who planned to seek out new jobs at other institutions or leave higher education altogether and find new careers in different, less emotionally challenging, fields. This response of leaving is observed by other researchers Brewer and Clippard (2002) and Kim and Stoner (2008) who point to stress as a factor for turnover in higher education.

Besides these three aspects of TMR, some staff experienced coping by enlisting help from their colleagues. Sue, Abby, Brook, Ryan, Crawford, and Dusty all reported asking other student affairs staff for help as they managed incidences of sexual assault, which can be “murky.” These associates had often handled similar cases or gained knowledge about the situation, so the participants

obtained help with decision-making about reporting sexual assault and misconduct claims. In general, the majority of these staff considered how each outcome would impact the students, which, in turn, caused them to go through some aspect of TMR. In addition, they each used unique methods for coping that enabled them to resolve their moral reckoning.

While other researchers (Kim & Stoner, 2008; Rosser & Javinar, 2003) noted that stress contributes to burnout and departure from the field, they did not connect the management of sexual assault cases as one of the contributors to that stress. In the current study, I found that handling these challenging cases forced all participants to face a moral reckoning, which led two of the seven participants, who were relatively new to their positions, to plan to leave the field. Thus, this study did make a connection between managing moral challenges and the departure of early career staff from student affairs. The following section offers recommendations based on these findings.

Recommendations

The findings of this research study hold implications for practice, theory, and future research. This section presents the implications for practice, first, followed by implications for theory and future research.

Implications for Practice

This study focused on the experience of student affairs staff who manage sexual assault cases. The findings highlighted that staff experienced moral

difficulties when handling these high stakes cases. One participant, Brook, noted that attending therapy helped her to cope with these issues. Therefore, it may be valuable for more professionals to take advantage of similar services because of the emotional toll placed on these professionals. Each university should provide a confidential, on-call resource to staff as well as off-campus counseling sessions separate from an Employee Assistance Program⁴ (EAP) so that student affairs staff members do not use up their EAP sessions on work-related issues. EAP is meant to help staff cope with personal emergencies that impact professional lives, not professional, day-to-day moral stresses. As moral conflict is part of the job, a healthy coping mechanism, like counseling, should be provided to staff who respond to sexual assaults.

In addition, the participants from housing mentioned how helpful the reporting structure flowchart was for them. Therefore, other departments on this campus and other colleges and universities may want to develop a similar reference, if it is not currently available, to help bring some clarity to the process on that campus. Further, since Sue and Abby both discussed having to discern “vague” laws to know their role in reporting, a flowchart similar to the chart seen in Figure 4.1 would be helpful for them in understanding who reports and where those reports go.

⁴ Employee Assistance Program (EAP) grants employees up to six sessions of counseling. Employees do not have to pay for the sessions out-of-pocket or through insurance. It is thought of as an emergency assistance for many staff when they go through tumultuous times.

The housing policy regarding the rules for allowing students (both accusers and victims) to transfer to a different room in the same residence hall, a different residence hall, or cancel their housing contract should be revisited. The staff reported experiencing housing community tensions and professional disagreements over the strict rules pertaining to the enforcement of these policies. While sexual assault incidences tend to be grounds for room or hall transfers or housing contract cancellations, sexual misconduct violations do not provide the same level of care toward victims. For example, Sue, the chaplain, believed it was important to treat both sexual assault and sexual misconduct with the same message of support and enforcement for victims and perpetrators alike, rather than conditionally and situationally choosing levels of support for complainants. This approach helps to convey to the campus community how seriously the administration takes all these crimes.

The final recommendation for practice relates directly to institutional messaging. Crawford disliked the lack of clear accountability and enforcement standards during the adjudication process for sexual assault and misconduct cases. He suggested offering a public forum to discuss issues and concerns about this topic among members of the university community. This event should include administrators, staff, faculty, and students, who should use the opportunity to openly discuss and reveal the values they want to uphold as part of the culture of the institution. Then, depending on those discussions, the various stakeholders

could revisit and revise current policies and guidelines regarding the adjudication of sexual assault and misconduct cases. Communicating a proactive policy message would show genuine care about the problem; inform the campus constituencies about issues associated with consent, which seems to leave some students confused; and explain the campus' approach to responding to incidences of sexual assault and misconduct when they occur. These efforts could shed needed light on what can be a confusing process.

Implications for Theory

This was the first study to apply the TMR within the higher education context. Although developed from the field of nursing, moral reckoning (Nathaniel, 2006) provided a viable lens through which to view the dilemmas expressed about sexual assault and misconduct cases by student affairs professionals. The stress from addressing these cases on the job created moral conflicts for most of the participants and highlighted the role of moral reckoning when addressing students involved in sexual assault cases. This study's findings suggest that moral issues are present in the work of student affairs professionals as in nursing. Because of this connection between the profession and moral stress, future theorists should apply ethics to master's programs and include basic counseling therapy courses in the degree-plans for student affairs students, so that as staff, they will better resolve moral conflicts on the job.

This theory demonstrates the pivotal role of ethical decision-making in a person's professional experience and the toll it takes on those who have roles in sexual assault and misconduct incidences on postsecondary campuses. The student affairs personnel who participated in this study mirrored the stages of resolution and reflection that nurses experienced in moral reckoning. The staff coped with their moral distress by processing emotions and taking a break, accepting the result, or looking for a job elsewhere (which linked the departure of two staff to resolving moral dilemmas). These responses paralleled the stages and properties of TMR discussed in Chapter 2. The extension of this theory into the field of student affairs in higher education has provided a way to understand the nature of the moral stress and how staff attempt to navigate it during cases of sexual assault and misconduct.

Implications for Future Research

This study only represents the perspectives of a few student affairs staff at a private, religiously oriented higher education institution of medium size in the South. Thus, there are several ways to expand the research. In addition to expanding the number of participants, in total, future research should include different types of postsecondary institutions – public, private, smaller, and larger – to see if staff at these colleges and universities experience similar challenges. It would be valuable to do a comparison study interviewing student affairs staff at

both public and private higher education institutions to detect any differences in approach, policies, and outcomes.

Future work might focus exclusively on understanding the concept of consent from the viewpoints of both housing and student affairs staff. This could be done through a survey with various definitions of consent listed and responses designed as Likert-type agreement levels, and/or interviews to obtain rich, in-depth data that focuses on the staff's rationales for their definitions of consent and how they operationalize these definitions in practice. This research would help expose if there is a clear understanding of the term across the profession.

Because this study was focused on a single institution in the South, future researchers could interview student affairs professionals at public and private institutions in other regions and states. They could see how state laws influence the institutions handling of these crimes. Based on state-specific laws, student affairs staff could engage in moral reckoning in dissimilar ways.

Many of the participants interviewed represented housing or student support services. Future researchers would do well to include participants from other student affairs departments that could include orientation and counseling in addition to student programming and Greek life. Because of the impactful role of Greek life on many colleges and universities, the perspectives of the professional staff who oversee Greek organizations could add a more varied understanding

about cases of sexual assault and misconduct and the moral dilemmas student affairs staff experience.

This study suggested that there were differences in the attitudes of staff in the earlier stages of their career and those who were seasoned. The two participants in this study who had under 10 years' experience discussed the possibility of leaving their departments or changing careers, partly due to the stress that accompanies moral conflicts. Tull (2006) noted that young professionals in student affairs have high rates of turnover. Future researchers may gain new knowledge by including narratives from student affairs staff based on their longevity in the profession. Student affairs staff who have been in the field for less than 10 years and those who have been in the field for over 10 years may provide different viewpoints about moral reckoning in relation to their roles in sexual assault and misconduct cases. Consequently, understanding specific experiences with managing sexual assault cases from the perspectives of professionals operating within different points in their careers could reveal ways to prevent high turnover in student affairs.

Further, conducting an exploration of multiple perspectives regarding sexual assault and misconduct policy and procedures may further enlighten and improve overall collegiate culture. For example, the work that Title IX coordinators, emergency responders, nurses, and the campus police department do is integral to managing the aftermath of sexual assault incidences. Expanding the

number of participants to include first responders and judicial colleagues on campus who likewise encounter sexual assault incidences could provide helpful information regarding future models for addressing these cases and strategies that enable these staff to more effectively reduce any moral dilemmas that they confront. These insights may lead to designing and/or offering additional support for all staff engaged in this work.

As participants Maria, Abby, and Sue discussed the importance of how sexual misconduct impacts the campus community, future research could explore what third parties feel in these types of situations. For example, in a residence hall, the main issue may be between roommates, but the effects could be felt by neighbors, suitemates, or Resident Assistants (RAs). The outcomes of sexual misconduct cases may very well be impacting others besides the involved students. Although beyond the scope of this study, some universities have tried to address sexual assault and misconduct through bystander prevention programs (Coker et al., 2015). These programs focus on engaging the third-party to intervene if an assault situation occurs. Future research could examine how these programs help students understand and prevent sexual misconduct in their living spaces. Identifying the third-party perspective in this area of research could prove illuminating when thinking about policies for students.

The current study supports the use of the TMR lens to understand the views of higher education staff in terms of sexual assault and misconduct cases.

More work should be done using the same lens to see how resilient and helpful it proves to be to explain other issues that affect staff working at a postsecondary institution. For example, the data from this qualitative study could be used to develop a quantitative survey to tease out concepts associated with TMR (e.g., asking what are morally stressful situations or ways of coping) to see if the responses noted from the current study are generalizable across student affairs. In this way, the survey could be completed at local or national levels and across several campuses, whether public or private, to test the applicability of the theory in higher education, more broadly.

Lastly, the current study revealed the value of researching staff perceptions regarding the handling of sexual assault incidences because it exposed some critical fault lines in our current approach. More specifically, it showed how student affairs professionals struggled with these highly stressful situations, leading some to decide to leave their profession. Future researchers would do well to continue to focus on staff experiences because their views have a major impact on student success, staff retention, and the reputation of the university itself.

Conclusion

Sexual assaults have become endemic to institutions of higher education. Because of the pervasiveness of the problem, much research has explored the perspectives of the students directly impacted by sexual assault and misconduct. However, little research has been conducted with the student affairs staff who

work on the campuses to support and encourage students, enforce policies, and resolve issues that arise within student communities due to sexual assault incidences. Thus, seven student affairs staff were interviewed about their experiences with sexual assault cases and how they made ethical decisions considering the multifaceted laws and policies affecting the complex cases that they must navigate. The student affairs staff's perspectives helped fill the literature gap by providing information about what roles they have in these cases and how they manage their emotional and mental challenges as part of their moral reckoning experiences.

The findings of this study offer insight into the nature of responding to and settling sexual assault incidences in higher education, particularly on campuses with residential systems. Hopefully, the knowledge provided by the findings represents a better understanding of the human cost experienced by individuals required to oversee and decide challenging cases of sexual assault and misconduct. Finally, this research revealed the value of providing supports not only to students but also to staff. Moral crises are an unfortunate aspect of many jobs on or off postsecondary campuses. Thus, student affairs professionals need to be better prepared to confront them.

Appendices

Appendix A – Interview Protocol

1. Describe your understanding of sexual assault.
 - a. Sexual misconduct
2. What is your role in dealing with sexual assault or sexual misconduct cases on campus?
3. What are the institutional policies about sexual assault and sexual misconduct?
4. Tell me what procedures are followed when a sexual assault is reported.
5. Are there any inconsistencies between the policies and procedures that you must follow? What are they?
 - a. If so, how do you deal with those inconsistencies?
 - b. Give a specific example of the inconsistency that you confronted and how you addressed it.
6. What are some examples of the types of cases you have handled with students?
 - a. What was your role in the case?
7. Describe how you work with other student affairs professionals in your response to sexual assault cases? Please provide an example.
8. Do you face any challenges in responding to sexual assault cases?
 - a. (If yes) What are they?
 - b. If so, how do you address those challenges?
 - c. If no, why not?
9. Have you ever felt any professional conflict at any part of the process of handling a sexual assault case?
 - a. Any personal internal conflict? Provide an example of a situation where you felt conflicted.
 - b. How did you handle this internal conflict?
10. Is there anything else that you would like to tell me about your experience that we have not already discussed?

Appendix B – Background Questionnaire

Name: _____

*Name is for my information only. Pseudonyms will be used in research data. *

Age: _____

Educational background (Institution(s) and degree(s) earned):

Previous employment (Please include previous institution(s) and number of years served within the last decade):

Current job position/title:

How long have you held your current position?

Appendix C – Director Email

Dear Colleague,

I am writing to request your participation in a research study that I am conducting as part of my dissertation research for the doctoral program in Educational Leadership and Policy Studies at UTA. The purpose of this research study is to understand how student affairs staff navigate the conflict and find resolution in sexual assault cases.

I would like to interview various student affairs administrators and professionals as part of the study. Your job and title make you eligible to participate in the study, as well as members of your department. Participation in this research is voluntary and confidential. Any names or experiences will be given aliases, and the campus will not be named in the study.

If you are willing to participate or in learning more about the study, please email me at the email address below. In addition, I am asking if you would be willing to forward the email below to your staff for them to consider participating in the study. I will also be contacting your office shortly about any participation.

Thank you for your time and consideration.

Veronica Davis
Ph.D. Student
Educational Leadership and Policy Studies
The University of Texas at Arlington

veronica.davis@mavs.uta.edu

Appendix D – Staff Email

Dear Colleague,

I am writing to request your participation in a research study that I am conducting as part of my dissertation research for the doctoral program in Educational Leadership and Policy Studies at UTA. The purpose of this research study is to understand how student affairs staff navigate the conflict and find resolution in sexual assault cases.

I would like to interview various student affairs administrators and professionals as part of the study. Your job and title make you eligible to take part in the study. Participation in this research is voluntary and confidential. Any names or experiences will be given aliases, and the campus will not be named in the study.

If you are interested in learning more or are willing to participate, you may email me at the below address. I will also be contacting your office shortly about any participation.

Thank you for your time and consideration.

Veronica Davis
Ph.D. Student
Educational Leadership and Policy Studies
The University of Texas at Arlington

veronica.davis@mavs.uta.edu

Appendix E – Study Approval



Institutional Review Board Notification of Exemption

December 21, 2018

Veronica Davis
Dr. Barbara Tobolowsky
Educational Leadership & Policy Studies
The University of Texas at Arlington
Box 19575

Protocol Number: 2019-0119
Protocol Title: *Ethical Decision-Makers: How Student Affairs Staff Make Moral Choices in the Face of Sexual Assault Cases*

EXEMPTION DETERMINATION

The UT Arlington Institutional Review Board (IRB) Chair, or designee, has reviewed the above referenced study and found that it qualified for exemption under the federal guidelines for the protection of human subjects as referenced at Title 45CFR Part 46.101(b)(2).

- (2) Research involving the use of educational tests (cognitive, diagnostic, aptitude, achievement), survey procedures, interview procedures or observation of public behavior, unless:(i) information obtained is recorded in such a manner that human subjects can be identified, either directly or through identifiers linked to the subject; and (ii) any disclosure of the human subjects' responses outside the research could reasonably place the subjects at risk of criminal or civil liability or be damaging to the subjects' financial standing, employability, or reputation.

You are therefore authorized to begin the research as of **December 21, 2018**.

Pursuant to Title 45 CFR 46.103(b)(4)(iii), investigators are required to, "promptly report to the IRB any proposed changes in the research activity, and to ensure that such changes in approved research, during the period for which IRB approval has already been given, are not initiated without prior IRB review and approval except when necessary to eliminate apparent immediate hazards to the subject." All proposed changes to the research must be submitted via the electronic submission system prior to implementation. Please also be advised that as the principal investigator, you are required to report local adverse (unanticipated) events to the Office of Research Administration; Regulatory Services within 24 hours of the occurrence or upon acknowledgement of the occurrence. All investigators and key personnel identified in the protocol must have documented Human Subject Protection (HSP) Training on file with this office. Completion certificates are valid for 3 years from completion date.

REGULATORY SERVICES
SERVICES

The University of Texas at Arlington, Center for Innovation
202 E. Border Street, Ste. 300, Arlington, Texas 76010, Box#19188
(T) 817-272-3723 (F) 817-272-5808 (E) regulatoryservices@uta.edu (W) www.uta.edu/irs

Appendix E continued



The UT Arlington Office of Research Administration; Regulatory Services appreciates your continuing commitment to the protection of human research subjects. Should you have questions or require further assistance, please contact Regulatory Services at regulatoryservices@uta.edu or 817-272-3723.

REGULATORY SERVICES
SERVICES

The University of Texas at Arlington, Center for Innovation
202 E. Border Street, Ste. 300, Arlington, Texas 76010, Box#19188
(T) 817-272-3723 (F) 817-272-5808 (E) regulatoryservices@uta.edu (W) www.uta.edu/ra

Appendix F – Informed Consent

UT Arlington Informed Consent Document – Written Version

PRINCIPAL INVESTIGATOR

Veronica Davis
Doctoral Candidate
Educational Leadership and Policy Development, UTA
veronica.davis@mavs.uta.edu

FACULTY ADVISOR

Dr. Barbara Tobolowsky
Educational Leadership and Policy Development
tobolow@uta.edu

TITLE OF PROJECT

Ethical Decision-Makers: How Student Affairs Staff Make Moral Choices in the Face of Sexual Assault Cases on Campus

INTRODUCTION

You are being asked to participate in a research study about how student affairs staff navigate possible conflicts and find resolution in sexual assault cases. Your participation is voluntary. Refusal to participate or discontinuing your participation at any time will involve no penalty or loss of benefits to which you are otherwise entitled. Please ask questions if there is anything you do not understand. In order to participate, you must be a full-time staff member and have responded to at least one sexual assault incident on campus.

PURPOSE

The specific purpose of this research study is/are as follows: The purpose of this research study is to understand the experience of student affairs staff when they manage sexual assault cases.

DURATION

You will be asked to participate in one interview that will last approximately 45 minutes to 1.5 hours.

NUMBER OF SUBJECTS

The number of anticipated subjects in this research study is 2-50.

Appendix F continued

UT Arlington Informed Consent Document – Written Version

PROCEDURES

The procedures which will involve you as a research subject include:

1. An interview
2. Filling out a background survey

The interview will consist of questions concerning your experience with handling sexual assault cases on campus. The include questions concerning policies, procedures, personal and professional responses to incidents as well as if you feel any internal conflicts.

The interview will be recorded using a digital recording device and I will transcribe them using a computer program. The digital recordings will be deleted at the end of this study.

POSSIBLE BENEFITS

Benefits to this research may be that campus policies and practices of staff concerning sexual assault cases can be updated. However, there may be no direct benefit to you for your participation in this study.

POSSIBLE RISKS/DISCOMFORTS

You might experience discomfort, frustration, or unease about sexual assault during this research study. Resources are available to you if you would like to discuss your feelings with another confidential source. The SMU Counseling Office and the Chaplain's Office are both on-campus confidential resources that you may utilize. Outside of campus, the National Sexual Assault Hotline (RAINN) can be reached at 800-656-HOPE (4673) and will take anonymous calls from anyone concerning sexual assaults. You have the right to quit any study procedures at any time at no consequence and may do so by informing the researcher.

As with all research, there is a risk of a breach of confidentiality regarding this study. This risk is minimized as much as possible by the researcher, but it does remain a possibility that an unwanted party could access the interview data, which is why names are not provided for this study.

COMPENSATION

No compensation will be given on behalf of this study.

ALTERNATIVE PROCEDURES

There are no alternative procedures offered for this study. However, you can elect not to participate in the study or quit at any time at no consequence.

Appendix F continued

UT Arlington Informed Consent Document – Written Version

VOLUNTARY PARTICIPATION

Participation in this research study is voluntary. You have the right to decline participation in any or all study procedures or quit at any time at no consequence.

CONFIDENTIALITY

Every attempt will be made to see that your interview responses are kept confidential. All data collected from this study will be stored in a UTA server for at least three (3) years after the end of this research. The results of this study may be published and/or presented at meetings without naming you as a subject. Additional research studies could evolve from the information you have provided, but your information will not be linked to you in anyway; it will be anonymous. Although your rights and privacy will be maintained, the Secretary of the Department of Health and Human Services, the UTA Institutional Review Board (IRB), and personnel particular to this research have access to the study records. Your records will be kept completely confidential according to current legal requirements. They will not be revealed unless required by law, or as noted above. The IRB at UTA has reviewed and approved this study and the information within this consent form. If in the unlikely event it becomes necessary for the Institutional Review Board to review your research records, the University of Texas at Arlington will protect the confidentiality of those records to the extent permitted by law.

CONTACT FOR QUESTIONS

Questions about this research study may be directed to Veronica Davis at veronica.davis@mavs.uta.edu or to Dr. Barbara Tobolowsky at tobolow@uta.edu. Any questions you may have about your rights as a research subject or a research-related injury may be directed to the Office of Research Administration; Regulatory Services at 817-272-3723 or regulatoryservices@uta.edu.

Appendix F continued

UT Arlington Informed Consent Document – Written Version

CONSENT

By signing below, you confirm that you are 18 years of age or older and have read or had this document read to you. You have been informed about this study's purpose, procedures, possible benefits and risks, and you have received a copy of this form. You have been given the opportunity to ask questions before you sign, and you have been told that you can ask other questions at any time.

You voluntarily agree to participate in this study. By signing this form, you are not waiving any of your legal rights. Refusal to participate will involve no penalty or loss of benefits to which you are otherwise entitled. You may discontinue participation at any time without penalty or loss of benefits, to which you are otherwise entitled.

SIGNATURE OF VOLUNTEER

DATE

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