

## ***A RESOLUTION IN SUPPORT OF SURVIVORS***

### **Content Warning: SV/SH**

**WHEREAS**, on May 6th, 2020, Education Secretary Betsy DeVos implemented new regulations for Title IX. While such regulations are framed as “historic” in the fight for protection, there are serious underlying concerns.<sup>1</sup> Most notably, the regulations are said to “restore due process on campus” through granting more support to the accused,

**WHEREAS**, though these regulations were stated to have been implemented in order to protect those falsely accused of sexual assault, this reasoning falls flat because the proportion of miscarriages of justice among sexual assault cases is the same as the proportion for all other criminal cases (2-8%) and the proportion of sexual assault cases that go unreported (65%) eclipse miscarriages of justice,<sup>2,3,4</sup>

**WHEREAS**, these new regulations make it more dangerous for survivors to report cases to Title IX<sup>5</sup> because of (1) mandated additional interaction with the perpetrator, (2) lowered likelihood of prosecution of the perpetrator due to a potential higher evidence standard, and (3) longer investigative procedures that continually ignore trauma-informed language and practices thus jeopardizing survivors’ health and wellness. These rollbacks in protections attempt to silence the survivor community,

**WHEREAS**, the Daily Bruin article<sup>6</sup> initially released on May 6, 2020 provided insensitive, vague, and incomplete reporting on the recent changes to Title IX. The original title stated that “New Title IX Rules Aim to Improve Due Process...” while this title is not an incorrect phrasing of the changes, this terminology ignores the impact that changes to Title IX will have on survivors, misleading the community. Using the term “improve” to describe the reforms gives a positive connotation to the new Title IX regulations, when in fact, the regulations impede survivors’ likelihood of coming forward. The exclusion of statements from students or survivor advocacy groups is evident in the article’s failure to offer meaningful insight on the changes or the implications they may have on the campus community,

**WHEREAS**, UCPD saw a rise in sexual assault cases this past year<sup>7</sup> while the Campus Assault Resources & Education (CARE) office remains understaffed, with just three CARE advocates to

<sup>1</sup> <https://www.ed.gov/news/press-releases/secretary-devos-takes-historic-action-strengthen-title-ix-protections-all-students>

<sup>2</sup> <https://www.rainn.org/statistics/criminal-justice-system>

<sup>3</sup> <https://www.bbc.com/news/world-us-canada-45565684>

<sup>4</sup> <https://www.bjs.gov/content/pub/pdf/vnrp0610.pdf>

<sup>5</sup> <https://www.insidehighered.com/news/2020/05/07/education-department-releases-final-title-ix-regulations>

<sup>6</sup> <https://dailybruin.com/2020/05/06/new-title-ix-rules-aim-to-strengthen-due-process-for-students-accused-of-sexual-misconduct/>

<sup>7</sup> <https://dailybruin.com/2019/10/01/ucpd-safety-report-cites-rise-in-sexual-assault-reports-fall-in-liquor-violations/>

serve a campus of 81,000 people<sup>8</sup>. Changes to reporting, investigation, and evidence within Title IX will spread CARE, an already underfunded office, even thinner,

**WHEREAS**, “UCLA’s Response to Recent Title IX Changes”<sup>9</sup> was timely but not nearly enough to support students who are the most vulnerable. Students expect support from their administration, but the immediate outreach from the Chancellor and Vice Chancellor for Equity, Diversity, and Inclusion needed to be a specific commitment to survivors and those most negatively impacted by these new regulations, not a dedication to all parties involved in Title IX processes,

**LET IT BE RESOLVED**, that the Daily Bruin must move beyond this year’s non-fact-based reporting and be more empathetic, fact-based, and thoughtful in its evaluations of individuals and policies. The USAC further calls on the Daily Bruin as a source of information for all Bruins to include survivor-oriented perspectives in its reporting and think critically about word choice. These practices are implemented at other universities of UCLA’s caliber around the country.<sup>10,11</sup>

**LET IT BE FURTHER RESOLVED**, that administration has yet to acknowledge the USAC’s prior demands to increased funding for CARE<sup>12</sup>. In addition, the USAC continues to demand that the Campus Assault Resources & Education (CARE) office be fully funded to provide adequate support to all students, and that administration recognizes the burden these new regulations place on an already strained system.

**LET IT BE FURTHER RESOLVED**, the USAC calls upon administration to create and disseminate a concrete plan of action on how to support survivors in spite of new regulations and remote learning. This plan of action must be transparently available to all members of the UCLA community and include a timeline regarding its development and implementation.

<sup>8</sup> <http://www.admission.ucla.edu/campusprofile.htm>

<sup>9</sup> <https://chancellor.ucla.edu/messages/uclas-response-recent-title-ix-changes/>

<sup>10</sup> <https://www.thecrimson.com/article/2020/5/8/experts-on-new-title-ix-rules/>

<sup>11</sup> <https://www.dailycal.org/2020/05/08/departments-of-education-updates-title-ix-guidance-for-sexual-misconduct-uc-opposes/>

<sup>12</sup> <https://usac.ucla.edu/docs/resolution.2019.USAC%20CARE%20Funding%20Resolution.pdf>