



NCEA
National Center for
EQUITY & AGENCY

A Taste of Title IX: Insights on the Past, Present, and Future of the Field

Dr. Laura McGuire

Why did I write this book?

- When I started out, there were little to no intro-to-the-field resources.
- So much upheaval happened after the DCL of 2011.
- Messages about consent and sexuality were being taught in less than helpful ways and were thus rejected by students and faculty.

THE SEXUAL MISCONDUCT PREVENTION GUIDEBOOK



Dr. Laura McGuire

with a foreword by
Brett A. Sokolow, J.D.

How did we get here? Title IX

1972

Bernice Sandler

Dr. Sandler files a lawsuit based on her inability to obtain employment with help from the Women's Equity Action League (WEAL). Their case leads to Title IX.

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1982

Affirmative consent is born

New York City-based gay male S/M activists created a community that would write the first affirmative consent bylaws. They called them SSC: safe, sane, and consensual (later RACK, and now explicit prior permission [EPP])

1991

Antioch College

In 1991 student activists started the first campus prevention programs at Antioch College. This leads to much ridicule but also a systemic shift.

2011

Dear Colleague

In 2011 the Obama Administration writes the Dear Colleague letter that will forever change how we think of TIX and misconduct response from universities.

Today

Changing landscapes

Today, changes continue to evolve. More attention to how TIX impacts trans, queer, and disabled students comes into play as political swings place schools on high alert. Cross-examinations start, and informal resolutions become more of the focus.

What do rape-free cultures teach us?

- 1 Sexual agency and subjectivity matter.
- 2 Fear-based messages are ineffective.
- 3 Cultures that empower those most at risk of harm help everyone.
- 4 Community members must feel supported to be safe.

What works in prevention?

- ❖ Students' perspectives are key
- ❖ Culturally humble and customized to specific audiences
- ❖ Risk Aware vs. Risk Reductive (Harm Reduction)
- ❖ Builds upon previous/future knowledge
- ❖ Infused into other aspects of education
- ❖ Not reliant on online or orientation settings



Creating a productive reporting culture

- ✓ Do not perpetuate benevolent sexism/bias
- ✓ Addresses fears about “ruining someone’s life” and offers restorative options
- ✓ Clarifies processes, timelines, and retaliation concerns
- ✓ Offers tools for multiple ways of communicating

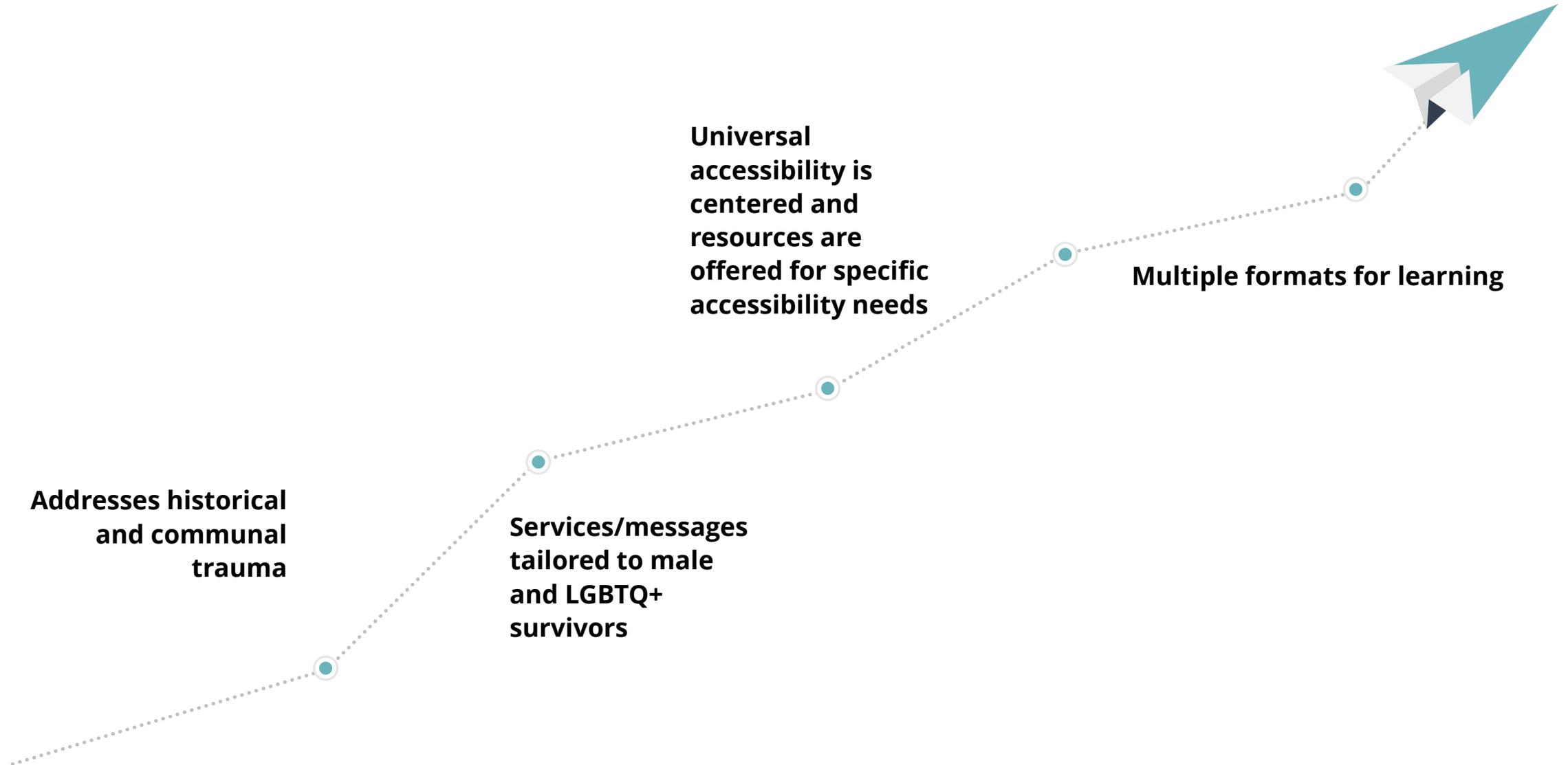


Addressing resistance

- Cognitive dissonance
- Selective perception
- Exceptionalism
- **Must/can I believe**



Inclusion in school prevention & response



Restorative justice



“The fundamental premise of the restorative justice paradigm is that crime is a violation of people and relationships (Zehr, 1990) rather than merely a violation of law.”

Latimer, J., Dowden, C., & Muise, D. (2005). The effectiveness of restorative justice practices: A meta-analysis. *The prison journal*, 85(2), 127–44.

- Began in the 1970s
- For a program to be part of this model, there must be three main elements: voluntary participation, truth-telling, and facing the impact of offenses.
- The process leads to greater victim satisfaction when compared to traditional justice systems.
- Decreases recidivism
- Cross-cultural examples include Navajo Peacemaking Practices and Jewish mandates on Teshuva processes.

Learning environments that work



Multicolored graduation caps.



Students sit at computers looking ahead.



Students sit outside laughing together.

Comfort

Size of space, lighting, neutrality

Not solely lecture-based

Cognitive-developmental approach (not indoctrination of values clarification)

Cohesion

Comfort in the group

Small cohorts with some previous connection

Too much homogeneity can create an echo chamber

Commitment

Not a one-time experience

Trust and rapport take time to build

Set a schedule, monitor their progress, build a system that is sustainable

A vision for the future

Frequent and ongoing (April to October bridge)

Professionally facilitated

Include gender role socialization, risk education, rape myths, rape attitudes, rape avoidance, victim empathy, dating communication, controlled drinking, etc.

Supplemented with media and campaigns

Comprehensive, appropriately timed, varied teaching methods, sufficient dosage, administered by well-trained staff, model positive, relationships, socio-culturally relevant, theory-driven





Thank you!

Contact

-  info@drlauramcguire.com
-  386-872-0112
-  www.drlauramcguire.com