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ORGANIZATIONAL SUPPORTS OF RAPE CULTURE IN HIGHER EDUCATION

A Dissertation Presented

by

Mary Beth Seller

to

The Faculty of the Graduate College

of

University of Vermont

In Partial Fulfillment of the Requirements
for the Degree of Doctor of Education
Specializing in Educational Leadership and Policy Studies

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ABSTRACT

Rape culture has roots in our gendered history of the United States which manifests itself on college campuses as well. Attending college has been found to be the riskiest time for women in terms of sexual assault, as up to 1 in 4 women may experience some type of sexual assault or attempt during their collegiate years. This study explored how one college campus, the University of Vermont (UVM), has organizational policies, procedures and values that are perceived to support rape culture on campus.

Guided by critical feminist theory as its epistemological foundation, this qualitative study uses an applied thematic analysis to explore how organizational conditions at UVM help support a rape culture. Ten participants were recruited for the study via snowball sampling. Each participant was identified as current or former staff member, or student at UVM. Each was interviewed using semi-structured interviews. The interviews were analyzed using an applied thematic analysis. Six overarching themes were discovered in the data. Participants identified a series of student cultures like *alcohol abuse* and a *hook-up culture* that together support risk taking and contribute to rape culture. Respondents noted a variety of organizational pressures, both external and internal, to the University that were intertwined with their descriptions of rape culture. Pressures from outside the organization tended to be regulative in nature and included specific references to federal or state law, or court actions. Organizational pressures from inside the organization were also regulative in nature, but typically internal policies, procedures and practices were identified. For example, at UVM there are a variety of departments whose policies and procedures are specifically designed to address sexually based violence on campus. These include offices like the Police or the Center for Student Conduct. Interviewees spoke at length about how policies and procedures designed to increase safety and responsibility, can actually contribute to perceived support for rape cultures on campus. Examples include safeguards around alcohol consumption on campus, lengthy Title IX adjudication processes when assaults occur, public image protection, and institutional silencing of victims. Taken together these findings describe a variety of organizational conditions that work to support and perpetuate rape culture, at the same time concerted efforts are made to reduce the likelihood of harm and to promote safety on college campuses. Findings from this study can be used by UVM and other higher education organizations to address organizational structures, actions and policies that have contributed to rape culture.

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CHAPTER I: INTRODUCTION

On October 13th, 2006, the body of Michelle Gardner-Quinn was found at the Huntington Gorge, Vermont. The decedent was wedged face down, head down between two rock outcroppings in a fetal position on her left side. The decedent's upper body was covered with leaves and twigs. On October 14th, 2006, the Office of the Chief Medical Examiner ruled that Quinn was a victim of a homicide. The cause of death was from neck compressions and there was an indication of blunt force trauma. The Medical Examiner also found indication of sexual trauma to the decedent's body. (Nails, 2006, p. 1)

This was the opening paragraph to the October 25, 2006, affidavit submitted by Detective Corporal Nails of the Burlington, Vermont Police Department to the Chittenden County Court in relation to the brutal sexual assault and murder of University of Vermont (UVM) student Michelle Gardner-Quinn. The affidavit described the technical details of Ms. Quinn's death. Days later, investigators charged Brian Rooney with her murder. The details of what occurred during and after the assault of Ms. Quinn are laid out in an affidavit of probable cause, but what is not as obvious or easily obtained in crimes of this nature are the cultural factors that may have contributed to the death of this female college student. Some of these factors include the role the university plays in supporting a culture that could ultimately lead to sexual violence. This study takes the position that rape culture exists on college campuses. Specifically, for this study, I investigated the role the University of Vermont plays, if any, in supporting rape culture.

College is designed as an education endeavor for students, but the traditional college timeframe, ages 18 to 24, may also be a time for sexual exploration for many students. However, this exploration is shrouded by an environment where sexual violence is somewhat normalized and, at times, excused. Marshall University's Women's Center identified this as rape culture which is "perpetuated through the use of misogynistic language, the objectification of women's bodies, and the glamorization of sexual violence, creating a society that disregards women's rights and safety" (Marshall University, 2020). Alexandra Fanghanel (2019) echoed this description and noted that rape culture is the normalization of violence against women and further explained that "despite the fact that sexualized and gendered experiences of public spaces continue to be taken seriously in the contemporary discourse, injustices and misogynies also continue to thrive" (p. 1). Additionally, UVM's formerly named Women's Center identified rape culture in 2019 as:

[A] culture in which rape and sexual violence are pervasive. Rape culture exists when prevalent attitudes, norms, practices and media condone, normalize, excuse and encourage sexual violence. Rape culture is deeply connected to a complex web of violent cultural systems, among them misogyny/patriarchy, racism and white supremacy, colonialism, ableism, queer & transphobia, classism, etc. (Dismantling Rape Culture Conference, 2019).

Rape culture includes, but is not limited to some of these examples: blaming the victim, trivializing the sexual assault ("Boys will be boys!"), sexually explicit jokes, gratuities

gendered violence in movies and television, pressure on men to “score,” and teaching women to avoid getting raped (Southern Connecticut University, 2023).

As these injustices thrive, women on college campuses continue to be at risk and experience sexual violence due to the rape culture that exists on college campuses. It has been estimated that up to one in four college women are sexually assaulted during their college career (Richards, 2018). This means that nearly 25% of college-aged women will have experienced some type of sexual violence.

For women, their college years are filled with attending class and working to earn a degree, like their male colleagues, but they also have the burden of learning to stay safe in an environment that does not respect women’s bodies. They are forced to learn these skills because of the pervasive nature of rape culture. In addition to the startling approximation that up to one in four women are sexually assaulted, “13 percent of college women report being stalked in college [and ...] approximately 95 percent of collegiate sexual assault victims do not report their victimization through official avenues, such as law enforcement or campus officials” (Keener, 2016, p. 4). Rape culture has persisted over time and college environments appear to facilitate situations that allow rape culture to continue to exist. College campuses, such as UVM, have a social culture that includes alcohol consumption. The One in Four organization, which had worked to educate people on sexual assault on college campuses, stated that “One in four college women report surviving rape or attempted rape at some point in their lifetime” and 72% to 81% of the cases have involved the female being intoxicated (One in Four). Other statistics note, “Sexual violence on campus has reached epidemic levels: during their first

year in college, one in seven women will have experienced incapacitated assault or rape and nearly one in 10 will have experienced forcible assault or rape” (Carey et al., 2015, p. 678). For first year students, the risk of sexual assault as a woman is one in ten, but the risk overall as a woman in her lifetime is up to one in four. This is an epidemic.

1.1 Terminology

This research uses the terms rape, sexual assault, sexual act and sexual misconduct. Most of the study will use the terms rape and sexual assault interchangeably. The research was conducted in Vermont; thus, this study generally follows the definitions found in the Vermont State Statutes:

A “sexual act” means conduct between persons consisting of contact between the penis and the vulva, the penis and the anus, the mouth and the penis, the mouth and the vulva, or any intrusion, however slight, by any part of a person’s body or any object into the genital or anal opening of another. “Sexual conduct” means any conduct or behavior relating to sexual activities of the complaining witness, including but not limited to prior experience of sexual acts, use of contraceptives, living arrangement, and mode of living. (13 V.S.A. 3251)

In this study, rape and sexual assault are terms used to describe a forced or coerced sexual act. Additionally, the terms sexual violence or sexual misconduct are used in the context of sexual conduct, as referenced in the Vermont state statute.

In this research, I assume rape culture exists on campus and explore how an organization promotes rape culture on campus. This study has identified the term rape

culture using Marshall University's Women's Center's understanding that rape culture is "perpetuated through the use of misogynistic language, the objectification of women's bodies, and the glamorization of sexual violence, creating a society that disregards women's rights and safety" (2020, p. 1) Therefore, I am referring to a normalization of sexual harm against women. This normalization creates an environment more prone to sexual violence.

Also, as The Rape, Abuse & Incest National Network (RAINN) (2023), notes, most victims of sexual violence identify as female. RAINN stated that 90% of the victims of sexual assault identify as female. This study discusses rape culture and sexual assault as it applies mostly to people who identify as female. This study does also recognize that transgender and male students may also be victims of sexual assault. RAINN (2013) had also reported 21% of TGQN (transgender, genderqueer, nonconforming) college students have been sexually assaulted. Though this study focuses on people identifying as female/women¹, there is a place for future research in relation to rape culture on campus and the victimization of men, transgender, genderqueer and gender nonconforming students.

1.2 Research Problem

The University of Vermont (UVM) is tucked among the Green Mountains on the shores of Lake Champlain. Students are drawn to its historic buildings, academic programs, and easy access to epic ski mountains and scenic hikes. UVM seems like an

¹ Much of the research used in this study discusses sexual assault in terms of a female issue. I use the term female and women interchangeably throughout this study and use it to refer the gender identity. When biological identity needs to be explicit in the study, it will be noted.

ideal place to attend college and earn a degree. UVM is beautiful and offers a lot of opportunities, but it is not immune to rape culture. Table 1 illustrates the number of reported sexual assaults on the UVM campus.

Table 1

Primary Crime Statistics 2019-2021

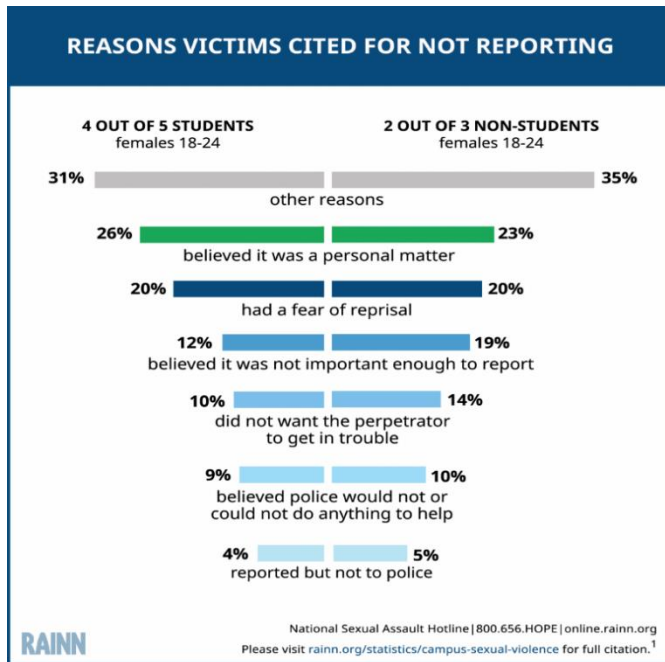
	2019	2020	2021
Rape	18	10	10
Fondling	6	2	3

Note. From the UVM Annual Security Report (2022).

At first glance, the low numbers might suggest a minimal problem. However, recall that up to 95% of sexual assaults are not reported (Keener, 2016). The degree to which these events are frequent, habitual, routine, accepted, and seemingly normalized speaks to a type of widespread acceptance and understanding of sexual assaults and can speak to why so many go unreported. The Rape, Abuse & Incest National Network (RAINN) (2023), suggests that up to 20% of female students report to sexual assaults to law enforcement. The following Figure 1 explores why women do not report sexual assaults:

Figure 1

Reasons Victims Cited for Not Reporting



Note. The figure demonstrates the reasons cited for not reporting and compares this between females that are student and non-students. (RAINN, 2023).

Figure 1 shows women on and off-campus have developed a way of understanding sexual assault as they believe it or they would be perceived by others. These mutual ways of thinking are based in cultural beliefs that were learned. The Merriam-Webster Dictionary defines culture as a “set of shared attitudes, values, goals and practices” (2020, pp. 1b) In turn, rape culture is the shared attitudes, values, goals, and practices that normalize sexual violence. As noted above Keener (2016), posited that “culture develops in response to institutional arrangements” (p. 6). Based on Keener’s notion, rape culture on college campuses must have developed with the support of institutional arrangements.

In 2011, in a public example of rape culture, CNN reported The University of Vermont’s Sigma Phi Epsilon Fraternity had been under investigation in reference to a

survey that asked fraternity brothers who they would rape (CNN Wire Staff). UVM's Fraternity and Sorority Life (FSL) distanced themselves from the fraternity's survey. The fraternity was ultimately suspended and in attempt to show FSL did not support a culture that would promote sexual assault. Even since the survey was uncovered in 2011, as a former sergeant with UVM Police, I have witnessed UVM Police receiving sexual assault complaints about fraternity brothers as the perpetrators yearly since 2011. Additionally, the Sigma Phi Epsilon Fraternity was welcomed back to campus by UVM in 2018. When the fraternity was welcomed back, president of the Alpha Phi Omega Service Fraternity told the Vermont Cynic, "I believe that if Sigma Phi Epsilon were to return to our campus, it would be the administration here or Student Life saying that it's okay to perpetuate rape culture in a threatening and dangerous way" (Loftus, 2018). These fraternity brothers put together that survey, suggesting that a rape culture is a valued part of their internal culture. Rape culture on campus has been able to evolve and take new forms because the students are working towards what it means to be socially accepted. In this environment of exploration of what is socially accepted, UVM's administration, educational foundations and policies are important in shaping the environment. These statistics and reports are a small sample of the rape culture that exists at colleges around the country and specifically at UVM, which begs the question, what is UVM's role as an institution in the promotion of rape culture?

1.3 Purpose of the Study

In this qualitative case study, I sought to explore the organizational underpinnings that promote rape at UVM. I explore what rape culture is at UVM and focus on how the

organization promotes it. The study site is the University of Vermont (UVM), is a land-grant University in the Northeastern part of the United States. As of the 2022-2023 school year, UVM enrolled 11,326 undergraduates, 912 graduates, and 483 medical students. This study uses a critical feminist theory as its epistemological lens. In this tradition, it was important that UVM did not become an anonymous piece of research. “Sociologist Sherry Gorelick suggests that ‘merely collecting descriptive statistics or experimental data about women does not constitute feminist research. Feminist research must be part of a process by which women’s oppression is not only described but challenged’” (Kirsh, 1999, p. 3). For change to occur for women at this institution, UVM itself must be challenged to change.

The primary research question was, *how does the University of Vermont, as an organization, promote a rape culture on campus?* There were three sub-research questions:

- How do UVM students and staff describe and understand the role of the University as supportive of rape culture?
- What organizational factors support and influence the continuance and support of a rape culture?
- Is there a cultural *forgetting* at UVM that lends to the persistence of a rape culture?

To investigate how UVM promotes rape culture, I used a qualitative case study design. I collected data using semi-structured interviews of ten students and staff and later analyzed the data using applied thematic analysis. Six themes developed from the

data: public image, institutional processes, institutional responses, student responses, education, and niche cultures.

1.4 Problem Significance

As noted in the introduction, sexual assault affects as many as one in every four women on college campuses in the United States (Caron & Mitchell, 2021; Clay, 2019; Voth, 2017; Senn et al., 2017). The literature about rape culture or sexual assaults has focused primarily on the victimized students, to a lesser extent the perpetrators and on the organizations in which the assaults take place. This is important because most sexual assaults on women take place between the ages of 18 and 24, which coincides with traditional attendance in higher education for those that attend college. Yet, the scope of knowledge and understanding about the settings of sexual assault and the important structures and cultures that contribute to such assaults has been more limited (Clay, 2019). This research gap is significant.

With many victims of sexual assault being of traditional college age, it is important to examine how college campuses deal with rape culture and the treatment of gendered issues on campuses. UVM, for example, notes in their mission statement, “Our Common Ground, that as a community we all aspire to the values of *Respect, Integrity, Innovation, Openness, Justice and Responsibility*” (Office of the President). These values are strong and are meant to be adopted by students and staff. A rape culture thriving on campus calls into question the validity of this message and its prevalence at UVM. It appears there is a breakdown of resources or a lack of acknowledgment that inhibits

college campuses from creating a climate free of a rape culture. Through this study, I hoped to make *Our Common Ground* a reality rather than simply a slogan.

1.5 Reflexive Statement

As a woman, the risk and the fear of sexual assault has been ever present in my life. I recall walking home from downtown while in college with a rock in my pocket and talking on the phone to feel safe. I had been taught to walk in groups, carry my keys so I can use them as a weapon if needed. I have been taught that I need to protect myself because the possibility of rape is always there. In 2008, I started a career in the university setting at a police officer with the University of Vermont. While in the police academy, I found that my interest in policing was more focused on crimes that were gendered in nature – domestic violence and sexual assault.

In 2012, I followed this interest and was assigned to the Chittenden Unit for Special Investigations (CUSI). CUSI is a police taskforce in Chittenden County, Vermont specially trained in investigating crimes that are sexual in nature as well as those involving major child abuse or child/infant homicide cases. This type of inter-agency taskforce is not an uncommon organizational structure in the United States. Although I investigated sexual crimes in the county, many of these occurred at the University of Vermont.

Early in my time at CUSI, I investigated a sexual assault of a college woman, and the investigation led me to realize how ingrained rape culture was at UVM. I was interviewing a male suspect (also a student at the university) about a sexual assault he had been accused of and said to me, “That’s what you do in college...you have sex with

drunk girls.” This statement said over a decade ago, poignantly connected how sexual assaults were linked to the college experience in my mind. This may have been the first time I heard those words from a suspect, but it was not the last time I found those words to ring true for many male suspects I spoke with over time. The point was seared into my memory. The male student that spoke these words to me was being interviewed regarding an alleged sexual assault. The victim and the suspect had been drinking together earlier in the night. They slipped away from the rest of the crowd and went back to the suspect’s room. Both started to engage in sexual play, but during this time the victim lost consciousness due to her level of intoxication. Instead of disengaging from the sexual contact, the suspect had sex with the victim while her limp, unconscious body was sprawled across the bed. After the suspect ejaculated, he left her naked for his roommate to find.

When I spoke with the suspect, he admitted to all this conduct and believed it was what was expected of him as a college student. He described that evening and his actions in a matter- of-fact manner. He did not describe what he had done as rape; to him he had participated in a common rite of passage of all college males. This student had linked this behavior to what he thought was a common value, a piece of widespread knowledge shared by many men in college. More importantly, he described his assault in the context of a collegiate rite of passage, a sort of life course event that would connect him with others, and that would signify a before and after.

Cases such as this grow more complex when victims decide against charging the suspect after being contacted by other students who victim blame or reduce the instance

to a “drunken night,” again marking the event as a cultural rite rather than a criminal act and invasion of a woman’s body. I observed victim after victim blame themselves, reduce the incident to a mistake that was made or worry about getting their abuser in trouble. I recall a fraternity contacting a victim and making her feel included in their brotherhood and telling the victim that the brother involved was “kind enough” to have taken her back to her room, although he had dragged her unconscious, naked body through the halls to deposit her at the closed door of her room. This one piece of purportedly supportive communication from those fraternity brothers was enough to help the victim find comfort and absolve the suspect of his actions. Although the victim felt better in the moment, she will carry the pieces of what happened with her forever – waking up alone, naked, and her vagina hurting. She will have memories of going to the hospital and subjecting herself to a rape kit so she could be certain of what had occurred. She will wear invisible scars that no one but herself sees. She will carry this with her while the suspect moved on to have more complaints levied against him and his behavior and the behavior of his fraternity allowed to continue. As bad as this is, this one victim is not the only one that will have to live with these invisible scars. I investigated hundreds of these cases while at CUSI. From my perspective, I could clearly see there was a rape culture at UVM. This culture allowed for countless women to live through similar situations.

As noted, these cases were not uncommon during my time at CUSI, but that suspect’s declaration about normal sexual behavior in college hit me hard that day for a variety of reasons. I was astonished by the assumption of what he believed was a normal and expected rite of passage to sexually assault women on campus. He believed alcohol,

intoxication, and incapacitation were all associated with sexual relations and expected to co-occur. On reflection, I realized that I too had normalized rape culture in many ways throughout my life. That case turned on a light, helping me see that not only do sexual assaults occur, but they, in fact, are part of a broader culture. That suspect described to me what was culturally expected of him.

I considered my own college experience and recalled rules that were important to follow as a woman – one must walk with friends; only take lighted paths; minimize your time alone at night; carry a set of keys between your fingers; have your car key ready; someone must always know your location and what time you are supposed to arrive. These rules are written on pamphlets, they are spoken at sexual assault seminars, they are discussed among women. These are not rules or guides given to men. These rules are birthed from a rape culture. Rape culture needs to be investigated and understood in order to bring productive change. The problem of sexual assault on campus continues, therefore it has not been addressed successfully yet. Victim after victim is added each year to the list of those who will live with the trauma endured because rape culture was able to prosper on campus.

CHAPTER II: REVIEW OF LITERATURE

In the following literature review perspectives on rape culture are reviewed from a historical and policy perspective first. Following this overview I highlight the unique context of the University of Vermont study site over the past few years, with specific attention to the incidence of rape and sexual assault.

2.1 The Past to the Present: Perspectives of Rape Culture

In September 2014, two pictures publicly emerged from a party hosted by a fraternity at [Texas Tech University] and rapidly circulated through social media. The first picture featured the slogan “no means yes, yes means anal.” The second picture featured a cardboard cutout of a woman’s spread legs and a sprinkler head in the place of her vulva. (Sharp et al., 2017, p. 75)

The images conveyed in this simple vignette highlight a feature of sexual assault culture, that common references to assault were shared socially and layered in satire and humor. Pictures conveyed in this way are meant to bind people together through a shared understanding of humor, as well as define or categorize those that do not find the image humorous. Taken together the images convey a wider sense of understanding of a culture of sexual assault, one that is common and shared. Even though the fraternity in this vignette attempted to apologize after the pictures were released to the public, the images continue to circulate.

The Federal Bureau of Investigation’s (FBI) (2020) Unified Crime Report (UCR) located on their website, classifies rape as “penetration, no matter how slight, of the vagina or anus with anybody part or object, or oral penetration by a sex organ of another person, without the consent of the victim.” Using this definition, the FBI collects data from police departments all over the United States. In 2019, they were able to compile the amount of reported sexual assaults (many women do not report rape) using the UCR. This report notes a change in the definition of rape:

Previously, offense data for forcible rape were collected under the legacy UCR definition: the carnal knowledge of a female forcibly and against her will.

Beginning with the 2013 data year, the term “forcible” was removed from the offense title, and the definition was changed. The revised UCR definition of rape is penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. Attempts or assaults to commit rape are also included in the statistics presented here; however, statutory rape and incest are excluded (FBI, 2020).

In 2019, the overview of the UCR showed an estimated 139,815 rapes under the new definition and 98,213 using the legacy definition of rape. Over the past ten years, using the legacy definition, it was noted there was a 10.8% increase in reported rapes. Under the new definition, there have been 14.7% increase in reported rapes in the past five years (FBI, 2020). Together these crime statistics show that sexual assault is increasing widely in the United States.

Although the UCR is one of the few national data sets available for sexual assault statistics and contains valuable information, the UCR has many failings. The UCR compiles numbers based on *reported* sexual assaults in a higher education setting. Anywhere from 1 in 20 to 1 in 50 students report their sexual assault (Kahn et al., 2019). Additionally, the UCR was adopted in the 1930s and the definition had remained unchanged for 80 years. (Kahn et al., 2019). In 2012, the definition was revised and “does not restrict victimization by gender, includes a broad range of penetrations, and does not

require that penetration is done by a penis” (Kahn et al, 2019, p. 145). This change in the definition means that in the past many sexual assaults were never counted or considered sexual assault by a legal definition. Bierie and Davis (2015) found in an analysis of the UCR data between 1993 and 2010, that only “40% of incidents that would now be classified as sexual assault would not been classified as such under the prior definition” (Kahn et al., 2019, p. 145).

The lack of change in the legal definition of sexual assault for over 80 years is not surprising since women’s bodies and the sexual assault of women’s bodies have been addressed in various sexist and misogynistic ways throughout history. Sexual assault is not a new factor in our culture and can be traced through time and history. A woman’s virginity has been considered valuable and “women who lost chastity were ‘fallen,’ and irrespective of external circumstances were blamed for their condition” (D’Cruze, 2011, p. 379). A woman who was raped was ruined in the eyes of society and, it was her fault she was raped. She was not a victim. The woman had to endure the trauma of the assault, endure the stigma of being ruined, and be accused of inviting the assault herself.

Throughout history, the legal evaluation and judgement of rape has been associated with a deep mistrust of women. Gavey (2005) noted:

Rape, in the mind of seventeenth-century English Chief Justice Sire Matthew Hale, was “a most detestable crime,” that ought to be “severely and impartially...punished with death” (Hale 1736; quoted in Taylor 187:75). Yet, he cautioned, “it is an accusation easily to be made and hard to be proved, and harder to be defended by the party accused, tho [sic] never so innocent” (p. 17).

As this quote shows, rape was taken seriously, however, women were not innocent in the rape. Further, Gavey described other examples in history reinforcing the persistence of Hale's views. Echoing the spirit of [Hale's] concerns, judges were for many years required to explicitly warn juries to be wary of women's claims of (Burt 1991; Estrich 1987)" (p. 17). This was deemed necessary by scholars even in the 1960s, because sexual assault cases are subject to the danger of deliberately false charges, resulting from sexual neurosis, [fantasy], jealousy, spite, or simply a girl's refusal to admit that she consented to an act of which she is now ashamed. (p. 17). Gavey also noted these directions were given to juries in California in the 1970s. California juries would be read the statement, "A charge such as that made against the defendant in this case is one which is easily made and, once made, difficult to defend against, even if the person accused is innocent" (pp. 17-18). Historically, rape has not been considered "real," rather a seduction or warranted because the woman was "inferior" (p. 19). The blame is placed on women. It must be re-iterated that responsibility is and should be on the rapist. In the *Purity Myth*, it was noted:

Now should we treat women as independent agents, responsible for themselves?
Of course. But being responsible has nothing to do with being raped. Women don't get raped because they were drinking or took drugs. Women do not get raped because they weren't careful enough. Women get raped because *someone raped them*. (Krakauer, 2015, pg 1).

What is often lost is the focus on the rape perpetrator and their assumptions of the world and their access to the people in it.

Although the mentality of not believing woman or blaming them for their rape seems as though it should be ancient to us in 2023, it is still ever present. The 1736 thoughts of English Chief Justice Sire Matthew Hale are still ever present and influence rape culture, specifically how victims and organizations deal with the reality of sexual assault. Caron and Mitchell (2021) stated that women do not report sexual assault for a variety of reasons, including being embarrassed, blaming themselves (I was drunk), expecting to not be believed, concerned that they will get in trouble, or fear of being labeled, as noted back in Figure 1. When looking at a history of well-documented legal rulings on how women may not be innocent or not telling the truth, it is easy to make a connection that history still impacts women in negative ways.

A modern example of how the legal system has continued a harmful tradition of victim blaming is the case of Chanel Miller and Brock Turner. Chanel Miller is a survivor of a campus rape and felt the effects of victim blaming that has been present in the legal system. Miller was the victim, but her actions, such as her alcohol consumption, her sexual history, what she was wearing and any combination of pieces of her life, were dissected. Chanel Miller detailed those experiences before and after the rape in her 2019 memoir, *Know My Name*. Miller noted she had gone to a party at Stanford University and woke up in a hospital bed with pine needles lodged in her hair. She later found out she had been digitally penetrated behind a dumpster by Brock Turner, a student at the university. Chanel Miller, at that time known to the public as “Emily Doe,” wrote a victim impact statement, which she read in court.

One day, I was at work, scrolling through the news on my phone, and came across an article. In it, I read and learned for the first time about how I was found unconscious, with my hair disheveled, long necklace wrapped around my neck, bra pulled out of my dress, dress pulled off over my shoulders and pulled up above my waist, that I was butt naked all the way down to my boots, legs spread apart, and had been penetrated by a foreign object by someone I did not recognize. This was how I learned what happened to me, sitting at my desk reading the news at work. I learned what happened to me the same time everyone else in the world learned what happened to me. That's when the pine needles in my hair made sense, they didn't fall from a tree. He had taken off my underwear, his fingers had been inside of me. I don't even know this person. I still don't know this person. When I read about me like this, I said, this can't be me, this can't be me. I could not digest or accept any of this information. I could not imagine my family having to read about this online. I kept reading. In the next paragraph, I read something that I will never forgive; I read that according to him, I liked it. I liked it. Again, I do not have words for these feelings (Miller, 2019, pp. 337-338).

The judge in the case heard this statement from Miller herself prior to sentencing. Turner was convicted by a jury of the three felonies, which meant he could receive a maximum of 14 years in prison. The District Attorney for the case recommended six years in prison. He received six months in prison, which was reduced to three months in prison with good time calculated. During sentencing the judge said, "Some weight should be given to the

fact that a defendant who is, albeit voluntarily, intoxicated versus a defendant who commits an assault with intent to commit rape, a completely sober defendant, there is less moral culpability attached to the defendant who is legally intoxicated [...] the degree of monetary loss to the victim is not really applicable [...] obviously, a prison sentence would have a severe impact on him” (Miller, 2019, p. 233). This case was a public example of all the fears that hold women back from reporting sexual assaults. This judge blamed the victim and placed some of the culpability on her (just a reminder that she was unconscious).

Intertwined with the weak legal treatment of rape are notations of what constitutes healthy relationships and even marriage. In the 1930s the influential book *Ideal Marriage* by Th. H. Van De Velde was considered the *Bible of Marriage* through the 1970s. One passage read:

What both man and woman, driven by obscure primitive urges, wish to feel in the sexual act, is the essential force of *maleness*, which expresses itself in a sort of violent and absolute *possession* of the woman. And so both of them can and do exult in a certain apparent which proclaims this essential force (van de Velde 1930:159) (Gavey, 2005, p. 20).

Van de Velde’s writings were considered an important cultural reading and illustrate the strong cultural ties to notions of female subservience and notions of rape as fiction, rather than violence. In these writings, the act of marital sex is framed by the urges and forceable sexual taking of women by men. Interestingly, one of the first studies ever done on sexual assault was published in 1957 by sociologist Eugene Kanin, who noted, “men

used secrecy and stigma to pressure and exploit women” (Kamenetz, 2014). Even though research about power dynamics existed, as noted by Kanin’s work, it could be argued that the culture was already shaped by books like the *Ideal Marriage*. O’Byrne et al., (2007) explained in 1973, Horney claimed, “psychoanalytic literature suggests: ‘What the woman secretly desires in intercourse is rape and violence, or in the mental hemisphere, humiliation’” (p. 169). Since this claim, feminist scholarship has determined this was victim-blaming behavior, but recognizes these thoughts are still endorsed in our culture (O’Byrne et al., 2007).

Rape culture has been ever present and women have understood authority and power under a patriarchal system that is reinforced by cultural artifacts such as books like *Ideal Marriage* and even laws. American women, prior to the first women’s movement and the passage of the 19th amendment, “couldn’t own property and had no legal claim to any money they might earn, and no female had the right to vote. Women were expected to focus on housework and motherhood, not politics” (History.com Editors, 2010, para 5). History has had women situated in maternal roles rather than individualized identities, which is the building blocks to how women are treated in modern culture.

One of the most poignant examples of how women and the incidence of sexual assault and rape have been condoned by organizations in our society is the example of marital rape. Marital rape is defined as forceable penetration by a spouse upon a spouse. Marital rape was defined as a felony beginning in the 1980s, yet many states did not recognize marital rape as a true sexual assault until the 1990s (Bennice & Resnick, 2003). VAWnet (2006) reported:

Approximately 10-14% of married women are raped by their husbands in the United States. Approximately one third of women report having 'unwanted sex' with their partner. Historically, most rape statutes read that rape was forced sexual intercourse with a woman not your wife, thus granting husbands a license to rape. On July 5, 1993, marital rape became a crime in all 50 states, under at least one section of the sexual offense codes. [...] Women who are raped by their husbands are likely to be raped many times—often 20 or more times. They experience not only vaginal rape, but also oral and anal rape (para 1).

Even in the new millennium, there are problematic specifics of the laws surrounding rape in a marriage.

Twelve states—Connecticut, Idaho, Iowa, Michigan, Minnesota, Mississippi, Nevada, Ohio, Oklahoma, Rhode Island, South Carolina and Virginia—have a loophole that legalizes marital rape. In Nevada, being married to the victim is enough to protect someone from prosecution. In Virginia, a husband can avoid criminal charges if he agrees to therapy. In South Carolina, a married victim only has 30 days to report the rape and has to prove threat of physical violence. (Quinn, 2019, para. 3).

It is not surprising that rape culture continues to endure as institutions such as marriage still have avenues for sexual assault to be shielded or normalized. Rape culture is ingrained in many facets of our lives even in our homes and in our universities where one could assume women should be safe.

Colleges and universities are functioning in this environment of rape culture that has a long history, but the environment of a campuses can also promote rape culture. Kamenetz (2014) examined sexual assault on college campuses and noted that comparable statistics in relation to sexual assault for non-students was hard to find. She noted this was troubling and revealed that college campuses have “situation risk-factors for sexual abuse: a population that is primarily made up of young single people and lots of underage drinking” (2014, para. 8). The college environment also has three “primary drivers” for offenders: “a culture of high alcohol consumption, peer pressure from other men to prove sexual prowess and men’s own attitudes favoring impersonal sex” (2014, para. 8). These drivers have permitted rape culture to continue throughout the decades on college campuses. Moylan and Javorka (2018) reported that research has consistently linked sexual assault with alcohol use. They expressed that alcohol use increased the individual risk of being a victim, stating “the individual risk of sexual violence at school with medium and high rates of heavy episodic drinking was 1.5 – 1.8 times high than individual risk at schools with less drinking” (p. 182). College students were found to believe that drinking in excess was expected to participate in the “quintessential college experience” (p. 182). This experience of drinking and partying is fun to students. Because this is a fun part of the college experience, students are invested in protecting it, although it has led to a higher rate of sexual assault. Therefore, Armstrong et al. (2006) explained that students would rather blame the victims of sexual assaults than criticize the party scene or how men’s behavior in these scenes leads to sexual assault. This behavior is

shifting the blame from predator to victim, which promotes the continuation of rape culture.

Victim blaming, as noted above, is a part of rape culture and is strongly featured in related literature. Interestingly, “the difficulty young women report in refusing unwanted sex verbally by ‘just saying ‘no’ is not a function of the situation, their age, or even their gender, but rather the results from refined knowledge that they possess of how it is that refusal is normatively accomplished” (O’Byrne et al., 2006, p. 187). Women understand that men are not going to stop their sexual advances easily and not often by just hearing the word ‘no.’ O’Byrne et al. (2006) explained that men have shown in previous research by Kitsinger and Frith (1999), that they “can and do display a sophisticated understanding of subtle verbal and non-verbal means of communicating sexual refusal” (p. 187). Despite having this ability to discern these subtle cues, young men “demonstrably have to ‘hear’ sexual refusals” (p. 187). O’Byrne (2007) further reported that often these refusals do not contain the word ‘no,’ which is where men can evade accountability. Kamenetz (2007), explained that in past surveys of college men, 11% had volunteered they had forceable sex, but nearly all of the did not consider it a crime. It was determined that they did not consider themselves sexual offenders because they did not experience negative consequences (para. 4-7).

This lack of accountability considering men being able to discern subtle sexual refusal issues suggests that men saying they did not know the woman did not want to engage in a sexual act is a way of discounting a female’s version of sexual assault. O’Byrne et al. (2007) explained this was a way for men to “accomplish the local

management of (masculine) accountability for rape” (p. 187). Men are attempting to present as “men-as-naïve-and-confused-mis-hearers” versus “women-as-accountability-deficient-signallers” (O’Byrne, 2007, p. 187). This theory speaks to the previously noted issues of victim blaming. Although, young men are capable of understanding when consent is not being given or when it was rescinded, they continue to employ the concept that they did not know the woman was not consenting and that the woman did not signal appropriately her lack of desire to engage in the sex contact.

In addition to women being identified in a rape culture as deficient-signallers, research done by sociologist and criminologist Nils Christie defined what an ideal victim of sexual assault was, and an ideal victim would be worthy of a social response. The attributes of this ideal victim were:

- (1) defenseless or weak,
- (2) be engaging in behavior that is deemed well-thought-of at the time they were victimized,
- (3) absolutely blameless in the situation that caused the offense,
- (4) have the attached be viewed as an insidious offender that they
- (5) did not know. (Juneau, 2020, p. 202)

Returning to the case of Chantel Miller and Brock Turner, Miller did not fit these attributes, and the judge even pointed out that she was engaging in party behavior and drinking. Victims have been socialized to know what an ideal victim is and therefore do not come forward and report their assault.

Researchers have demonstrated that rape culture is rooted in history and has been passed through various institutions such as marriage. This has created learned pathways of treating women as sexual objects, which make the rape culture of college feasible.

Research also reports that rape culture precedes college and is visible in earlier forms of schooling as well. In the book, *Transforming a Rape Culture*, there is an essay entitled, *Still No Laughing Matter: Sexual Harassment in K-12 Schools*, that highlights the realities of young women in the school system before they are in college. “[S]chools may in fact be training grounds for domestic violence: Girls learn that they are on their own, that the adults and others around them will not believe or help them when they report sexual harassment or assault (Buchwald et al., 2005, p. 57). This passage touches on how young women and men are learning that violent sexualized behavior lacks serious consequences and can sometimes be glorified. This creates an environment where other girls and boys learn what is accepted and normalized behavior. Stein’s essay included stories from young women expressing the harassment they endured and how the reaction to it amounted to nothing. One 12-year-old from Atlanta said, “The problem is, this is middle school, and they think it doesn’t happen, but it does! He only gets a warning or, if I’m lucky, detention. It’s so unfair! It’s all over our school” (Buchwald et al., 2005, p. 62). This was only one of many stories. The chapter had highlighted there were many young women that were sexually harassed and some even got in trouble for reacting to the harassment. One young woman said she was punished for slapping a young man after he grabbed her butt. She expressed he did it in front of the teacher that did nothing to help her, but punished her when she defended herself. (Buchwald et al., 2005) This type of unfair, organizationally supported treatment towards women and minimization of sexual harassment could facilitate a rape culture to begin to fester and grow into the college years.

As much as schools can facilitate the seeds of a rape culture, media is a very striking force in the pervasive rape culture of colleges. The media is so entwined in the everyday life of young Americans that it helps form the culture in which we all live. This includes how we approach and understand sexual relationships. Phillips (2017) stated:

The imagery of sexual relations between males and females in books, songs, advertising and films is frequently that of a sado-masochistic relationship thinly veiled by a romantic façade. Thus it is very difficult in our society to differentiate rape from “normal” heterosexual relations. Indeed, our culture can be characterized as a rape culture because the image of heterosexual intercourse is based on a rape model of sexuality. (p. 11)

This brings up images of popular movies such as “Shades of Grey,” where the female is “unworldly, innocent, and independent,” but the male wants her on “his own terms” (James, 2017). This was a widely popular movie that continues to normalize a rape culture. The male character’s “own terms” were characterized by making her a submissive in Bondage, Discipline, Submission, Sadism, and Masochism (BDSM) play. Sexualized images and messages in the media via movies, advertisements, television, and social media can easily be accessed by students and are arguably passively present in everyday life. Kahn et al. (2019) found “that rape is likely a far more normal event – meaning it is unlikely to be perpetrated a small group of sociopaths but instead by more typical people (usually men)” (p. 143). Gavey (2005) reported Smith (1976) had analyzed 428 adult books written between 1968 and 1974 and found that “one third of the sex acts involved some degree of force. One of the most common narrative themes in the genre

involved a “cool, restrained beautiful white woman, whose sexual desire was dormant ‘until Superstud arrives, who despite her initial resistance and piteous pleas for mercy, rather quickly and relentlessly unlocks her real sexual passion to take her to hitherto totally unimagined heights, leaving her begging for his continued ministrations’” (Smith as cited in Gavey, 2005, p. 32). These outlets in popular culture act as agents that normalize violence towards women. It is therefore easy to understand why it is not a “small group of sociopaths” committing sexual assault on campus, but possibly a guy you know.

Subgroups on campus have also been shown to contribute to rape culture. Men can learn their role in the rape culture and how their power is shaped by the rape culture. Sanday (2007) stated:

Whatever a young man’s subjective or ethical position might be upon entering college, if he joins a fraternity he may experience during initiation or in house activities a radical alteration of consciousness that shapes his masculine subjectivity and attitudes toward women. In exchange for brotherhood and power some pledges are molded by the group mind of the fraternity that casts them in the role of “rowdy, misogynist male” (p. 194).

Men are not born with a rape culture mindset, but institutionalized to understand it and move within it. Some male institutions, such as various fraternities or athletic teams, continue to perpetuate a rape culture by its members that is supported by the overall organization. “Several studies have shown that while athletes comprise approximately 3% of the college campus population, they are responsible for roughly 19% of the

reported sexual assaults” (Harway et al., 2020, p. 376). Navarro and Tewksbury (2019) compared athletics to fraternities as hypermasculine enclaves that were identified as promoting rape culture. They also reported the White House had previously established a task force that reported there was a link between campus sexual assault and athletics (p. 544).

2.2. Rape Culture Policy—Nationally to UVM:

There is a history of law and policy decisions that have influenced how rape culture and sexual misconduct are currently handled at universities. These laws and policy that influence college campuses have developed through workplace settings and the case law that has been applied to workplace settings over time. The decisions made have directly influenced the policies that UVM have put in place in regards to sexual misconduct.

The instance of sexual assaults and rape on college campuses has been influenced by the evolution of laws and enforcement practices. In tracing the influence of judicial decisions on campus life, university policy has been influenced by workplace cases like *Faragher v. the City of Boca Raton* and *Burlington Industries, Inc. v. Ellerth* (Rubineau and Jaswal, 2017, p. 21). These two cases from 1998 “established what organizations needed to do to help separate organizational liability for incidents of sexual harassment from employee liability” (p. 21). Though these cases created the groundwork for protections from sexual harassment in the workplace, it was not until 2005 when real advancements occurred. *Clark v. United Parcel Services, Inc.* mandated that specific elements are required in sexual harassment policy:

- (1) A requirement that supervisors report incidents of sexual harassment;
- (2) the creation of both informal and formal avenues for reporting incidents of sexual harassment;
- (3) a method for bypassing a supervisor when reporting harassment; and
- (4) a requirement to provide training about the sexual harassment policy itself to employees (Rubineau and Jaswal, 2017, p. 22)

These four elements are now adopted in most professional settings, on and off college campuses. Even at UVM, these elements can be identified when looking at the policies in place around sexual misconduct. Rubineau and Jaswal noted “that of the 425 not-for-profit universities with sexual harassment policies, each of the four elements specified in the *Clark* decision could be found in a majority of the policies examined” (2017, p. 22). These four policies are now the baseline for many sexual harassment policies, including UVM’s. The policies, at UVM, are enforced, in part, by the Office of Affirmative Action and Equal Opportunity (AAEO) and specifically the Title IX Office.

In the tradition of the *Clark* decision, UVM notes the “complainant” in a sexual misconduct case has various options under the policies of the university. The complainant can opt in or out of a criminal investigation by the police despite the choice the complainant makes on a university level. After an intake with the AAEO, the complainant is given two options: a formal investigation or an alternate resolution. It was noted in the Operating Procedure that the “[a]lternative Resolution is not a disciplinary process.” (2020). Whereas the formal investigative resolution will incorporate interviews of the parties and possible witnesses and there will be a finding presented.

The state of Vermont also has recognized the need to address sexual harm on campus and in response created the Vermont Campus Sexual Harm Task Force in 2019 to review what laws and policies are in place and what could be in place to better the options available. On May 8, 2020, the task force released a report to the legislature. The introduction noted the “Task Force was charged to ‘examine issues relating to responses to sexual harm, dating and intimate partner violence, and stalking on campuses of postsecondary educational institutions in Vermont’” (Vermont Campus, 2020). The report noted 10 recommendations, seven of which received unanimous support, two that received majority support and one that was not supported by the majority. These recommendations are listed in order of unanimous support to not supported by the majority: (1) Education and Prevention; (2) Alternative Pathways and Restorative Justice; (3) Campus Climate Survey; (4) Information Sharing for Participants in Title IX Processes; (5) Improve Information Pathways for Survivors; (6) Pilot Funding to Improve Options, Resources & Support for Survivors; (7) Need for Confidential Support; (8) Statutory Protections for Survivors of Sexual Harm; (9) Collection & Description of Data; and, (10) Transcript Disciplinary Notations. Though this was a solid start, this Task Force had only six meetings and drafted a report. No real change came from this legislative move.

2.3 Rape Culture Policy: Title IX

An influential policy surrounding how universities respond as an organization to sexual assault instances is Title IX. Title IX refers to the 1972 educational amendments added to the Civil Rights Act of 1964. The Civil Rights Act of 1964 was an example of

the government stepping in to prevent harm from others. It was an act that identified all people as being equal and having the same rights to liberties as a white male. It stated, "No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under, any education program or activity receiving Federal assistance (Title IX of the Education Amendments of 1972, para. 1).

Famously, the first legal case brought under Title IX was in 1979 by female Yale University students against the University. They brought the case on behalf of women because the University had no grievance policy or mechanisms to address complaints of sexual harassment.

The plaintiffs sought that relief on behalf of themselves and the class, which they purported to represent, of those Yale students and faculty members "who are disadvantaged and obstructed in their educational relations" by Yale's failure to combat sexual harassment. More specifically, they sued on behalf of (1) female students who have had to choose between tolerating sexual demands from "men in positions of authority at Yale" or sacrificing "any educational opportunity, benefit or chance to grow or advance educationally;" (2) female students who "are subject to the discriminatory atmosphere adverse to their educational development created by the practice of such sexual harassment;" and (3) all faculty members "whose professional effectiveness in teaching and in engaging in the pursuit of knowledge with students is seriously impaired by that contamination of the

faculty/student relationship created by defendant's tolerance of said sexual pressures." (Alexander v. Yale, 1980, para 16)

Yale won the case, but still it was a catalyst for change. Yale established a grievance policy for sexual harassment and led the way in creating a safer environment for women on campus when it came to gender-based misconduct.

The Title IX amendment has been known best in the realm of sports, as it mandated that women have as many opportunities as men to participate in sports. Title IX was interpreted to also respond to forms of sexual discrimination in places that receive federal assistance, such as universities and colleges.

Since at least 1997, the U.S. Department of Education has interpreted Title IX [...] to impose obligations on colleges and universities to have effective disciplinary proceedings in place to respond to complaints of sexual misconduct between students, and it has more recently issued regulations under Title IX that contain detailed procedural requirements relating to how school handle sexual misconduct (Sullivan, 2022, p. 2)

In 2011, the Obama administration had made changes in the form of Dear Colleague Letter (DCL) that gave new guidance on how to respond to sexual misconduct in schools. These changes were victim-centered and focused on gender violence and how it creates an unequal learning environment. Specifically, it directed schools to use a preponderance of the evidence standard instead of a more stringent standard such as the clear and convincing evidence standard, "to the determination of responsibility in proceedings

resulting from complaints of sexual harassment, including sexual violence” and noted mediation in sexual assault cases was not appropriate (Sullivan, 2022, p. 7-8).

This also established that each Institute of Higher Education would have a campus Title IX Coordinator who would help create procedures to carry out the recommendations noted in the Letter. These recommendations included: establishing a judicial process at the Institute of Higher Education separate from a criminal investigation, notifications for how to report, create and inform victims of interim remedies, which included “housing accommodations, victim advocates, and/or legal assistance, academic support, and physical/health services” (U.S. Department of Education, Office for Civil Rights, 2011).

To help with understanding what sexual violence meant, the OCR’s Assistant Secretary for Civil Rights, Catherine E. Lhamon, released a document in 2014 called *Questions and Answers on Title IX and Sexual Violence*. This Q&A sheet laid out the obligations of schools, defined sexual violence, gave answers to investigations and hearings, and even covered training. (United States Department of Education, Office for Civil Rights, 2014). The 2011 Dear Colleague Letter, the Q&A of 2014, and the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act of 1990 (Clery Act), which made campus crime statistics available to the public, created a victim-centered approach to sexual violence on campuses across the United States.

In 2017, following the election of President Donald Trump, the U.S. Department of Education, rescinded the changes noted in the 2011 DCL (Sullivan, 2022, p. 8). The changes the Obama Administration were removed and suggestions of creating a system that benefits the accused in sexual misconduct cases had taken its place. Such rules put in

place by the Trump administration made the process more like a criminal proceeding, such as adding the ability to cross-exam survivors during the process (French, 2021). Some of the notable changes made during the Trump Administration include requiring the victim to include “sufficient details,” which included the specific code of conduct section violated. It also changed the standard for schools to be considered on notice for a violation of the policies. The standard had been reported as the school “should have known” of the harassment compared to the new standard of having “actual knowledge,” which meant it was reported to the Title IX coordinator (Sullivan, 2022, p. 9)

DeVos had released interim guidance while a new standard was established through the notice and comment period. Under previous guidance, schools used the preponderance of evidence standard, which means that according to the evidence and testimony it is more than 50% likely it occurred. DeVos has allowed schools to choose between the preponderance standard and the clear and convincing evidence standard, which is a much higher standard to meet. An important change was to the definition of sexual harassment in general. The definition of sexual harassment changed from “any unwanted sexual interaction” to “instances of sexual harassment must be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to participating in classes, clubs or even living on campus” (Flaherty, 2018, para 16). This means that actions that qualify as sexual harassment must be endured for long periods of time before they are taken seriously.

The University of Vermont responded to these proposed rules on January 30, 2019, in a letter to the OCR and showed concern over the live hearings with a required direct cross-examination. The letter stated:

UVM strongly disagrees with the requirement to adopt a process more akin to a criminal trial than an administrative investigation. The requirement for a live hearing with direct cross-examination is a significant deviation from well-settled law on due process in an educational setting [...] Direct, adversarial cross-examination by advisors, including highly skilled attorneys, is likely to deter complainants from formally reporting allegations of sexual harassment and participating in Title IX investigations. (Sullivan, 2019).

UVM's letter also showed that Secretary DeVos proposed, "If a party of witness does not submit to cross-examination at the hearing, the decision-maker must not rely on any statement of that party of witness in reaching a determination regarding responsibility" (Sullivan, 2019). The UVM response noted that there are other ways to show veracity in a statement and explained that many cases would be dismissed because of victim's and witness unwillingness to be cross-examined. (Sullivan, 2019).

Since the presidential change to the Biden Administration, the United States Department of Education is seeking to replace the Trump era requirements. On June 28, 2022, a document entitled *Questions and Answers on the Title IX Regulations on Sexual Harassment* was released and the administration began to expand the protections of Title IX. According to the U.S. Department's 2022 Fact Sheet (2022):

(1) All schools must treat complainants and respondents equitably. (2) Schools have the option to offer informal resolution for resolving sex discrimination complaints. (3) Title IX Coordinators, investigators, decisionmakers, and facilitators of an informal resolution process must not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent. (4) A school's grievance procedures must give the parties an equal opportunity to present relevant evidence and respond to the relevant evidence of other parties. (5) The school's decisionmakers must objectively evaluate each party's evidence. (6) The proposed regulations would not require a live hearing for evaluating evidence, meaning that if a school determines that its fair and reliable process will be best accomplished with a single-investigator model, it can use that model. (7) A school must have a process for a decisionmaker to assess the credibility of parties and witnesses through live questions by the decisionmaker. The proposed regulations would not require cross-examination by the parties for this purpose but would permit a postsecondary institution to use cross-examination if it so chooses or is required to by law. (8) In evaluating the parties' evidence, a school must use the preponderance-of-the-evidence standard of proof unless the school uses the clear-and-convincing-evidence standard in all other comparable proceedings, including other discrimination complaints, in which case the school may use that standard in determining whether sex discrimination occurred. (9) A school must not impose

disciplinary sanctions under Title IX on any person unless it determines that sex discrimination has occurred.

At the time of this writing, these policy revisions have not been finalized.

2.4 Organizational Rape Culture

The previous sections described rape culture, sexual assault, and touched on laws and policy that is focused on sexual violence in school. There is less research on how organizations understand how rape culture exists and persists on campuses such as UVM.

Culture refers to the knowledge members of a given group are thought to more or less share; knowledge of the sort that is said to inform, embed, shape, and account for the routine and not-so-routine activities of the members of the culture...A culture is expressed (or constituted) only through the actions and words of its members and must be interpreted by, not given to a fieldworker...Culture is not itself visible, but made visible only through its representation (Hatch, 1997, pg. 194).

This definition of culture is representative of what occurs within an organization.

Organizational culture is not something that is readily visible, but can be seen through the actions or inactions of organizations or those within the organization. Therefore, rape culture within an organization can seem invisible.

Universities have publicly embraced organizational cultures of safety and inclusion via rhetoric and policies. These policies and actions include adding campus safety initiatives, Title IX policies, blue lights (emergency lights distributed on campus that can call the police), installing student conduct boards and, specifically at UVM, the

Common Ground philosophy discussed earlier. However, Rubineau and Jaswal (2017) suggested that “actual behaviors may be ‘decoupled’ from formal policies such that misconduct can endure in the presence of clear and unambiguous policies and a façade of formal practices designed to eliminate such misconduct” (p. 29). The authors further noted:

In the direction of culture to behavior, organizational culture directs and constrains the range of behaviors organizational members feel licensed to express. A culture that enables sexual harassment or sexual assault will also enable a broad range of milder behaviors that are likely to be more common and serve as useful sentient behaviors regarding the culture. (p. 31)

This passage shows organizational cultures can be decoupled from the rhetoric and policies condemning the actions involved in rape cultures, and in fact allowing rape culture to exist. “Milder” behaviors open doors for rape culture to live within an organizational culture. UVM specifically noted on their website: “The University of Vermont is committed to creating and maintaining a community in which its members are free from all forms of harassment and discrimination, consistent with its obligations under federal and state law.” (The University of Vermont; 2021; 1-2). Although such a policy exists, sexual assaults persist, indicating policy and action have been decoupled.

Decoupling has been very public in the legal system. Despite laws in place that make sexual assault illegal, sexual assault has been rewarded. Larson (2018) contended that men are being publicly rewarded with acquittals in rape cases, as rape is often the “man’s perceptions of woman’s desires [which] determine whether she is deemed

violated.” Larson (2018) further reflected that laws around sexual assault are so ineffectual because they fail to define the legal reality in terms of the social reality, effectively decoupling the laws and what is occurring in places like universities. Brock Turner’s six-month sentence gives sharp focus to the idea of “decoupling” policy and behavior. The judge’s sentence is a public view of some of the rhetoric involved in forgiving and allowing rape culture to continue. The judge’s very public actions allowed for organizations and members of organizations to internalize what happened in that courtroom and embed that into their own organizational culture. The judge focused on the victim’s involvement in the crime even though she was not conscious and believed a prison sentence for Turner would be “severe.” This reaffirmed that the behavior of the rapist is somewhat expected and should not be severely punished. In short, it allowed for rape culture to continue in organizations such as universities.

Although decoupling of policies and what is occurring is problematic, institutions also face barriers when attempting to affect change or provide resources for victims. One such barrier is underreporting of sexual assaults on campus. Underreporting happens because victims blame themselves, fear humiliation, want to ignore it, fear losing control of the situation, worry about getting in trouble or getting the abuser in trouble, fear stigma, or fear losing someone (Caron & Mitchell, 2021). These factors, created by rape culture create a barrier for an institution to be able to know how bad the problem may be at their institution. As Caron and Mitchell (2021) noted, “This leaves universities in a dilemma in terms of needing to address the problem of sexual assault on campus by providing services but not knowing which students are in need of such services” (p. 2). It

is important to note, that research suggests that students are more likely to report sexual assault if they feel they can trust the process the school has (Amar, et al., 2014, p. 589).

UVM, like many institutions, has established services to build trust, such as victims' advocates and educational programs for victims that do experience sexual assault. There are resources available to mitigate sexual assaults and rape culture, but there needs to be awareness the resources exist. "Institutions likely have influence over how their own campus resources are perceived, both through institutional messaging and by changing campus practices to reflect more victim-centered approaches" (Moylan & Javorka, 2020, p. 181). The resources may be available, but an organization, like UVM, are responsible for the perception of using the resources. Woodard, et al. (2016) had studied access to information on crime prevention and found that on average, there were over three separations from the main page for information (including crime statistics, security report, public crime log, and prevention/awareness programs)" (p. 152). Additionally, this information was often found under the *current student* area, which made it problematic to find for students looking to attend a university (p. 152). The resources on sexual assault polices and education are available, but take some digging on university websites to find.

A resource that was noted to be available at most institutions is prevention education. Woodard, et al. (2016) reported universities "that did provide information on programs focusing on sexual assault focused on methods of awareness or prevention that placed responsibility on the victim (how to defend oneself, guide to safe dating, acquaintance rape awareness)" (p. 152). Amar et al. (2014) noted campus education

programs are successful in changing attitudes about rape, but also have little success in decreasing the amount of rape on campus. The positive feature of education programs, despite their recorded inability to decrease the number sexual assaults, is that it was helpful for how people respond to victims (Amar et al., 2014). This has the potential to create trust with students and those that are survivors of sexual assault.

Trust is important in promoting campus resources, but it is also a major component of what is expected of students that come to the university. Smith and Freyd (2014) posit that harm can be done due to *Institutional Betrayal*. “Institutional betrayal occurs when an institution causes harm to an individual who trusts or depends upon that institution (p. 578). Smith and Freyd also explained the settings where traumatic events (such as sexual assaults) are more likely to occur, universities being one of the settings identified, often have certain characteristics in common which include the following: First, *Membership Requirements*, which were identified as having group identities with “inflexible requirements” for membership – such as sports teams with uniforms, designated spaces or schools with “drastic age and power differences.” Second, *Prestige*, which is having an elevated role in the community or society. Smith and Freyd had noted this can be “associated with an uneven power distribution.” Third, *Priorities*, this was noted to be when performance or reputation was valued over that of the well-being or members such as students in a university. Institutions may prioritize their reputation and conduct damage control rather than admit any wrongdoing. An example given was child abuse at Penn State was “buried” for 14 years so that Penn State could keep a good reputation. Fourth, *Institutional Denial*, was explained to be when an institution would

use the standards of membership to “other” the person that is making allegations and point out how they are non-conforming. Also, it was noted that institutions may rely on their prestige to create doubt in allegations against the institution. The fifth institutional characteristic is *Barriers to Change*, three barriers identified included: (1) lack of language around the issue; (2) Living in the “not-knowing,” which was further described as being in environments where abuse is common knowledge, yet unaddressed. This was identified as being a “very human quality, particularly if this knowledge would be threatening to our well-being.” And (3) “Cultural Trauma,” which for an institution can be the experience of “punitive policies, sudden loss, accusation of wrongdoing” (Smith and Freyd, 2014, p. 580-581). Smith and Freyd (2014), reported that this list of five characteristics did not create an exhaustive list of characteristics nor did a lack of a characteristic mean the institution could not have traumatic events.

Smith and Freyd (2013) explained that although all traumatic events could leave lasting damage to a person, trauma that is interpersonal in nature is often the most damage. This is, in part, because they trauma includes the betrayal of “trusted of depended upon relationship” (p. 119). Smith and Freyd (2013) explained that “abuse experienced within institutional environments seem to carry the same ill effects as interpersonal abuse...[and] research suggests that interpersonal abuse experienced in these [institutional] settings may be more harmful than can be explained by the traumatic events themselves” (p. 120). Smith and Freyd (2013) found that women who were sexually assaulted and also experienced institutional betrayal had “higher levels of

several posttraumatic symptoms” (p. 122). To counter the harmful effects of institutional betrayal, Smidt, et. Al (2023), institutional courage needs to be present.

Institutional courage is accountability, transparency, actively seeking justice, and making reparations where needed... [this includes] behaviors such as supportively responding to victims and whistleblowers, engaging in self-study, and a culture of transparency at all level (p. 3).

Smidt et al (2023), found that that institutional courage buffers against the amount of institutional betrayal that an individual feels. (p. 18).

In terms of rape culture, organizations such as universities, have not only been influenced by internal culture, but the organization is also embedded in the larger culture. Nationally, rape culture has played out among many organizations and has been visible through cases that have made it to the media and judicial system. Currently, “campus policies regarding sexual harassment and sexual assault tend to focus on the process of removing the poisonous fruit. There is neither attention nor guidance for how to replace the tree producing this fruit” (Rubineau and Jaswal, 2017, p. 20). As noted in the Title IX section, universities are tasked with investigating reports of sexual misconduct. Organizations are focused on the adjudication, but little focus is placed on changing the culture that makes sexual assault possible. Rubineau and Jaswal (2017), had found that some Canadian schools were working towards changing the culture to a culture of respect rather than the prevention of negative behaviors. It was suggested that to make such a change or have organizational culture re-written. It “requires persistent day-to-day interactions ‘infused into rather than separated from everyday organizational life.’ [...]”

everyday reframing” (Rubineau and Jaswal, 2017, p. 31). To create change in a rape culture, take more than “narrow and specific attempts,” but rather finding meaning and change everyday and in the mundane (Rubineau and Jaswal, 2017, p. 31).

The continued harm reported on campus creates the possibility of a cultural forgetting. Yeager and Culleton (2016), had discussed the similar idea of collective forgetting or amnesia, which is a process that creates identity formation in a culture. They explained “a new set of memories are accompanied by a set of tacitly shared silences” (p. 134). The authors further expressed:

Not everyone is equally powerful in their ability to claim and define the past. What becomes defined as the official memory reflects the power of certain groups. The result is that different groups claim the same past in sometimes contradictory ways; hence, “memory can be a potential oppressor as well as a potential liberator (p. 134).

So powerful groups can decide or create what is remembered in a culture. Yeager and Culleton (2016) reported that women’s oral history of trauma can be shared and help create a narrative, but in the absence of solid information about traumatic events, silencing victims hinders coping. Social interaction and support were identified as being necessary to end the silencing. Candia and Uzzi (2021) explained that an “excess of information forces communities to focus their collective attention on specific subgroups of cultural pieces, leading to a faster forgetting” (p.4). As more and more pieces of technology, classes and social demands are added to student’s lives that could lead to a cultural forgetting of sexual assault or attempts to change rape culture.

In a previous section, it was noted that rape is perpetrated by “typical” people, mostly men. Therefore, it is important to look beyond the individual characteristics of a perpetrator and explore “the relationship contexts within which assaults are more or less; the organizational environment that may encourage or hinder assault; and the cultural contexts that generate attitudes and interactional contexts that might be related to assault (Khan et al., 2020, p. 143). Rubineau and Jaswal (2017) discussed organization culture in terms of mundane and everyday behaviors that shape the culture. They posited “campus policies tend to ignore the common, everyday behaviors that are crucial in defining and communicating a culture that may tolerate or enable harassment or assault” (p. 31). The literature suggests rape culture can be changed, but it needs to be targeted through common behaviors.

2.5 UVM Under Fire

Recently, rape culture at UVM has been front page news locally and nationally. The Burlington Free Press and multiple national news outlets published the article, *‘I Wanted Justice’: After Reporting Rape, Swimmer Says UVM Mishandled Investigation* by Alex Abrami. This article was first published on September 23, 2020, after the one of the victims in a lawsuit against the NCAA was named as a UVM student, Kendall Ware.

Alex Abrami reported, Ware was raped by a UVM basketball player:

Thirty days after the alleged sexual assault, Ware, who didn’t want to pursue criminal charges, filed a complaint with UVM, hoping the school would investigate. Ware said UVM misrepresented her options for holding her aggressor accountable, presenting her with a choice between pursuing harsh punishment for

the player or none at all. According to Ware, she was pressured, largely due to the involvement of the athletic department, to resolve the complaint in a way she regrets. (Abrami, 2020)

The Burlington Free Press reported Ware originally chose the formal option (noted earlier in the literature review) and had informed her coaches, the team advisor, and the Associate Athletic Director. Ware explained that she was met with each person telling her “[s]he didn’t want to ‘ruin his life.’” She reported that after the meeting with the athletic department representatives, an AAEO administrator called to ask her to reconsider her choice to use the formal option. Ware was also told that the informal option could include game suspensions and mandatory counseling. Later, after changing to the informal option, Ware reported she was told that game suspensions and mandatory counseling were not an option under the informal option.

It was reported that Ware’s mother called the team advisor and was told the “informal resolution couldn’t include a game suspension ... because ‘that wouldn’t be fair’ to the player’s teammates and the ‘the community that comes out and watches him play.’” Ware’s mother noted in the article that she believed her daughter was re-traumatized by the institution’s response. In October 2020, an Instagram page with the handle @justiceforkendall posted that UVM athletics External Affairs Manager, Krista Balogh, was the person who told that a game suspension would not be fair to the community. Based on her treatment by UVM, Ware is pursuing a legal case, suing NCAA "alleging a failure to protect them from sexual assault" (Abrami, 2020). The case is currently ongoing in the State of Michigan’s Circuit Court for the 30th Judicial Circuit.

As troubling as the above noted information was and Instagram post by user @anetha156 (Athena Hendrick) reported the following:

February 1st, 2020 @3:30 am: Austin Weiland raped me

February 3rd, 2020: I muster the courage to schedule a doctor's appointment

February 10, 2020: I'm seen by UVM medical center

February 12, 2020: I reach out to my RA supervisor - a mandatory reporter - not connected with Title IX

February continues: reach out to the women's center, student legal services, UVM police - Title IX sent an email

First week of March, 2020: Title IX sends me an apology email saying they will schedule a meeting for after spring break

Spring break: COVID-19 lockdown

Rest of March: meeting postponed bc they have never done a virtual investigation

April, 2020: Get meetings and FINALLY connected with the campus victims advocate (not helpful in hindsight)

April 16, 2020: Title IX decides to release notice of investigation to all parties involved the day before my birthday and after requesting beginning bc that is when no contact order is put in place - 60 day count down of investigation begins

Austin admits to lack of consent in first statement but then corrected

himself in the response

Investigation extended, oh he lied again investigation extended,

investigation extended

August: “Not enough evidence found” investigation closed

September: No contact order extended indefinitely

April 23, 2021 6:25 pm: Austin Weiland breaks no contact order by walking up and making conversation while I am walking Artemis right outside UHS the dorm where I live

April 24, 2021: Title IX contacted, I am told in meeting to call police or never walk without a friend, Austin Weiland called by the office to be reminded in case he forgot about the order, I am told to make a file an incident report so student conduct services can assess severity of the situation

May 1, 2021: While my moral compass will never condone violence, this Green Up day is more than beer cans and old truck tires. Follow the arrow to find Austin Weiland, a current student at UVM and tell him to transfer bc we don't let trash stick around. Follow the arrow to the Title IX office to say you believe survivors and the national standards are garbage.

Austin Weiland and I still have 9 mutual FB friends.

Trash. (Hendrick, 2021).

According to reporting noted by WCAX3, Hendrick's post inspired others to come forward with their own claim; “Athena's actions have inspired other students to

come forward with their own claims, including a TikTok by UVM senior Carrie Finkelstein that's rapidly gaining traction with about 16,000 likes. 'It's been really, really heartbreaking to see everyone's stories, but it's also been really empowering to know that there are so many of us out there,' Finkelstein said" (Guessferd, 2021). Hendrick's post also spurred a new Instagram handle, @shareyourstoryuvm, which described their purpose as the following:

We are Empowering Survivors UVM, a collective of University of Vermont students (both survivors and allies) who will no longer tolerate the culture of sexual assault and dismissal of survivors that is perpetuated by the UVM administration and students.

None of this would be possible without the courage, strength and resilience of survivors who have and continue to speak out against their abusers. We are so sorry you had to. We send the utmost care, compassion and gratitude to you. This space is yours to claim and build. Please use the anonymous form to submit your stories and experiences of sexual assault, abuse and harassment. We will post them in their entirety and fullness anonymously. (2021)

By October of 2021, there were over ten allegations of sexual misconduct related to the men's basketball team members (Moore, 2022).

On May 3, 2021, a walk to the steps of the Waterman Building at UVM led by Hendrick occurred "and their message was clear: not only is silence on sexual violence no longer an option, but systematic changes are needed" (Abrami, 2021). The march to Waterman was in response to how UVM responded to sexual assault on the campus.

Sydney Ovitt, a UVM senior at the time, was quoted as saying to the crowd, “I’ve heard countless me-toos into the dark because our university doesn’t give a damn about what their students have gone through or the safety of their students [...] It is (UVM's) job to keep us safe, it is their job to hold students accountable” (Abrami). Also, UVM released a statement from Athletic Director Schulman that contradicted Ware’s account stating there was no preferential treatment for student athletes regarding sexual misconduct cases (Moore, 2022).

In addition to protesting, the students also delivered some demands to the institution. On May 3, 2021, Eric Caloiero, UVM’s then Interim Vice Provost of Student Affairs, reported to the Burlington Free Press, a response to the demands:

UVM agreed or confirmed to each of the students’ demands or requests. Some of those demands include:

- UVM will conduct an independent investigation and audit into UVM’s AAEO (or Title IX) office.
- UVM will enhance advertising of the Title IX office and its services for students.
- UVM is developing a partnership with HOPE Works to make victim advocates available around the clock.
- As part of HOPE Works partnership, UVM will offer more diverse pool of advocates.
- UVM supports a team approach to establish a sexual violence response team that includes five employees and three-to-four victim advocates.

- UVM agrees that counselors employed through Counseling and Psychiatric Service (CAPS) undergo annual training on how to support survivors of sexual abuse, violence, and harassment.
- UVM agrees to create a 24/7 hotline specifically for student survivors of sexual violence and harassment.
- The Vice Provost for Student Affairs and UVM’s Title IX Director will review every survey response created by Sydney Ovitt, the founder of Explain The Asterisk, a legislative campaign that would require schools to “explicitly indicate when a student has been dismissed on the grounds” of sexual misconduct or violence.
- The Director of Fraternity and Sorority Life enforce every recognized UVM Fraternity to attend sexual violence, harassment, or healthy relationship training once each semester, and report their chapter attendance rates.
- UVM Athletic Director Jeff Schulman will require all Catamount sports teams to attend sexual violence, harassment, or healthy relationship training at least once each semester.
- The Title IX Advisory Committee will continue to meet throughout the summer and fall 2021 with school leaders. (Abrami, 2021).

More outrage hit UVM when the university advised it would not release the findings of the independent investigation in the Affirmative Action and Equal Opportunity (AAEO) Title IX Office. Elletson (2021) reported, “The university hired a consulting firm, Grand River Solutions, to conduct the review of the Affirmative Action

and Equal Opportunity Office, a step that was made known to the UVM community in a campuswide email in late July. The email also said the report will be delivered to UVM President Suresh Garimella.” She further reported the school did not intend to release the report and campus advocates noted it was a contradiction to the “motivation behind the investigation” and it did not help to rebuild the trust of the community. Eventually, the President took a different stance and released the report. The report revealed that it was a review rather than an investigation. The review, authored by Botticelli and Shipper (2021), noted a few areas for improvement by AAEO. The review noted that nearly all the students interviewed for the report did not “fully understand the investigation process, found it confusing and felt unprepared.” It also expressed the AAEO office followed protocol and conducted investigations with impartiality and neutrality.

2.6 Chapter Summary

Through this literature review, I have laid out several historical and policy related issues that frame rape culture in organizations including colleges and universities. Rape culture effects women negatively and this literature review explored the historical landscape which has shown to have treated women unjustly. Women have been treated as property and their sexual autonomy is still questionable in institutions like marriage. Although laws and policies have been enacted to help women gain more safety, the historical patriarchal constructs that have been placed on women still have a lasting effect. Title IX legislation has been in places since the 70s, but has changed often. It is currently the guiding policy for sexual assault investigations on campus. Title IX gives some direction to universities, but organizational understandings and working create

limitations to combatting a rape culture on campus. Harm done by an institution can have a magnifying effect on the trauma a victim feels. Institutional betrayal damages victims before and after sexual assaults. UVM specifically, has been called out by survivors of sexual assault as not doing enough to keep students safe and there is litigation naming the school.

CHAPTER III: METHODOLOGY

As noted in the previous two chapters, rape culture is pervasive in society writ large and manifests in colleges and university settings like the University of Vermont. The purpose of this study was to explore the question, *How does the University of Vermont, as an organization, support a rape culture on campus?* This study was grounded in a feminist epistemological lens and uses applied thematic theory. The research explored three areas:

- How do UVM students and staff describe and understand the role of the University as supportive of rape culture?
- What organizational factors support and influence the continuance and support of a rape culture?
- Is there a cultural *forgetting* at UVM that lends to the persistence of a rape culture?

3.1 Rationale for Qualitative Research

This study chose to use a qualitative research design because sexual assault is personal, it leaves scars, and terrorizes survivors for decades after the assault. To investigate a culture that allows for sexual assault to flourish, I selected a method that reflects the personal nature of the subject matter. Patton (2015) stated qualitative inquiry is personal. Data collected about how many sexual assaults occur on campus does clarify questions about incidence, occurrence and persistence. However, Patton (2015) pointed out that “qualitative inquirers study how systems function and the consequences of system dynamics, they include attention to context. Context refers to what’s going on around the

people, groups, organizations, communities, or systems of interest” (pp. 8-9). Therefore, qualitative methods were selected to better understand the context in which rape culture exists and persists at UVM.

3.2 Case Study Research and Applied Thematic Analysis

I utilized a case study approach in my exploration of rape culture on UVM’s campus. Case study research is “an empirical method that investigates a contemporary phenomenon (the “case”) in depth and within its real-world context, especially when the boundaries between phenomenon and context may not be clearly evident” (Yin, 2018, p. 15). Case study research allowed me to explore the phenomenon of rape culture, which is not always transparent. Case study is defined as “an investigation of a bounded system of a case or numerous cases through time by detailed, in-depth data collecting incorporating numerous sources of information rich in context” (Creswell, 1998, p. 61). By using UVM as a case study, the research can be bounded by positionality and time, as the research focuses on students and staff working or attending UVM currently or within the past four years. This form of research can add to the collection of knowledge on how and why rape culture persists on college campuses.

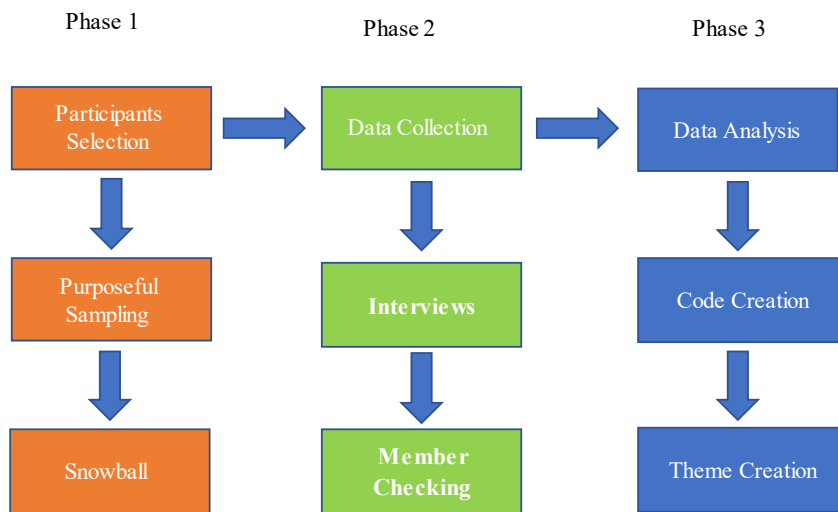
My research used a single, embedded case-study research methodology. Yin (2018) noted this approach can be applied when “the objective is to capture the circumstances and conditions of an everyday situation” (p. 50). This research sought to show that rape culture is possible on UVM’s campus because of common, everyday decisions and cultures, suggesting it is possible to show rape culture is part of everyday situations on campus. According to Stake (1995), case studies are used because:

We'd want to hear about their experiences. We may have misgivings about some of what individuals tell us, just as they may have misgivings about some of what we tell them. However, we approach the scene with a genuine desire to understand how individuals operate in their everyday interests and milieus, as well as a readiness to set aside numerous presumptions as we learn (p. 1).

The single-case study design enables the research to encompass UVM, the organization, as the case. Decisions and culture are created by many people, departments, and policies within the organization. Therefore, an embedded study was the best option to understand the breadth of the problem.

An Applied Thematic Analysis (ATA) framework was used to organize and analyze the data collected from the semi-structured interviews. ATA "is a type of inductive analysis of qualitative data that can involve multiple analytic techniques" (Guest et al. 2012, p. 4). This research assumes a rape culture exists, but applies an inductive approach to learn how or why a rape culture exists in the scope of UVM as an organization. ATA allows for the researcher to generate themes from the data collected. ATA is closely linked to grounded theory in that it is "a set of inductive and iterative techniques designed to identify categories concepts within texts that are then linked to formal theoretical models [...and] is 'grounded' in the data themselves" (Guest et al. 2012, p. 12). ATA was a natural fit to analyze the data gained through the interviews in this case-study. Figure 2 depicts the methodology used in this study.

Figure 2
Methodology



3.2 Epistemological Lens

I used the theoretical lens of critical feminist theory because my research focuses on an issue that effects women more than other gender groups and this perspective brings an awareness that this research may be at “odds with the prevailing paradigms of ... the mainstream structure of society” (Babbie, 2014, p. 39). When discussing women or men, the research is generally referencing gender rather than the biological sex, but due to the issue of rape being forceable entry into another’s body, biological sex plays a role in some of the descriptions of rape or sexual assault. This research proposes that women are generally the victims of a rape culture, and the rape culture is promoted by the organizational culture, procedures, and policies of UVM. Babbie (2024) noted, “feminism focuses on gender differences and how they relate to the rest of social organization. [Feminism] draw[s] attention to the oppression of women in many societies, which in turn sheds light on oppression in general” (p. 37). Critical feminist

theory allowed me to view UVM's organization through a lens that focuses on issues that affect women and rape culture on campus.

Additionally, “[f]eminist scholars [...] have called for more research for women in order to honor the voices of participants, to create opportunities for reciprocal learning, and most importantly, to empower participants to change the conditions of their lives” (Kirsch, 1999, p. 3). As noted in the section *UVM Under Fire*, students at UVM have been pushing to have their voices heard about the treatment of their bodies while enrolled at the university. This research was conducted with the understanding that it tells the stories of women at UVM and allows for participants to be a part of potential change in regard to the rape culture that exists at UVM.

This epistemological lens led to a critical decision about subject anonymity. I have chosen not to anonymize the university. This research utilizes UVM as a case study and names the university explicitly in the tradition of being action oriented.

An “action orientation” matters because it keeps the research project focused on emancipatory goals, allows the researcher to engage in political action, to influence public policy and to create “the potential ability of feminist research to change the lives of women. (Kirsch, 1999, p. 3)

Research like this can be most effective in creating positive change around rape culture because it is openly transparent. Change can be possible when we point out the issues specifically. If I had anonymized the university, the chance for positive change would have dwindled because UVM would not necessarily apply the issues to their university, and it could be easily ignored. The participants in the study that voiced the need for

change would be silenced by anonymizing UVM. In the tradition of creating research that changes women's lives, I strongly felt this research must specifically note that it is situated in the UVM context.

Applied Thematic Analysis is an analytic lens that works well with critical feminist theory because it uses inductive tenets of building an understanding from data. Inductive reasoning is a “logical model in which general principles are developed from specific observations” (Babbie, 2014, p. 22). Using ATA would allow the possible reasons for a rape culture to exist on campus emerge rather than be forced. Although, the study identified rape culture as a fact, the inductive model was used to determine what *causes* or *perpetuates* rape culture. The study did not have preconceived ideas of how rape culture persists on campus. In this vein, I was open to alternative views. Additionally, although I believed rape culture existed at the start of this study, I was open to the possibility that the data would prove otherwise. ATA has roots in grounded theory, a method that “allows the relevant social organization and social-psychological organization of the people studied to be discovered, to emerge – in their perspective” (Glaser, 1992, p. 5). This research focused on data collected from interviews with students and staff involved and impacted by UVM as an organization. These interviews allowed for the people being studied to have their perspective emerge into themes that were constructed directly from the data collected in the interviews. ATA's “primary goal is to describe and understand how people feel, think, and behave within a particular context relative to a specific research question” (Guest et al., 2012, p. 13). Using ATA

helped me develop themes from the data that account for the organizational facets that promote rape culture at UVM.

3.3 Research Site

The University of Vermont is a public institution located in Burlington, Vermont. It was founded in 1791 and considers itself a *public ivy*, which has been known to be an informal term applied to public universities that are believed to give a college experience close to an Ivy League school (Wikipedia Contributors, 2023). The campus is 460 acres. According to the UVM website (2023), the University offers 100+ bachelor's degree programs, 58 master's degree programs, 26 doctoral programs, a medical doctor program and is accredited by the New England Association of Schools and Colleges. It enrolls 11,326 undergraduates, 912 graduates, and 483 medical students. The average class size is 35 students. In addition to the student population, the University has 4,125 full and part-time faculty and staff.

UVM also boasts having over 275 student clubs and organizations and have “themed residential communities” for first-year students. There are 60 club sports offered and 18 NCAA Division I athletic teams. The student population represents 48 states and 37 countries/areas. Twelve percent of the student population are students of color. UVM declares on the website it was the “[f]irst university to admit women and African Americans into Phi Beta Kappa honor society.” The University uses UVM for *Universitas Viridis Montis*, Latin for “University of the Green Mountains. The University has the motto: “*Studiis et Rebus Honestis*,” which means “For studies and other honest pursuits.”

Burlington, Vermont is commonly known as a metro area of Vermont and has a population of approximately 43,000 people according to the 2018 U.S. Census. It is situated on the shores of Lake Champlain and is known as the largest city in Vermont.

3.4. Research Participant Selection

Phase 1 of my research methodology, as noted in Figure 1, included selecting the participants for the study. Ten participants were recruited using a snowball sampling method, after I gained IRB approval in December of 2021. The topic of the research suggested UVM promotes a rape culture on campus. Therefore, I chose to use snowball sampling, which “refers to the process of accumulation as each located subject suggests other subjects” (Babbie, 2014, p. 201). Due to the anticipated preference for anonymity, I determined that it would be in the interest of the research and the participants to be introduced by a previous participant. I also believed this built trust with the subjects to be interviewed. My first five participants were approached via email. I knew the first five participants through my established relationships with them while I was employed by UVM Police Services, and therefore the first participants consisted of a more purposeful sampling. Patton (2015) explained purposeful sampling as:

[c]ases for study (e.g., people, organizations, communities, cultures, events and critical incidences) are selected because they are “information rich” and illuminative, that is, they offer useful manifestations of the phenomenon of interest; sampling, then is aimed at insight about the phenomenon, not empirical generalization from a sample to a population. (p. 46)

These people had direct connections with the university community in ways that I believed they would have thoughts on why rape culture exists at UVM. I chose them due to their known work with and around sexual misconduct issues and crimes on campus, and I believed they would be information rich. Each one was contacted via their UVM email address, and I attached the Recruitment Solicitation Form (see Appendix B).

From these five participants I was able to gain five other interviews using the snowball sampling method. Snowball sampling starts “with one or a few relevant and information-rich interviewees and then ask them for additionally relevant contacts, other who can provide different and/or confirming perspectives” (Patton, 2015, p. 270) The first five participants, derived from purposeful sampling, were my gateway to other participants that I did not previously know, but had been or were currently staff, or students. The original participants were asked to share the Recruitment Solicitation Form with someone they believed would be advantageous to the research. These participants then contacted me through email if they wanted to participate. Table 2 provides an overview of the participants in this study.

Table 2

Description of Study Participants

	Association with UVM
Interview #1	Staff
Interview #2	Staff
Interview #3	Staff
Interview #4	Staff
Interview #5	Former Student/Advisor
Interview #6	Staff
Interview #7	Student

Interview #8	Student
Interview #9	Staff
Interview #10	Staff

Table 2 summarizes the participant’s associations with UVM. The participants included seven staff members and three former students. Additionally, two of the staff members interview had also been students before or while working at the university. Participants also identified as: (5) male, (4) female, (1) trans man, (1) black, (9) white, (3) queer, (6) heterosexual and (1) did not identify their sexual orientation. All participants spoke and read English.

Participants agreed to a one-hour individual interview. In response to the COVID-19 pandemic, interviews were conducted using Microsoft Teams video meetings and I recorded them using my personal Apple iPhone. The interviews were transcribed and deleted. Due to the nature of the research and being respectful of each person’s association with the University of Vermont, the interviews were left as numbered one through ten to ensure anonymity.

3.5 Data Collection

Phase 2 of my research methodology involved data collection. The study was conducted using UVM as a case study and employed semi-structured interviews with staff and students and the data gained was later analyzed using Applied Thematic Analysis in Phase 3 of the study. The use of a case study gave the research a solid framework to collect data by employing the semi-structured interviews.

A single-case study was chosen because the objective of the research was to see what everyday circumstances or conditions allowed for a rape culture to be promoted by

UVM. Yin (2018) referred to this the “common case” and notes it may provide lessons about the “social processes related to some theoretical interest” (p. 50). I used an embedded single-case case study, as this study encompassed smaller units of analysis, which are the employees and students of UVM that spoke to the context of rape culture at UVM.

Interviews took place between January 2022 and September 2022. Due to COVID-19 concerns, I conducted the interviews via the meeting program Microsoft Teams. Each interview was 30- to 60-minutes long. These interviews focused on the participant’s knowledge and recollections of UVM’s role in the culture on campus as it pertained to sexual misconduct and/or personal experiences of rape culture on campus. Each participant was interviewed once for this study. See Appendix B for the interview questions. The participants did not have advanced notice of the specific questions, unless they asked. One participant wanted to review the questions prior to agreeing to the interview and subsequently participated. The interview protocol did not include questions designed to collect personally identifiable information and the participants were made aware that the interviews were confidential.

Each interview was recorded using my personal smartphone and the Apple Voice Memos application. Then the interviews were uploaded to Rev.com, an automated, internet-based transcription service, to be transcribed verbatim. I chose to have the transcription done automatically, due to the IRB’s concerns over the participants confidentiality. The audio files were immediately deleted after transcription. I listened to each interview for clarity of the transcription. All research materials including

identifiable data were stored on the UVM server, using the UNIX based zoo file system. I uploaded the transcript to NVivo to be coded. Raw data was shared only with my faculty advisor overseeing the dissertation. Participants were made aware that he would have access to all data, otherwise data presented would be confidential and anonymized as much as possible. All transcripts will be destroyed at the conclusion of this research project.

At the end of each interview, I conducted member checks with each participant. This was accomplished by discussing the interview's contents directly after it was conducted with the participant. I detailed my interpretations of what they told me. Yin (2011) had noted member checks was a collaboration with the participant to "gain their feedback" (p. 96). I was able to verify or change my interpretation of the interviews based on the feedback each participant has given me. This feedback was done at the end of the interviews, prior to the creation of the codes.

3.6 Data Analysis

The final phase of my methodology was analyzing the data collected through the interviews. ATA allows for a "variety of data collection techniques" (Guest et al., 2012, p. 16). ATA incorporates different ways of collecting data, but ATA is specifically a way of analyzing the data using themes derived from the data. An advantage of ATA as a novice researcher is that it is more accessible than other qualitative approaches.

Braun and Clarke (2006) and King (2004) argued that thematic analysis is a useful method for examining the perspectives of different research participants, highlighting similarities and differences, and generating unanticipated insights.

Thematic analysis is also useful for summarizing key features of a large data set, as it forces the researcher to take a well-structured approach to handling data, helping to produce a clear and organized final report (Nowell, et al., 2017, p. 2).

ATA allows the researcher to derive codes and themes from the data in a meaningful way. As a reference tool for my analysis, I modified Nowell et al.'s (2017) table on *Establishing Trustworthiness During Each Phase of Thematic Analysis*. (p. 4). Table 3 details my use of the table specifically for this research project.

Table 3

Phases of Thematic Analysis Means of Establishing Trustworthiness

Phase 1: Familiarizing myself with the data	Prolong engagement with data (two read-throughs) Brainstorm theoretical and reflective thoughts Document thoughts about potential codes/themes Store raw data in Nvivo
Phase 2: Generating initial codes	Use of a coding framework Start of code book
Phase 3: Searching for themes	Diagramming to make sense of theme connections Keep detailed notes about development and hierarchies of concepts and themes Adjust code book Advisor debriefing
Phase 4: Reviewing themes	Themes and subthemes vetted by Advisor Test for referential adequacy by returning to raw data
Phase 5: Defining and naming themes	Advisor debriefing/consensus on themes
Phase 6: Producing the Analysis	Describing process of coding and analysis in sufficient details Thick descriptions of context Report on reasons for theoretical, methodological, and analytical choices throughout the entire study

To begin my analysis, I focused on familiarizing myself with the data collected (phase 1). This was accomplished by reading the transcripts through twice. As I read through the documents, I started an outline of my code book that was developed. A code book is “a structured compendium of codes that includes a description of how the codes are related to each other” (Guest et al., 2012, p. 50). I placed all transcripts of the interviews into Nvivo, a software that assists in analyzing qualitative data.

In phase 2, the initial codes were generated. As ATA has a strong inductive methodology, I used an exploratory analysis to develop codes. Exploratory analysis, as part of ATA, was described as having an “emphasis is on what emerges from the interactions between researcher and respondent. The content of that interaction drives the development of codes and the identification of themes” (Guest et al., 2012, p. 36). In this tradition, I developed codes from the language used by the participants themselves. Using this method, codes “stay close to the data, mirroring what is actually in them, rather than ideas and prior understandings of the researcher (Linneberg & Korsgaard, 2019, p. 263). The process added validity to the codes that were starting to form. I developed codes by using text segmentation, which is “technique for bounding text in order to (1) assess and document the overall quality of the data and (2) facilitate the exploration of thematic elements and their similarity, dissimilarity, and relationships” (Guest et al., 2012, p. 50). This allowed codes to form into themes and subthemes, but also allowed for relationships to grow out of segments of text that were closely tied to various themes.

In phase 3, my code book took shape as the themes and subthemes noted were added to it. In order to increase reliability in the coding, I met with my advisor to verify the codes were being coded into the right themes and the themes that had developed made sense with the raw data.

In phase 4, themes and subthemes were reviewed and vetted by my advisor. I returned to the raw data to verify if I had themed the data appropriately or if there was data left to be added as the codes and themes were more solidified.

In phase 5, I finalized my code book and debriefed with my advisor around the themes. ATA suggests a codebook should be formed. As I started to code the data and noted major themes, the codebook emerged. The codebook was modified as new information and new insights were discovered in the data. See Appendix C for the entirety of the codebook. These are the main themes identified in the data: Institutional Responses, Institutional Processes, Public Image, Student Responses, Education, and Niche Cultures.

In phase 6, to ensure there were no more themes that were available, I employed two cycles of coding. The themes were defined completely in the code book and the analysis section was written with significant attention made to thick descriptions of each theme and why data was coded to each theme.

3.7 Validity and Reliability

As noted, Applied Thematic Analysis was used to ensure the codes were accurate and created from the language used in the data. Using this method, codes “stay close to the data, mirroring what is actually in them, rather than ideas and prior understandings of

the researcher” (Linneberg & Korsgaard, 2019, p 263). I also coded in two cycles to verify and change any codes to reflect the data. Each interview was read through prior to coding and then I completed two coding cycles at different dates. Additionally, my advisor checked my codes and themes to confirm they were being coded appropriately after completing the first and second round of coding.

To address validity, I followed the guidance of Maxwell (2013) requiring interviews to be transcribed and I conducted member checks with the interviewees immediately following each interview. This was to ensure I correctly understood what their intentions were when describing phenomena related to rape culture. I also searched for discrepant evidence within the interview and coded it to the corresponding themes. These all work to enhance the validity of the study.

This study used snowball sampling which “can be acceptable if the snowballing is purposeful, not done out of convenience” (Yin, 2011, p. 89). The first level of interviewees had been known to me. The choice in having them as the first interviews was purposeful as I knew their associations within the school and their work in relation to rape culture, sexual assault, or student experience. This first level of interviewees was able to bring a second group that were previously not asked to participate. The first level interviewees believed they could bring something to the study. It should be noted that I was not given interviews by anyone in athletics and that department is identified as a niche culture by participant.

Maxwell (2013) described the biggest threat to qualitative research is researcher bias. To address this threat, I used validity threat strategies outlined by Maxwell, “rich

data, member checks, searching for discrepant evidence, and negative cases” (pp. 126-127). Rich data came from the interviews being transcribed than relying on notes taken during the interviews. To help create richness in the interpretation process and increase the reliability, I have incorporated verbatim quotes. Quotes also offer increased transparency and veracity, as “[q]outes lay bare the emergent themes for all to see. They are the foundation upon which good qualitative data analysis is based (Guest et al., 2012, p. 95).

Searching for discrepant evidence and negative cases was important because a “common critique of qualitative research is that the data presented [is] selectively chosen to support conclusions drawn by the author or to further an agenda” (Guest et al., 2012, p. 94). The interviews revealed some discrepant evidence, which has been added to the appropriate themes. One such piece is most people had noted sexual assaults at fraternities, but one woman advised she felt safe at fraternity parties.

Additionally, I employed member checks. After each interview, I spoke with the participants about the information they gave and reflected with them on my interpretation of what they had said. This allowed me to ascertain if I had understood their points correctly and helped address any of my own biases.

CHAPTER IV: FINDINGS

The purpose of this study was to explore organizational conditions at the University of Vermont which contributes to a rape culture on the campus. Ten people were interviewed for the study. Each person was identified as currently or recently employed or a student at the university. The research is grounded in critical feminist theory as an epistemological frame. This frame highlights the significance of research about women done by women and the importance of creating action orientated research. The study was approached with the underlying assumption that rape culture is rooted in gender inequality that is invisible in many ways due to universities being situated in a patriarchal culture. I utilized open-ended interview questions to explore:

- How do UVM students and staff describe and understand the role of the University as supporting a rape culture?
- What organizational factors support and influence the continuance and support of a rape culture?
- Is there a cultural *forgetting* at UVM that lends to the persistence of a rape culture?

Using Applied Thematic Analysis to examine the data obtained from the interviews, a variety of organizational conditions and factors were identified to be associated with rape culture. These include institutional responses, institutional processes, public image, student responses, education, and niche cultures. As data was analyzed it became clear that many of the themes had intersections. Rape culture was not easily parsed into neat themes, rather each theme weaves into the next to truly create a rape culture on campus.

It should be noted, that although rape is not a heterosexual issue only, the participants in this research generally discussed the issues of rape culture and sexual assault in heterosexual terms.

4.1 Niche Cultures

Niche is defined as “a place, employment status, activity or which a person or thing is best fitted” or “a habitat supplying the factors for the existence of an organism or species” (Merriam-Webster Dictionary, 2023). This research uses the term niche to describe activities or UVM-specific habitats that supply the factors that promote a rape culture. An expanded view of culture notes, “the integrated pattern of human knowledge, belief and behavior that depends upon the capacity for learning and transmitting knowledge to succeeding generations” (Merriam- Webster, 2023). Therefore, when I am discussing niche cultures as a theme, I am referring to the activities or habitats that are created on campus that are informed or even exist due to a culture that promotes rape culture. Niche cultures have continued existence because of the transmission of knowledge from generation to generation to what it is currently at the time of this study.

Participants identified four main niche cultures when discussing rape culture and they also outlined what rape culture is to them at UVM. During data analysis, I found 247 references to niche cultures across all ten interviews. The following figure 3 categorizes the participants’ responses based on niche cultures. The numbers within each box represents represent the number of unique codes and the number in the parathesis are the number of participants who mentioned each code. For example, across the interviews

there were 27 unique references by five of the ten respondents for hook up culture and 48 unique references by five of the ten respondents for Greek life.

Figure 3

Niche Culture and Corresponding Subthemes

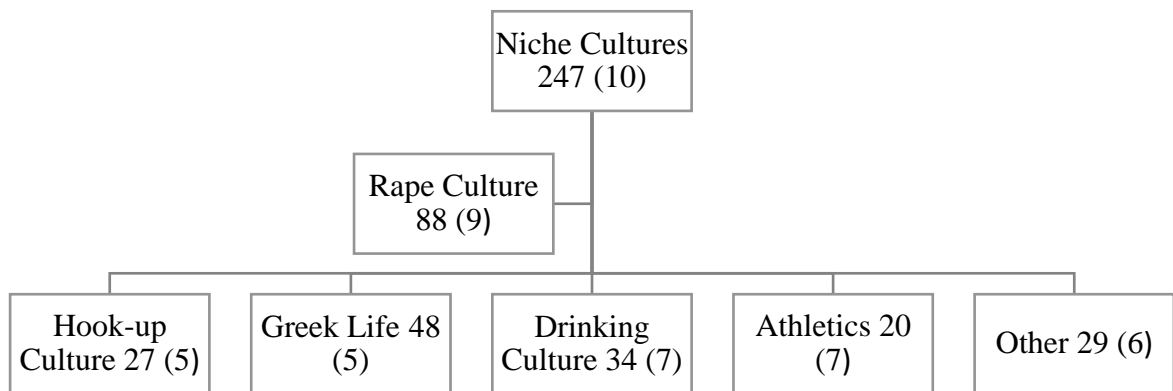


Figure 3 shows the subthemes that were developed under the categorical theme of Niche Cultures. The main theme of Niche Cultures encapsulates when participants discussed cultural traits that effect rape culture.

4.1.1 Rape Culture

Rape culture had the most codes assigned to it. This was anticipated, as this was the topic of the interview. Each participant was asked to define what they believed rape culture was and what it meant to them. Thus, participants described what they believed was a rape culture and nuances and examples of rape culture at UVM. Generally, participants identified rape culture as beliefs and attitudes that allow rape to be hidden, accepted, or tolerated. All participants were able to make a connection between sexual assault/misconduct and the larger and broader cultural issue that allows it to happen at

higher rates on a college campus. One participant noted the overall attitude related to rape culture on campus is “dismissive” and the general thought about rape is that “sure it exists, but it doesn’t affect me – so who cares.” This dismissive attitude means that rape culture is not addressed, and the systems are not addressing the harm that is continued year after year.

It was clear from all the interviews that rape culture is believed to be an ingrained part of university life, as all participants were able to identify what rape culture was and how it had been displayed at UVM. Rape culture was strongly associated with the *college experience*. One participant expressed it as to enjoy keg parties, “you’re supposed to hook up, you’re supposed to have fun, you’re supposed to do crazy shit.” Another participant stated that rape culture or sexual assault can often be linked with having fun. One participant relayed that rape culture grows out of a college environment that tolerates and encourages errors and mistakes as part of one’s development through college and said – “I think it’s a societal thing [...] you go and have fun. You make friends, you make mistakes.” Sexual assault was quite frequently described as a mistake, highlighting how its conceptualized as part of the college experience.

Rape culture was also described as deeply ingrained in the college experience and strongly normalized. It was noted that movies such as *Varsity Blues* have glorified rape culture as something to strive for, and at the same time associated with shame and concealment. One participant highlighted that sexual misconduct is expected, but also condoned because a perceived lack of consequences – “you’re supposed to do x, y, and z [in college] and some people push those limits a little bit more ... because they know

they can get away with it or they're so shy and uncertain [...they think] this is what I am supposed to do, so I've gotta do it." Multiple participants noted that the consequences for sexual violence are minimal and that women are not always believed when they speak out. A participant explained that if there is a difference in power or money, many people will not believe the woman accusing the male with more money or power of sexual assault because they believe she wanted the power or money. This was noted most often with the athletic teams, as some can move on past college into professional realms of their sport.

Rape culture was identified as being multi-level, meaning it can be perpetuated by an individual or an organization like UVM. On an organizational level, most participants noted a general lack of attention by UVM to the problem of rape culture. One participant offered that rape culture is a systemic issue and UVM is a system. The people within the system are products of the larger context of rape culture. They further explained:

Even if you have systems in place that are supposed to be coming away from [rape culture], there's always a human element to those responses. And the humans in those systems are fallible and also not always the best people to be responding to incident [...] just looking at the way that I think the president has responded to allegations on campus [...] mostly shying away from them and trying not to be involved and not really being a sympathetic person or really wanting to engage at all directly with students. I think that is the perfect example of perpetuating rape culture.

It is perceived that the head and face of UVM, the president of the university, does not address rape culture or known sexual assaults on campus. He has a blind eye to the issue, even while others attempt to work on the problem, and this creates the perception that the university does not care that their students are being harmed. Rape culture is the overarching theme of this research and has relationships with all the subsequent themes. The themes generated from the data all speak to how rape culture continues to be a durable feature on campus.

4.1.2 Hook-Up Culture

Data was coded as Hook-up Culture when participants discussed a culture of casual sexual contacts. Generally, casual sexual contacts were referenced as one-night stands or sex outside of committed relationships. When participants referred to these casual sexual contacts, they were discussed in terms of heteronormative relationships. Half of all the participants referred to hook-up culture in their interviews. The participants described the university setting as having a baseline expectation of “hooking up” and getting “notches on the bed post.” It was identified that college students lack meaningful relationships and that males on campus have an expectation of access to the female body. The power dynamic between those who identify as men and those as women was not equal when it came to sex on campus. It was noted that men have been raised even before coming to college to believe that they “deserve” sex with women and college is like being a “kid in a candy jar.” One participant noted that men who were sexually assaulting women did not “necessarily look at it like they’re harming someone [or] that it’s sexual violence.” Not realizing the harm caused in a sexual encounter is

derived from the power dynamic and the fact that hook-up culture on campus is normalized. Participants routinely noted hook-up culture normalizes sexual violence and helped to perpetuate a rape culture.

Several participants noted there was a lack of clear understanding when sexual contact becomes sexual assault because men on campus are socialized to believe they are entitled to have sex with women. This socialization was reported to be present in UVM's organizational leadership as well. One participant noted a UVM administrator had told them that college students do not understand consent and that is the issue. The executive went on to describe the men they believed sexually assaulted women as the "nerdy guys" and "young." The participant said they strongly disagreed and advised that male students do know about consent. The participant explained rape culture was more about the entitlement men feel they have over women's bodies rather than a failed understanding of consent. They further explained that some men hear "no," but they do not want to hear "no" in the moment, so they keep going in their sexual actions. Men can "just choose to have access to [a female] body."

Hook-up culture was also made synonymous with drunk or drugged sexual encounters. A participant discussed the situation when "You're drinking, experimenting with drugs and drinking and you know – risky, riskier sexual behavior [occurs]." Participants expressed that risky behavior around drinking, drugs, and sex was expected, and strongly associated with the pleasure of having fun while intoxicated and impaired. One participant phrased it this way, that students are expected to "hook up, you're supposed to have fun."

A participant identified organizational bias on the part of UVM when hook up culture has led to sexual assaults. It was reported UVM is reluctant to publicly tackle issues of rape culture on campus. This reluctance is also noted later under the public image theme; UVM was described as worrying more about their public persona than changing rape culture on campus. This also would mean the university would need to publicly talk about the party atmosphere that includes alcohol and drugs on campus and how that has affected the safety of their women students. Participants explained that is something the university is not willing to do.

4.1.3 Greek Life

This code was used when participants noted fraternities' and sororities' role in rape culture. This subtheme was noted by five of the participants. These participants had connections with Fraternity and Sorority Life (FSL). Two had been members; two had been advisors for one of the groups; and other participants dealt with FSL when issues arose, particularly surrounding sexual assault.

Traditionally, fraternities have been part of a long and conventional conversation in the United States when it involves sexual assault and rape culture on college campuses. Participants in this study also identified fraternities specifically as an environment that contributes to sexual assaults and more generally, rape culture. Some of the most high-profile events that fraternities engage in have elements of rape culture. Participants noted parties held at fraternities have, at times, been themed to encourage women to wear little clothing or to be themes of a sexual nature. Such parties included a whips and chains

party and a pajama party, where women wore lingerie. These parties set expectations that sexual encounters were encouraged, expected and to be risky or exploratory in nature.

Some of the participants had worked closely with victims of sexual assault on campus and noted there were reports of pre-planned sexual assault and sexually provoking behavior that came from some of the parties associated with Greek life. These behaviors were often illegal, but have continued for years at fraternities located at UVM. These behaviors specifically include the knowledge that Xanax (2 mg bars) was mixed with the punch that was already infused with liquors, then served to female guests at fraternity parties. The fraternity members would identify the *pretty women* and would work to get her away from her friends by having other brothers of the fraternity speak with the *ugly girls*. Pledges would be posted at the doors to guard against others entering areas that members had brought intoxicated women to in hopes to have sex. According to participants, this behavior has been able to continue to exist for two reasons. First, Greek life is “almost kind of like prison culture, like with no snitching [...] we’ll handle it inside kind of thing.” Second, the university does not address the issues appropriately within Greek Life. It was noted that the “institutions are aware of these misconducts and what’s happening and what contributes to that and do not take appropriate steps to help change.”

Participants highlighted that there exists an Instagram page called @shareyourstoryuvm as a public place where these issues and allegations of Greek life are featured. At the time of this writing, @shareyourstoryuvm has posted 515 stories of sexual misconduct, sexual assault, or rape culture. Recently, visitors of Phi Mu Delta

reported on the Instagram page as having been drugged by the jungle juice provided at the party. The most recent report of being drugged at Phi Mu Delta is noted in Figure 4.

Figure 4

@shareyourstoryuvm Phi Mu Delta #504

I was roofied at pmd. I had some of the jungle juice and it tasted super sweet, and I knew it wasn't strong, then I had another cup and it was super bitter. I knew something was off. I was dancing with someone, but I knew I was really out of it, I wouldn't have kept kissing them if my mind was clearer. I could tell that they wanted something more. My mind was so fuzzy and I was honestly scared. I shouldn't have felt this fucked up because I barely had anything to drink. I luckily got driven home by a friend but could barely sit up straight. I got walked up by someone to my room once I got back. I was puking for a good part of the night and felt like absolutely shit. 1/2

UVM Empowering Survivors @shareyourstoryUVM

My whole body felt heavy and I felt like I was moving at a snails pace. People told me that this was a good frat and that nothing really bad happened there. There are no truly "good frats." I was lucky, and nothing too bad happened to me. But please please be careful. I don't really trust my judge of character as much anymore because I thought that the person who handed me my drink was nice and a decent human being who wouldn't do that. But they did. I'm honestly not even sure what the person looked like who drugged my drink. I don't remember. Just stay safe please, we don't need this happening to any more people. 2/2

UVM Empowering Survivors @shareyourstoryUVM

This story is one of many on that Instagram page and highlights the intersections of drinking culture, hook-up culture, and Greek Life when assessing their place in rape culture.

Greek Life as a theme was often intertwined with hook-up culture and drinking culture. When speaking about each of these, participants often spoke of them in tandem. Fraternity parties were not mentioned without the notion of drinking alcohol being a factor. Greek parties included “access to drinking and substance abuse and [...] all these young people in these potentially dangerous situations, increasing the risk of sexual assault.” Drinking was a cornerstone of the parties held at fraternities and often the students in the fraternity would charge students five dollars to enter the house and drink during open parties. Open parties were those that were not for specific groups, rather anyone could attend and pay the cover fee. Other parties, as some of the noted themed parties, were between specific groups such as a fraternity and sorority.

To note a discrepant case in the research involving Greek life, one participant had reported that she had been in a sorority and had felt safest at fraternity parties because she knew the brothers. She did, however, report that when she denied a man sexual contact, he publicly denounced her as a “tease.” She noted that she participated in various parties where women were encouraged to dress in a sexual nature or in little clothing, but she did not consider it as adding to rape culture at the time. She said during her time at fraternity parties she “never felt necessarily scared or unsafe.” She looked back fondly at her time in the sorority.

The 2011 Sigma Phi Epsilon rape survey was referenced by some participants. This survey had asked brothers whom they would rape. The fraternity was banned from campus, but has recently been welcomed back. Two of the participants noted that education about rape culture was limited. They recalled there was training during the first weeks of school around sexual assault, but it would diminish over time unless an issue prompted the topic to be broached again.

If a sexual assault occurred, it was noted that it was harder to believe the victim over the fraternity members because they knew the accused intimately, but not the victim. For some participants it was easy to see why fraternities may be a danger zone for rape culture. One participant noted, “fraternities were based on white supremacy, exclusion and [...] male dominated power and those lead to rape culture.” A participant that had been a member of a fraternity reported that the constitution and bylaws of his fraternity had been reworked to include “explicit sections about sexual assault and of rape and what [the] fraternity does to respond.” This specific fraternity included a board, made up of brothers, that a victim could relay their story of sexual assault to. Some participants suggested the only way to change rape culture at fraternities was to abolish them, but it would be difficult because alumni of Greek life donate in large amounts to the university. In a later section, money and the relationship to rape culture are discussed.

4.1.4 Drinking Culture

Data were coded under drinking culture when participants centered alcohol and parties as fuel for rape culture. Seven participants noted drinking culture in their interviews. As discussed in the previous themes, alcohol has been addressed in each

theme as contributing to rape culture as it facilitates riskier behavior and promotes sexual violence through victim incapacitation. It was reported that alcohol creates an environment where sexual assaults can occur. Drinking alcohol as a college student was generally identified as a normalized activity, but specifically it was often described as binge drinking. The Centers for Disease Control and Prevention (2023) identify binge drinking as five or more drinks on one occasion for men or four or more drinks on one occasion for females. It was further noted that binge drinking is associated with serious risks, which included intimate partner violence and sexual assault. Participants expressed that drinking was a large social component for many students, as described in the rape culture theme. It “is college, you know, keg parties” and it was noted “you get hammered – not drunk – hammered.” When describing hammered versus drunk, hammered was determined to be drinking until the person was incapacitated or near incapacitated and drunk was under the influence of intoxicants, but not to the point of near incapacitation.

To fully picture the issue of drinking at UVM, one of the participants reported that at one point, a UVM police officer collected close to 300 fake IDs every two weeks from the local convenience stores around UVM (they collect fake IDs when underage people attempt to buy alcohol with them). The IDs that belonged to UVM students were referred to the Center for Student Conduct. The participant noted the collection was discontinued because the school’s internal judicial board could not keep up with the high numbers, they would need to adjudicate for attempting to buy alcohol with a fake ID. The officer was told to stop collecting the IDs and it is presumed that this behavior of attempting to buy alcohol underage is still occurring, but now undeterred by UVM. The

participant also noted that they believed some school officials had a distorted view of the drinking at UVM.

We had a meeting from someone from student conduct about alcohol and they showed us some data and they had this graph that showed all of the alcohol cases they had by year of attendance or freshman, sophomore, junior, seniors [...] 80% of their cases were from freshman and sophomores, cuz that's still on campus. Obviously, juniors and seniors there was a massive drop off [student conduct said] the drop off is because they've learned their lesson and they don't drink.

The participant noted they were astounded at the connection student conduct had made, because juniors and seniors live off campus and they simply do not have the data about off-campus drinking. It was noted student conduct did not attempt to get the numbers of drinking incidents that Burlington Police deal with off campus. Another participant advised that while presenting a program on alcohol dangers, they were asked by a student how the student could build up their alcohol tolerance.

Participants reported drinking and experimenting with drugs leads to riskier sexual behaviors. In line with the subtheme of hook-up culture, alcohol was reported as causally related to riskier sexual encounters, but alcohol also created an environment where sexual assault of incapacitated people occurs. Binge drinking leads to incapacitation, meaning they cannot function well at all – walking is difficult and making decisions that are safe is near impossible. The line between incapacitation and intoxication (being drunk) is not always a clear one. State law recognizes this, and one participant noted that “you can't give consent if you're drunk [legally...] if you're drunk

[...] you can't give consent" for sexual contact. With this known, there is still "a high percentage of alcohol abuse [...] in an openly endorsed way." Participants believed there were minimal repercussions for actions related to drinking culture, especially in comparison to an "adult in society."

4.1.5 Athletics

Data was coded under athletics when participants noted athletics' role in rape culture. Seven participants discussed this concept. One participant's first thought when it came to rape culture was athletics. They noted that recently many UVM students have spoken out publicly about athletics' participation in sweeping sexual assaults under the rug. It was noted that when women had said they were sexually assaulted by UVM male athletes, the school's response had been to deny it was happening. One participant noted that perpetrators of sexual assault are often treated differently if they are an athlete or a white male:

I also think about the national context of who gets the benefit of the doubt in rape culture in Title IX cases. Right, we've seen that repeatedly. It's like [...] Brock Turner, for example, where it's just like, are you kidding me? [...] had] the conversation around Brock Turner been a black man or a Hispanic man or a man of color, you all would not be caring about his career at Stanford as a swimmer.

The participant had pointed out that the outcome is different based on affiliation with sports on campus and also noted an intersection with race.

One participant spoke about athletics in the context of graffiti on university property. The interviewee talked about how the graffiti, called tagging, only became a

property crime of interest at the university once the tagging involved rape and the men's basketball team. Graffiti, when reported, was not often thoroughly investigated, but rather just cleaned up. Once tags showed up that called out the men's team for sexual assault and read, "Don't rape my friends" and "UVM doesn't believe victims" the police were pushed to find and stop the person that was creating the tags. This was a directive different than other graffiti that had previously shown up on campus.

Many participants talked about the perceived relationship between linking sexual assaults by male athletes and University revenues. They conveyed that the role of male athletes in sexual assaults was perceived to be weakly addressed by UVM because of the money athletics brings to the school in the form of alumni or sporting events. One participant noted that the organization avoids sexual assault cases and works to cover it up. These cases have been getting more public attention in the last couple of years because survivors have used social media to express their discontent. A participant remembered that the UVM basketball team posted to their Instagram the following:

The University of Vermont congratulates its men's basketball team on their sixth straight America East Regular Season Title. UVM does not tolerate sexual misconduct and takes such accusations seriously. Incidents are reported through the Office of Affirmative Action and Equal Opportunity where support and follow-up is provided promptly. Anonymous accusations on social media are not helpful to victims or to anyone impacted by sexual violence.

The comment was later deleted, and the comments had been shut down, but a participant noted it was powerful to see students and parents of students commenting on it because it was a way to call out UVM. It was thought this had been the ways UVM had attempted to deal with the accusations of sexual assault by members of their athletic teams, but instead left students feeling more victimized by the organization.

4.1.6 Other

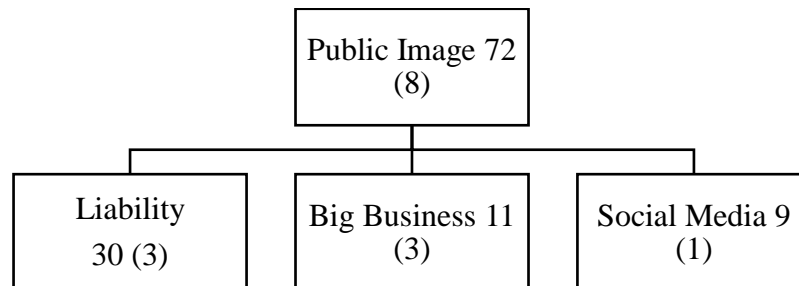
This subtheme includes other niche cultures that were noted but did not extend to their own code or codes that discussed niche cultures as a whole. One participant described rape culture on campus as “subliminal.” It was noted the campus environment has normalized rape culture. This specific thought can be interlaced with all the codes noted in niche culture. It was expressed that students are easily influenced while in this college environment because their brains are not fully formed yet. Another participant said that clubs, like sports teams, can have some of the same behaviors. Looking at the @shareyourstoriesubm Instagram page, many of the toxic behaviors noted in drinking culture and hook-up culture can be generalized to the clubs on campus. They are not much different than the Division I athletic teams or Greek Life. Had more people discussed clubs, it is clear they could have had their own code with how they fit into rape culture at UVM. One participant advised they were in a club and voiced there was someone kicked out for sexual assault, but they were new to the group so it was an easy decision, and it may not have been as easy to believe the victim had the person been a long-standing member or friend.

4.2 Public Image

Eight participants brought up UVM's public image protection as a component of UVM's support of rape culture. Participants' responses were coded into the three subthemes: liability, big business, and social media. Each subtheme was identified in the interviews as ways UVM had organizationally upheld aspects of a rape culture at the university. The numbers within each box represent the number of unique codes and the number in the parenthesis are the number of participants who mentioned each code. For example, across the interviews there were 30 unique references by three of the ten respondents for liability.

Figure 5

Public Image and Corresponding Subthemes



4.2.1 Big Business

Developed during the second cycle of coding this subtheme was identified by three participants who described UVM as being run like a “big business.” As such, the participants identified students as being the consumers of the product of education. The business (or UVM in this case), is providing an educational experience as a service in

exchange for money. UVM therefore, has been very particular about cultivating their image and reputation to attract students to the school. So, UVM would have a vested interest in “protecting [their] identity” and not being known as a college that has a rape culture problem. This could cut into their bottom dollar. Participants noted they believed “money” was a focus of UVM and the image they portray to their potential consumer base is one of safety rather than the reality that they can be a victim of sexual assault.

As noted throughout the themes in niche culture, UVM’s reputation was always an underlying concern. When discussing Greek Life and the consistency of sexual assaults over the years, it has rarely been addressed publicly. Despite being banned from campus for allowing a “who would you rape” survey, this fraternity has since been welcomed back to campus, which some participants described as promotion of a rape culture. As to the drinking culture, UVM outwardly states it is a dry campus, which means there is no alcohol on campus. The participants had previously pointed out that UVM appears to shy away from dealing with alcohol issues in and around campus to the extent they could be dealt with. Police were asked to stop collecting fake IDs that would tie underage students to attempts at purchasing alcohol rather than noting the number of IDs may reveal to the university how big the problem of drinking culture by their students might be.

In the previous section, I discussed that police action for graffiti issues increased because the graffiti started to reflect poorly UVM’s image surrounding sexual assault. UVM had not previously put much effort in fining people for graffiti, but now that that the tags publicly targeted the university, it became a priority. Participants related all this

as affecting the university's ability to bring in students and create more income. Some participants believed that money is the ultimate motivator for the school and not an altruistic need to squash rape culture on campus. In fact, because they are worried about their income and image, UVM allows rape culture to flourish because no one wants to acknowledge it to potential students.

Some participants reported that one solution to rape culture on campus and specifically in Greek Life would be to abolish Greek Life at UVM. Participants also said, though, this would not occur because the university receives many donations from people who had been involved in Greek Life. Alumni who were part of Greek Life also stay connected in ways to their old college houses and the university does not want to cut the purse strings that Greek Life brings in. Participants believed money is the driving factor as to why UVM does not move to remove all houses from their formal associations with UVM.

4.2.2 Social Media

The subtheme of social media also emerged during the second cycle of coding and relates to the intersection of rape culture with public image. Although only one participant noted UVM's specific social media presence (not the social media of others discussing UVM), the participant directly worked on UVM's social media team and was able to speak to how UVM utilizes its social media presence. The participants advised that UVM controls the conversation on its pages as much as it can and will turn off commenting for readers if they the conversation is not advantageous for them. It was noted when UVM did respond to posts that involved sexual assaults on campus that the

response for each comment was a “copy and paste” message that asked people to go to the website for more information. This information then was not easily found, but “hidden within links.” Additionally, the participant explained that UVM also pays Google for ads that would be at the top of the page when you Google “UVM,” and this hides potentially damaging stories for UVM. The participant described their frustration with how UVM will not address their role in rape culture:

[T]hey continuously post every day, but they will not make a public apology because making a public apology for their failure to protect students, future students, existing students and alumni is [...] showing that they did something wrong [...] Like you are just continuing on every day, pretending on social media, like this is the best university and there’s no issues [...] it’s all about their reputation. It’s all about their image and it’s all about money.

The participants also expressed the University brags on their website that there is an active student body, but when the protests about the University’s handling of sexual assault cases occurred, they tried to shut it down quickly.

Earlier, it was discussed under Athletics, that UVM attempted to address rape culture by posting on the men’s basketball team Instagram page. UVM posted that posting about sexual assault anonymously does not help to address the problem. This was in the same post that was congratulating the team that was being accused of harboring rapists by the anonymous posts. As discussed, commenting was shut down quickly, because commenters called UVM out for silencing victims and the student body when it came to rape culture.

4.2.3 Liability

Liability emerged early as a subtheme of public image. Three participants were acutely aware that UVM's choices were often based on limiting the university's liability in a situation that could tarnish their image. These findings have already illustrated some ways in which the university has worried about their public image, but this section focuses on an acute awareness and how it ties to the possibility of litigious issues that could cause UVM to lose money.

In later themes, I discuss the policy and procedures of the University in more detail, but participants believed that the creation and use of certain policies related to sexual assault investigations were partly designed to reduce the organization's liability. It was noted that the University's Title IX office was not victim friendly in sexual assault cases. The victim is not always priority because the liability or the risk of being sued most often falls with the suspect/respondent. In a sexual assault case, it has been traditionally the suspect/respondent that has brought litigation against the school. Actions that would be in support of the victim, such as moving the suspect/respondent out of a residential hall or classroom that they share with the victim happens infrequently. Generally, UVM asks the victim if they want to move, which helps to avoid litigation from the suspect/respondent since they would be moved without the full adjudication process occurring. This protects the university from a certain amount of litigation from the suspect, but it does not protect the victim. It has felt like UVM "morally stands with the respondent." One participant reported that there had been more and more cases where the suspect/respondent was found responsible of sexual misconduct through the

university's internal student discipline system, but then the suspect/respondent could challenge the finding and the school's attorney would overturn the findings or sanctions. The participant believed this occurred because the suspect/respondent would get an attorney themselves and UVM was protecting itself from litigation.

Rape culture education was noted as having a risk of litigious actions. It was noted that UVM would be worried about saying the wrong thing and worrying about the liability with that. This can prevent further education about rape culture on campus. It was noted there were "certain offices, certain departments [where] the focus is the fear of litigation. Specifically, around sexual misconduct cases, the respondent will often "lawyer up," which creates a litigious context to an internal UVM process, yet it is not being dealt with in the court systems.

One participant expressed that sexual assault prevention is just not a priority for the University because if they had to report 120 confirmed sexual assaults occurred on campus then people would not want to send their children to the school. Additionally, one participant explained rape culture is not something they need insurance for. So, it is not an easily defined problem UVM needs insurance for unlike if there was an active shooter on campus. An active shooter situation is clearly outlined as a danger and can be described with less liability to the university for their role in someone bringing a gun to campus.

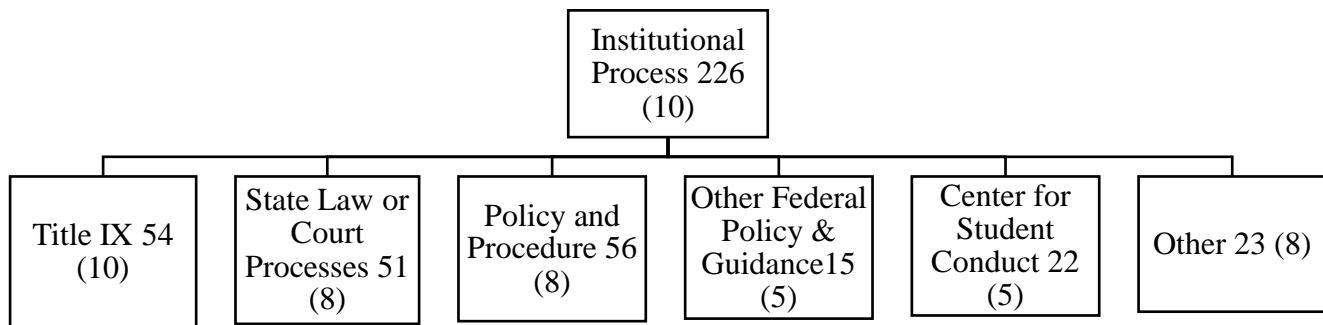
4.3 Institutional Processes

Respondents noted a variety of organizational pressures, both external and internal, to the University that were intertwined with their descriptions of rape culture.

Pressures from outside the organization tended to be regulative in nature and included specific references to federal or state law, or court actions. For example, the Federal law associated with Title IX is featured prominently by interviewees in their discussion of campus rape culture. Pressures from inside the organization were also regulative in nature, but typically internal policies, procedures and practices were identified. For example, at UVM there are a variety of departments whose policies and procedures are specifically designed to address sexually based violence on campus. These include offices like the Police or the Center for Student Conduct. The entities are at the center of having the ability to mitigate and promote rape culture. Data was coded into the broad theme of *Institutional Processes* when participants discussed the university departments or the various ways the departments handle sexual assaults and sexual misconduct. Figure 6 below shows the main theme of intuitional process and the subthemes generated from the interviews. The numbers within each box represent the number of unique codes and the number in the parathesis are the number of participants who mentioned each code. For example, across the interviews there were 54 unique references by all ten respondents for Title IX.

Figure 6

Institutional Process and Corresponding Subthemes



4.3.1 Title IX

The data in this subtheme references the Title IX Office, which is part of the Office of Affirmative Action and Equal Opportunity (AAEO). This office can conduct investigations related to Title IX offenses (discrimination, harassment, and sexual misconduct) and hold hearings to adjudicate the complaint. All the participants discussed Title IX in their interviews.

A participant reported that policy and operating procedures Title IX uses are based on guidelines developed by the Department of Education. Although much of the process Title IX cases follow is federally mandated or guidance gained from federal recommendation, participants reported Title IX investigations contribute to rape culture on campus in various ways. One way that this occurs is in reference to time, such as the time it took for an investigation to be conducted and concluded. Investigations were

reported to take “too long” to be resolved. This is important because, as noted in the public image section of this study, victims often needed to change their lives to feel safe while their case was being adjudicated through the school. This includes, but is not limited to, moving rooms because UVM will not force the suspect/respondent to move their room away from a victim while the investigation is underway. Thus, the victim has been isolated from their friends or roommates in order to feel safe from the person that victimized them. This leads to a victim’s perception that the university does not give appropriate support to them after being sexually assaulted. One of the participants, noting this was not always a hard rule, remembered there had been a Residential Assistant (RA) accused of a Title IX violation who was removed from the living community until it was resolved. This action appeared to be rare according to the participants. Even with the rarity of a suspect/respondent being moved, a Title IX investigation was discussed as being lengthy and often the victim felt uncertain of the timeline creating a dissonance for the victim between feeling supported and having their complaint investigated.

The process of a Title IX investigation and the hearings were likened to a criminal process for the courts. For a Title IX investigation, complainants need to prove they were victimized to the investigator. The suspect/respondent is allowed to get a criminal defense attorney to represent them in this non-criminal process. Most times, the victims do not have an attorney to help them through the process, although they would often have some type of advisor. Although the Title IX process has many similarities to a court process or a police investigation, the Title IX officers do not actually have investigative

powers. For example, they cannot subpoena records. This creates a dissonance between how the process is investigated and how it is adjudicated.

Another participant pointed out that the AAEO does not publish its clearance rate for cases. It is a “black box” when it comes to information, which the participant found “horrifying.” Police agencies would be able to give how many sexual assaults they investigate and how many are solved or prosecuted, but that level of transparency is not available for the Title IX process. This leaves Title IX as more of a mystery to all people on campus. It was noted that:

OSHA is doing a better job than the judicial system in Title IX at UVM because they can protect employees in a manufacturing facility, but yet we can’t protect our students from, you know, sexual assault or even assault crimes or violence or theft or larceny or anything like that.

Participants shared a frustration with the inability of UVM to protect students from sexual assault. Some of this was noted that it could be a lack of transparency by the university that leads people to believe this lack of ability.

The lack of transparency shares a relationship with the public image theme, as the university could have a vested interest in keeping their process, clearance rates, and timelines shrouded in some mystery. Participants ponder if this is just creating unequal access to education for victims at this point. The process of adjudication is long and prevents a victim from getting closure and moving on with their education.

4.3.2 State Law or Court Processes

The data for this subtheme were included if the participants were referring to police or any involvement in court processes. One participant brought up that victims are not often getting the benefit of the court system and it is harmful to victims. Brock Turner, who received a six-month sentence for raping an unconscious woman, had received a sentence that shocked the participants, but as noted previously, it has sent a message about who can commit crimes, specifically, White, young, male athletes. Participants felt that UVM was not immune to this as was addressed in the athletics section. Additionally, if the State's Attorney does not take a case, it can be further damaging to a victim. Sexual assault cases can be difficult to prove in court due to the nature of crime (typically only the victim and the perpetrator are present) or there may be additional, unclear factors such as when/how consent was given, intoxication, or what the victim knows or remembers. These factors sometimes lead the State's Attorney to not take the case. This is daunting and "trauma inducing events are going to occur when you start going down the criminal system" path.

All these factors make a court process daunting for a victim, but some participants also felt that if a victim does not come forward due to the daunting nature of the court process, then a predator remains in the community unchallenged. This is the risk, but the reality is victims would be entering into a system that does not have a lot of support for victims.

The Vermont court system and its operation were not topics that were discussed by many of the participants. The legal ramifications outside of UVM were secondary to

how people felt UVM was treating victims and suspects. Although noted in the rape culture section as being something that is systematic and exists outside of UVM, participants focused on how UVM as an organization promotes rape culture and how students and staff exist and function with in the organizationally promoted culture.

4.3.3 Policy and Procedure

Eight participants discussed policies that specifically address or promote rape culture at UVM. As discussed in the Title IX section, participants discussed the reality of time in terms of policy and procedures. UVM's processes for dealing with sexual misconduct does not feel timely to a victim as there can be large gaps of time in between steps of the process. This includes, as noted previously, policy around moving a suspect or suspending them, neither of these things happen until the entire process is over. In the meantime, the suspect could have assaulted other students in the time it took for the process to conclude. To victims, this can continue to cause trauma. The organizational processes in place can feel like an extension or recreation of rape culture.

There is a sense of rape culture being associated with vague adjudication processes. The reality facing victims, is how they must engage organizational sources of justice through a Title IX complaint, or local law enforcement complaints, or both as they work through the aftermath of an assault. Participants referred to the processes in thick and formal organizational languages. The processes convey seriousness, but in practice intertwine adjudication with bureaucracy, formality, and legality. These cold and confusing languages are belabored. Participants say taken together these extend the experience of rape culture.

Victims feel unsure of where to get help in the aftermath of a sexual assault. They need to consider if they seek police help, do they go to the administrators of the organization where they take classes or to some other entity. Seeking justice and clarity on their assault from organizations can be confusing. Also, it feels time sensitive, such as reporting quickly or getting a SANE (rape) kit done immediately, but also belabored...with hearings being scheduled, appeals being offered, time is wasted.

Another facet of sexual assault reporting at UVM that a participant noted was in reference to mandated reporting. UVM employees are identified as being mandatory reporters by policy. This is to ensure that if a victim reports a crime that is sexual in nature, the university would be alerted. The downside is the reporter determines the amount of information that will go in the report and if there is not much, then the suspect could continue to be a predator on campus.

4.3.4 Other Federal Policy/Guidance

As touched upon previously, much of the guidance used by the Title IX team is based on federal guidance. Data used in this subtheme relates to federal guidance specifically, rather than local or state law/policy. Five of the participants made it a point to reference that some of what happens in the Title IX office is dependent on the guidance provided by the Department of Education; if they mishandle the requirements, they could be fined. One participant noted that in the past, UVM had mishandled reporting sexual assaults, which caused the university to get fined.

The topic of federal guidelines has shown relationships in all the institutional processes that have been developed at UVM in response to sexual assault cases. They

have been a backbone for how the university proceeds on sexual misconduct cases. One participant advised that the guidance has been ever changing, but the guidance has made the university adjudication process get closer to a legal court level, without the same ability to investigate that goes into a court case. It was noted that the victim could address the respondent and the other way around, but the victim is often accompanied by a university advisor, while the respondent has an attorney (self-paid) that helps them address the situation and writes the appeal letters for them. The victim has felt disadvantaged by the way the system runs, but in the same vein, the respondent/suspect has a right to due process. It is a complicated problem that promotes rape culture.

4.3.5 Center for Student Conduct

This subtheme was developed from data collected that was specific to the sanctioning body at UVM, the Center for Student Conduct (CSC). Five participants mentioned the CSC twenty-two times during the interviews. The CSC comes into action at the end of the adjudication process. If the suspect/respondent is found “responsible” for sexual misconduct, CSC is the sanctioning entity on campus.

One respondent explained the role of the sanctioning panel at the CSC, regarding sexual misconduct, is to determine “how egregious or what mitigating or aggravating factors are there” then determine the appropriate sanction. The participant who had been a member of the sanctioning panel in the past explained that they often determined the person should be suspended for at least a semester and could return if they went to counseling and did some education on rape culture and sexual misconduct. The separation was to have the person demonstrate they have learned from the situation and to

“think about how [their] actions have negatively impacted someone else’s livelihood and their feeling of safety on campus.” Interestingly, this separation could happen to be the summer semester at times, a time when many students are not enrolled in classes.

A participant noted that although they felt the CSC’s process was “tight,” it may also contribute to rape culture because they would take a student’s word on if they had already completed some education or counseling. They did not ask for “references” proving a student did a certain amount of education or counseling to return to campus. Another participant explained that sanctions could be appealed by writing a letter to the school. The letters were often written by attorneys for the respondent/suspect. And as touched upon in the public image theme, the school would many times worry about being sued and the sanctions were overturned or changed. This was not because the case was poor, but the letter would point out UVM procedures that may not have been followed appropriately.

4.3.6 Other

Data that referenced UVM’s processes but did not discuss the main departments or areas noted above were developed into another subtheme. Participants noted in passing some of the other resources on campus that have been involved with sexual misconduct cases. One is residential life, as Residential Assistants (RAs) may be the first people to whom students disclose. This is challenging because Ras, who receive training on being a mandatory reporter, are also students placing them in a difficult peer-to-peer position. Students in the RA position are placed in a stressful position of being exposed to the trauma as well and then being pulled in multiple directions at times between being

mandated reporters, but also friends and people they supervise on the floor may not want them to report it. The victim had just wanted a friendly ear. This has proven to be stressful for both the RA and the victim and causes more harm than help at times.

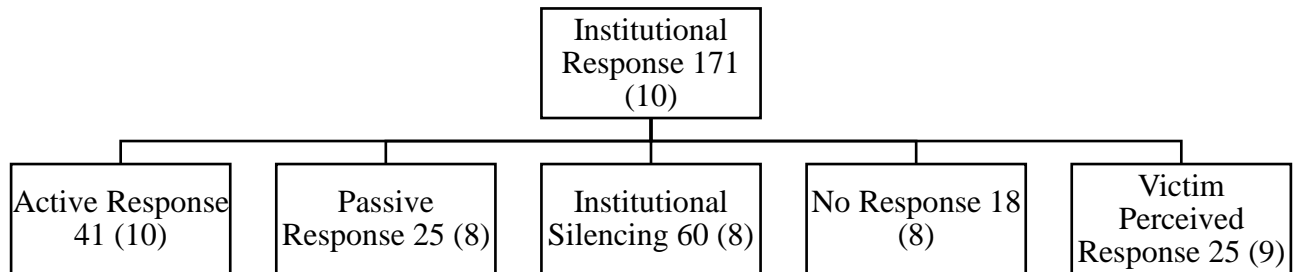
Secondly, there had been a dedicated victim's advocate located on campus (this is no longer the case and will be discussed in the next section). The participant expressed that the victim advocate that had been on campus was confidential, but at times had to defend the position to be confidential with the university. Currently, UVM has replaced the full-time victim's advocate with a contract with a Burlington based program called HOPE Works. They are providing certain hours and days of the week they are available for walk-in visits. They also have a 24/7 hotline victims can call.

4.4 Institutional Responses

The data collected in the theme of institutional response encompasses participants' responses that discussed how UVM dealt with issues surrounding rape culture or specifically sexual assault. All participants had data that was coded to this theme. As noted in the rape culture subtheme, most participants identified that UVM has a rape culture, but this characterizes organizational responses to rape. Figure 7 below represents the responses attributed to institutional response and its corresponding subthemes. The numbers within each box represent the number of unique codes and the number in the parenthesis are the number of participants who mentioned each code. For example, across the interviews there were 41 unique references by ten of the ten respondents for active response.

Figure 7

Institutional Response and Corresponding Subthemes



4.4.1 Active Response

This subtheme includes when participants noted UVM taking an active role in addressing, mitigating, or promoting rape culture. All participants had data that was coded to this subtheme. Participants were able to point to various times UVM fell short and in turn promoted a rape culture on campus. Participants were also able to discuss times UVM worked to mitigate rape culture with their responses.

Participants noted instances where UVM had a general disregard for victims or a misunderstanding of rape culture. This was often retraumatizing for victims. One participant discussed an issue that arose at their department on campus between two employees. One employee had been pursuing the other for a sexual relationship, but was rebuffed and it was made clear there would not be a relationship. The rebuffed employee then sent a photo of their genitalia to the other employee, which was reported to human resources and the Title IX process was started. The victim in this scenario was required to

continue to work with the perpetrator in a tight space where they were alone at times. The executive staff at the department asked the two to have a conversation so work could resume; the victim quit. The participant believed UVM placed their monetary needs over the needs of a victimized person on their campus. As noted in the big business theme, UVM was described as running like a business, placing money over addressing rape culture.

Moving students from the residence halls or class if they are accused of sexual misconduct has been addressed under previous themes. A participant explained that UVM can move swiftly if the suspect/respondent wants to move, it then would usually happen within hours. The hardship on the victim occurs if they did not want to move, then the victim had to make a decision to uproot their life and move or to live near the person they had identified as their abuser. Moving the victim then places more stress on how the perceived lack of timeliness of Title IX investigations creates an environment where the victim does not feel supported by the university.

Another participant discussed how police services would reach out to the victim if they had enough information to determine who a victim was. This would occur if the victim reported anonymously as well. If there was enough information, police officers were required to reach out and ask the victim if they wanted any resources or to report the crime. This brought up two thoughts for the participant. First, it is possible the police are creating more mental struggles or re-victimizing the person more by reaching out. Second, if they do not reach out, there could be failure to try to eradicate a predator on the campus. It was also noted that having a police department on campus helped to

mitigate rape culture because it gave students an option for legal routes for sexual violence if they chose to use them.

In addition to providing a police department, UVM has actively responded to students that brought up concerns in more public forums such as rallies or protests. UVM recently responded to a list of demands from student protesters. The student protesters were telling UVM that they did not feel like the institution protected them from sexual assault. In response, UVM created a new position, Sexual Violence Prevention and Education Coordinator. This position is supposed to coordinate “prevention and education efforts related to sexual and gender-based violence.” Participants noted this was a step to help with rape culture, but it is one position to tackle the systemic issue of rape culture. UVM also responded to the demands for more victim advocates, but, prior to UVM responding to this demand, they removed the full-time victim’s advocate that had been on campus. Many participants in the study were surprised to learn the victim’s advocate was no longer there, which spoke to the lack of communication in the campus community that the resource was no longer there or at least had changed. UVM eventually replaced the campus-based victim’s advocate with an outside advocacy agency in Burlington, Vermont that holds office hours at UVM on Monday through Wednesday and two weekend days a month.

Another resource that had been offered in the past was the Rape Aggression Defense System (RAD), but it has not been utilized in a few years. This course was designed to empower women and teach defense skills. The participant that discussed the RAD course said it was nice to have the course, but it needed to be updated as it was

“putting too much on women.” It had reminded women to hold their keys a certain way, lock your door and provided general safety advice about how woman could protect themselves.

4.4.2 Passive Response

Data was placed in this subtheme if the responses indicated UVM’s response was passive rather than active as noted in the previous theme. UVM leadership was noted as having a more passive stance on addressing rape culture. Specifically, President Suresh Garimella was identified as being more passive in his response to rape culture on campus and at times was described as “shying away” from the issues. One participant felt the President avoided any discussion of rape culture or the campus climate outside of academics. This approach of shying away allows rape culture to continue to flourish and can be retraumatizing to victims. Another participant explained rape culture was identified as being a systemic issue and UVM is a system operating within rape culture. So, when UVM is not responding actively to counteract rape culture, it is passively allowing it to exist at UVM.

Previously, participants discussed that male power was a factor in rape culture. Particularly, it was noted that UVM employs many men in positions of power, which also allows rape culture to continue in a more passive way. Rape culture has roots in patriarchy and placing more men in positions of power has not worked to change the culture. Women students are also given advice that recognizes they are targets of sexual crime on campus, such as “don’t walk alone at night,” use a safety escort, and know where the blue lights are located. This seems like sounds advice, but if rape culture were

addressed on campus, this advice would not be needed. It was expressed that the same advice is not given to men because they are not victims, at the same rate as women, of sexual violence. One participant explained UVM promoted a rape culture because the focus on how women can keep themselves safe rather than UVM saying, “here’s how you make sure you’re not engaging or intentionally or unintentionally engaging in sexual misconduct and sexual violence.”

One participant believed that rape culture was not addressed in a proactive way. In fact, it was said that there are incentives for UVM to maintain status quo. If UVM were to engage in reducing the rape culture more actively, they would have to admit publicly that they have a rape culture issue. This then speaks to the issues noted in Public Image, UVM does not want to tarnish their image and be known as the school with a rape problem.

4.4.3 Institutional Silencing

Data was coded to this theme when participants noted actions or lack of action that created a sense of silencing victims or ignoring rape culture/victims of sexual assault. Eight of the participants’ reported data was coded into Institutional Silencing. Participants believed rape culture’s existence at UVM is known to the organization of UVM, but the institution is dismissive of its existence publicly. It is something pervasive and ingrained in the organization, but they do not try to control it because it would mean that they would be publicly admitting having a rape culture problem. As noted in previous sections, most notably Public Image, UVM has a reputation that draws students to the schools. Part of that reputation is being a safe community in which to live and

receive an education. It is easier for UVM to ignore the culture and address individual cases of sexual assault as they come.

One participant, when asked if rape culture could be ongoing at UVM because of a cultural forgetting, since the student body changeover every four years, explained that there is no forgetting because there is continuing harm. The participant said there is silencing of victims over and over, but the harm continues each year. The participant has also reported the knowledge of non-disclosure agreements being utilized by UVM in relation to gender-based issues. For this research, I was asked to not discuss them further to protect those that may have one. The existence of non-disclosure agreements means there is something hidden from the public's eye surrounding rape culture. People are being literally silenced by the university. There was no information given about the agreements to protect those that may have received them.

Participants noted that victims feel silenced by the university in favor of student athletes and university profits. Victims that the participants knew of felt UVM protects abusers under the guise of they have the same rights as the victims themselves. The abuser is protected over the victim of the crime, which leaves the victim vulnerable and traumatized. In this vein, a participant explained that donors to the university were often involved in fraternities or sports and to abolish Greek Life or dismiss star athletes would cut into the school's profits and tarnish the image. Previous themes including Athletics, Greek Life, and Public Image have all discussed this in greater detail, which shows there is a relationship between the themes explored in this study and how the university silences victims.

Recently, participants noted that UVM has been accused of sweeping sexual assaults under the rug for some of its male athletes. The UVM Athletics “response is basically [...] that it’s not happening.” As expressed previously, UVM’s basketball team even went as far as posting on their Instagram page a message that congratulated them on their title win, but added a message about sexual assault. Athletics was dismissing victims that were making sexual misconduct by the team members public. After posting and getting a large negative reaction, the Instagram post turned off the comments in a very public way of silencing those that were speaking out against the post and what it stood for.

In reading through the responses from participants, institutional silencing has been a factor in most of the themes presented. Each theme has built upon the other to show ways that UVM has taken steps to ignore rape culture to silence victims. Most participants agreed this silencing is done in the interest of big business practices. A participant explained they believed UVM creates a “wall of silence” when they refuse to openly discuss the rape culture that exists on campus.

4.4.4 No Response

Data that was coded to this subtheme when it was noted the university did not respond to issues around rape culture but did not amount to “silencing” for the purposes of this study. Eight participants discussed in some fashion times when the university did not have a response to rape culture.

One participant was discussing that rape culture is just not addressed. They expressed it may not be being addressed because it is buried under other acute problems,

such as the “15 million suicide ideations and depressions and alcohol and RAs and RCs.” The participant was suggesting that there could be an intention to address rape culture, but these issues are more acute and often take priority. Whereas other participants had noted that the university is just “not responding” to rape culture and made a choice and the choice is “inaction.” Additionally, the acute issues that the participants noted have also been identified as some underlying or exacerbating causes to rape culture.

An additional issue that a participant believed the university did not have a response to was rape culture and the sexual assaults that define it that have occurred off campus. As noted in *Drinking Culture*, UVM seems to not include what is happening off-campus in how they respond to issues that plague the students. Once students move off campus and a sexual assault happens to them there, the university has little to no involvement.

4.4.5 Victim Perceived Responses

This code captured when participants noted how victims of sexual assault/rape culture may have felt about UVM’s response. Nine participants had data that was coded into this subtheme. Some of the responses have been touched on, most notably, the lack of removal of a suspect being investigated by Title IX from the residential hall if their victim lives there too. This was seen as traumatizing for the victim, but it could also feel as though the university stands with the suspect rather than with the victim.

The intersection of race and rape culture was discussed in reference to how people of color may not even attempt to report sexual violence. It was noted that the trust between the university and people of color has not been established where they believe

they would feel comfortable coming forward with allegations of sexual assault. This intersection of race and rape culture was noted earlier when discussing Athletics; it was believed the outcome of sexual assault cases would be far more damning for an athlete of color.

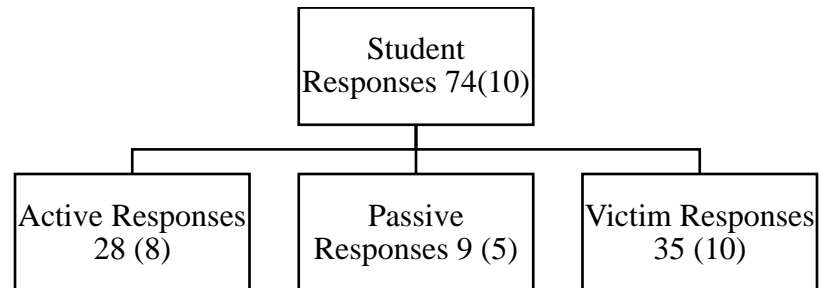
One of the participants painted a picture of the university's response to sexual assault. Their belief was "no one is gonna help you." They believed the system within and outside of UVM was not victim-centered and did not provide help for victims in the end. Another participant pointed out that rape culture is so ingrained in the fabric of UVM that victims will sometimes not want to make formal complaints about sexual assault because they fear they will ruin their abuser's life. Victims can feel responsible for the outcome of the abuser's choices to hurt them.

4.5 Student Responses

Student responses was a theme created to represent how or if the students had responded to rape culture. Although not all the participants in the study were students, all the people interviewed have worked with the students at UVM. All participants had data coded into this theme with a total of 74 codes. Figure 8 below represents the responses attributed to student responses to rape culture and its corresponding subthemes. The numbers within each box represent the number of unique codes and the number in the parenthesis are the number of participants who mentioned each code. For example, across the interviews there were 28 unique references by eight of the ten respondents for active responses.

Figure 8

Student Responses and Corresponding Subthemes



4.5.1 Active Response

Data that were coded into the subtheme of active response included how students have been actively involved in addressing rape culture, for example, protests. Eight participants had responses that were coded into this section.

As discussed in previous sections and most notably referred to in the section UVM Under Fire, the participants explained that in the past few years there have been student-led protests that have demanded UVM address how they deal with rape culture on campus. The students had sent a list of demands to university officials and asked for change. One participant explained one of the demands was for a more diverse population of victim's advocates and a support group. UVM responded to the demands and initiated a contract with HOPE Works, a Burlington-based advocacy group, to increase access to advocates. UVM also has created a safe space for students to go to.

Students have yet to be completely satisfied with the response. As noted in previously in the Athletics and Public Image section, students have also been vocal on

social media and with graffiti around campus, about their displeasure with the rape culture on campus. The Instagram page @shareyourstoriesuvm has gained attention and staff members that I spoke to knew about the page. It was seen as an extension of the work of the protests. The graffiti referred to previously that plastered “UVM doesn’t believe victims” across campus was another form of active response from the students. It was also a “reckoning in the public eye [...] people are being held accountable more publicly.”

The protests were reported by most of the participants because it brought to light that students were noticing there is a rape culture, they have been victims of it, and felt the university was not providing a safe environment nor doing enough to fix the environment. Students were demanding change. One participant reported some changes on more intimate levels of the university. This participant explained that he was part of a fraternity that had five known instances of sexual assault within their ranks. He said five people committing sexual assault out of 25 raised the question of how they could do better. As a brotherhood, they created new guidelines in their bylaws and constitution that would help mitigate sexual violence by their brothers. The participant said they looked to what other universities and college fraternities were doing to address rape culture, because as they worked on the new guidelines, they realized there was not a template language easily accessible to help them. He said they tried to find what was legal, what the guidance was for what to do and what not to do, but overall, they saw the problem of rape culture in their fraternity and took steps to try to address it.

Looking back the section on Big Business, it was discussed that UVM runs like a big business and money is a major factor in big business. One participant noted that students can take advantage of this big business model in ways. Particularly, they can demand more for their money. Students are paying for an education, but are demanding more from their education and their experience of the campus. The protests reported above were ways students were demanding more for their money. Students incur large amounts of debt to get an education and want to feel safe in the environment they are in. The participant explained this is a recent shift in the students' thoughts. Students are figuring out how to use their voices to demand more from the university.

4.5.2 Passive Response

This theme included codes that allowed students to remain silent in the face of rape culture. Much of the focus of how students have responded to rape culture was focused on those active voices, but passive responses were linked to the promotion of rape culture too. Five participants had data coded into this subtheme. With only five codes in this subtheme, it was one of the less noted areas of response to rape culture. Although there were few codes, this section holds an interesting take on the passivity of rape culture.

One participant noted that “trigger warnings” are something utilized so people can determine if they want to enter the conversation or even trainings being offered. This allows people the choice to engage in a conversation about sexual violence or rape culture. It is a way of being sensitive to victims, but it also creates a way for the discussion of change to be avoided. A participant expressed that, for them, trigger

warnings extend to how they as a staff member, attempt to be perceived by those that have been victims of sexual assault. The participant reflected that they are very conscious of their voice level, body language, or even how close they are walking to someone. The participant advised these differences in how they present to other were consciously done for the benefit of the person they are speaking with and allows that person to disengage easier if desired.

Another participant explained that all change is not active. Some change with the students is done through “whisper networks.” This is when the students talk to each other and pass along information of someone being a predator in the community. It is not information that is blasted across social media or said over a loudspeaker. It is more silent, but very salient for those that hear it because it is passed person to person.

4.5.3 Victim Response

This code includes responses from victims of sexual assault. All participants had data coded to this subtheme. Some of these responses have been touched upon because the relationship between many of these themes are strong.

Victims of sexual violence can feel like they did something wrong and that is why they were assaulted. As noted in *Drinking Culture*, alcohol is tied to risky sexual behavior by the participants. It was noted that sometimes the victim feels they created the situation or are at fault because they were intoxicated when the sexual violence occurred. Women were noted as second guessing the situation after the fact, and the systems in place to help them are “putting so much pressure on to the victim” that they start to wonder “maybe I’m the one that made the mistake or interpreted it wrong [...] I’m the backwards one in

this situation. I can't ruin somebody's life over this even though that person potentially could have been in the wrong."

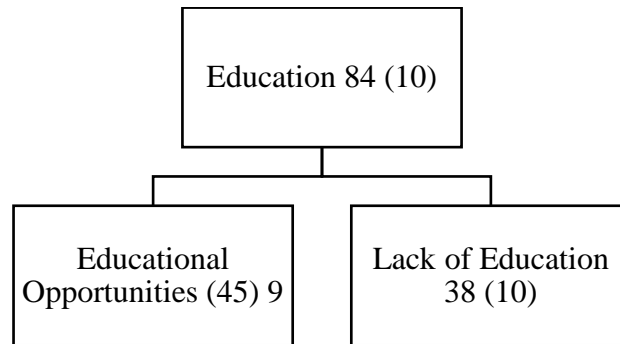
The choice to report a sexual assault is difficult for victims and sometimes they report the sexual violence, not to go forward with charges, but to "process it." Often victims of sexual violence do not want police involvement. This is for various reasons that can include lack of trust with the police or the legal system in general, their own perceived sense of guilt over what occurred, a sense of guilt of getting the other person in trouble, or the fear of meeting their abuser again. The sense of shame and guilt was brought up by participants and documented as why some of them feel that sexual assault is under reported. One participant said that "50% to 75% of all [their] friends have been raped or sexually assaulted at UVM." Very few of them ever reported the assault to UVM. The idea of reporting a sexual crime is daunting.

4.6 Education

Education relative to rape culture was a theme created to represent how rape culture was addressed or not addressed on an educational level, such as incoming freshman seminars or ongoing education. All participants had data coded into this theme with a total of 87 codes. Figure 9 below represents the responses attributed to education and its corresponding subthemes. The numbers within each box represent the number of unique codes and the number in the parenthesis are the number of participants who mentioned each code. For example, across the interviews there were 45 unique references by nine of the ten respondents for educational opportunities.

Figure 9

Education and Corresponding Subthemes



4.6.1 Educational Opportunities

Nine participants reported data that was coded into educational opportunities. This subtheme focused on specific references to types of education offered or available about rape culture, which included consent, laws/policies, and relationships.

Participants reported a general knowledge that education about rape culture occurs on campus, but many were unsure of what it exactly consists of. What they did state was they knew there was a training for incoming freshman and believed that at least consent and healthy relationships were discussed during freshman orientation. One participant explained that residential life has a half-day presentation during the week of welcome that would cover campus culture, campus climate, Title IX, sexual assault, and sexual misconduct. RAs also received additional training on what it means to be a mandatory reporter and are taught what to look out for in terms of sexual misconduct.

One participant also thought that Police Services, the Center for Student Conduct, and Title IX have presentations for FSL. These trainings occur at the request of FSL, sometimes proactively, but other times they are requested due to an incident of sexual

misconduct. It was also believed that FSL members were required to have one session during their time with FSL that discussed the topic of rape culture. Most of this education is front loaded and is less existent as time goes on in a student's time at the university.

Training regarding rape culture was noted to be limited to how to navigate the systems and what to do if sexual assault is reported. This contrasts how the students are being taught to stay safe and safeguards to put in place. It was noted that students should not need safeguards; people should be taught how not to rape. Continued education was noted as being available at times. As noted previously, the Rape Aggression Defense (RAD) course was offered yearly, but also focuses on placing safeguards up and how to react if being sexually assaulted. This course did not teach more of the nuanced, drunk sexual encounter that turned into an assault. One participant noted it felt more like UVM was ticking a box rather than giving training that would change the culture. Some of other trainings that check a box include alcohol 101, bystander intervention, and education on consent. One participant recalled the education around consent and said the students took it as a joke. It was a piece that compared consent to offering someone tea – if they did not want tea then do not give them tea. The participant said it did not hit the mark for what students needed to know about consent.

Opinions differed regarding if the education available was helpful. Some felt the education was a joke and ticked off boxes rather than being meaningful. Interestingly, one of the participants that has been a part of the trainings for students for a year believed that the educational interventions over the past ten years had “really worked to try to do some of that changing of hearts and minds.” Another participant believed some of the

training was antiquated and focused too much on how women needed to adjust to stay safe and less on how men should take ownership of rape culture and their place in it.

4.6.2 Lack of Education

It was clear that UVM has provided education around different aspects of rape culture, as just noted in Educational Opportunities, but it was also described as lacking or not enough. In many of the sections, it was clear the UVM's process for sexual misconduct takes time and effort on the part of the university, but the long timeline involved in adjudicating these cases caused victims stress and a general feeling that the university does not care or support victims. Participants thought this area was lacking in education. It was believed that UVM needs to do a better job educating students on the process. "[F]or survivors, it looks like UVM promotes rape culture because they don't know that all the policies and procedures that are in place."

It was reported that there are many ongoing education opportunities around rape culture throughout the year, but they are not known all the time. A participant expressed that if UVM was able to advertise the offerings in a more successful way, more students would have opportunities for education. The education that is available can sometimes "shy away from going as deep as we could or should." This was noted to occur because other things that feel more acute take the place of addressing pieces that would contribute to a rape culture in an educational way.

It was brought up that the national statistic for rape culture was that every one in four women are sexually assaulted. Even with this statistic known, a culture that allows sexual assault to continue is not being addressed fully "because we're not having those

conversations or education.” It was noted that one way to address rape culture and the normalization of it is to directly tackle it with better education. This would be targeting the demographic of the people that commit these crimes. Currently, much of the education can focus on women keeping themselves safe rather than addressing the men that may commit the crimes and add to rape culture. One of the problems is that the deeper education opportunities may only get to 2,000 students and when the student body consists of 11,000 students, the education is not pushing the change needed.

4.7 Intersection of Themes

Although intersections between themes and codes were discussed in many of the above noted sections, a matrix coding query was also conducted within Nvivo. The most profound intersections of themes were when each theme was queried with public image. Public image was a powerful theme that seemed to be at the heart of most of the themes. This suggests that rape culture thrives, in part, because UVM has focused on their *public image* and *big business* persona rather than ways to address rape culture. The two most noteworthy intersections with public image were the intersection of niche culture and public image and the intersection of institutional response and public image.

4.7.1 Niche Culture and Public Image

Recall that niche cultures include drinking culture, hook up culture, Greek life, and athletics. When intersected, the themes overlapped several times. Participants had identified these niche cultures as areas where rape culture is promulgated. It was apparent participants believed these niche cultures are not eliminated or addressed because addressing it would hurt the university’s public image. Participants noted that UVM

strives for a positive public image, but at the cost of eliminating factors on campus that foster a rape culture. Niche cultures such as Greek life or athletics were identified are not being addressed by the university in ways that deter rape culture. As expressed earlier, addressing rape culture in these entities could hurt the financial benefits of having them on campus or may hurt the public image of UVM. Participants advised that UVM avoids discussing negative attributes of their campus. As one participant noted, “it’s not like you see headlines for [...] a UVM student was raped over the weekend.” UVM has a “reluctance to very overtly and publicly tackle” rape culture. It was noted that if they did publicly address rape culture, UVM would lose business initially. UVM wants to avoid being known as the *rape school*. It was also noted that effectively addressing niche cultures could include eliminating them, such as removing Greek life from UVM. This could cost the university money in donations from alumni and hurt the big business aspect of running a university.

4.7.2 Institutional Response and Public Image

Participants felt that how UVM publicly responds or lack thereof were chosen because of how it would affect their public image or where there was the most liability to the university. This is in contrast with a public response that would address rape culture. It was noted by one participant that UVM does not morally stand with the victim but rather the organization reacts based on who may be more likely to sue them. Participants also referenced public image when talking about Title IX investigations. During the period after a Title IX investigation has commenced, a participant noted that the victim has to take on the burden of keeping themselves safe – by moving rooms, classrooms or

paths of travel. This was said to be in part because the suspect or respondent is the one that is more likely to sue the school if they felt like due process was not done. In these two examples participants argued that the University's protection of itself, which is related to its image protection, was perceived to be more important than a concern for victims. Taken together the participants argued that this pattern elevates rape culture.

It was noted that the school does not want to be known as a rape college. It was thought that if UVM openly admitted to having a rape culture on campus, UVM would lose enrollment initially and therefore lose money. Participants believed that UVM was run like a big business, and in such they would chose not to address rape culture openly. Instead UVM has addressed the rape culture by putting in the mandatory requirement of a Title IX coordinator and recently hired a new position to bring education to the campus, but participants did not note that UVM attempted much more than those aspects to deal with rape culture.

One of UVM's responses to rape culture was actually the silencing of victims. The most extreme example of that was the men's basketball post that told victims not to report anonymously on social media. Participants thought this was an attempt to stop students from calling UVM and their abusers out, but it enraged survivors and created the perception that UVM was more focused on saving face or liability issues.

4.8 Summary

Using ATA, the data was analyzed, and six themes emerged: Institutional Responses, Institutional Processes, Public Image, Student Responses, Education, and Niche Cultures. These each described ways that rape culture has existed and persisted at

UVM. Some of the areas, such as niche cultures, discuss interpersonal interactions between students, but these along with the other themes show that UVM has a rape culture, and the organization supports in in these ways. The themes touch on UVM's lack of action as a reason rape culture is supported, but it also shows ways UVM actively supports rape culture.

CHAPTER V: DISCUSSION AND LIMITATIONS

The purpose of this research was to explore how organizational conditions at the University of Vermont contribute to rape culture. To understand this issue, I used a qualitative case study design with UVM as the study site. The study used critical feminist theory as its epistemological lens. This lens rooted the study in the understanding this research exists in a world where there is gender inequality that can be dangerous for women. This research started with the understanding that rape culture exists, and it exists on UVM's campus. The data collected was from ten interviews conducted with former or current staff or students. This data was then analyzed using applied thematic analysis. During the analysis, six main themes emerged: education, niche culture, institutional responses, institutional processes, student responses, and public image. These themes shed light on how rape culture is promoted at UVM. Specifically, the data collected helped to explore the research questions:

- How do UVM students and staff describe and understand the role of the University as supportive of rape culture?
- What organizational factors support and influence the continuance and support of a rape culture?
- Is there a cultural *forgetting* at UVM that lends to the persistence of a rape culture?

In this chapter, I discuss the major findings of the six themes developed in the analysis as they relate to these three questions as well as limitations of the study and implications for future research.

5.1 Discussion

This dissertation opened with a passage from the affidavit charging 2006 in the murder of Michelle Gardner-Quinn. She had been sexually assaulted, murdered, and her remains left in a quarry to be found by a search team. Her death paints a picture of what rape culture can lead to at an extreme, though this scenario plays out to a lesser degree much more commonly. This opening was used this to startle the reader into understanding that sexual violence is ingrained in the fabric of our everyday lives; a harsh reminder to the reader why this study is important. Rape culture is damaging in so many ways. Sexual assault that leads to murder are crimes that persist. For this study, it was assumed that rape culture existed on campus and this research would investigate how organizational conditions at the university reinforce and promote rape culture on campus. My inquiry relied on the notion that rape culture exists both in general and specifically at UVM. This study also relied on the assumption that if rape culture exists at UVM, the organization itself must be supporting rape culture in some way.

The first research question asks how UVM students and staff describe and understand organizational supports for rape culture. Through the interviews conducted for this study, it was understood that each participant also believed there was a rape culture on campus, and each were able to discuss very specific ways how the university allows a rape culture to continue to fester on campus. Most participants defined rape culture in similar ways, and a general understanding of rape culture was developed from the research - beliefs or attitudes that allow sexual harm to be hidden, accepted, tolerated, or cause harm. All the participants were able to identify what rape culture was and

identify the role it played at UVM. Importantly, participants found there was an expectation of what the college experience was, and this expectation of the college experience was tied to rape culture. These expectations were found to be tied to various niche cultures on campus. These niche cultures were identified as hook-up culture, Greek Life (FSL at UVM), Drinking Culture, and Athletics.

Participants in the study elaborated on the college experience by discussing rape culture in the context of sub-cultures of hooking up, going to parties, and making mistakes. By mistakes, participants expressed that sexual assault would fall under the label of mistake. Drinking culture was tied to many of the other niche cultures. Going to fraternity parties and drinking was recognized by all the participants as a common and expected thing to do as a college student. The detrimental part of this expectation was that fraternities were understood to be enclaves where men pursued a rape culture and often showed their worth through sexual conquests. These sexual exploits were more likely to happen when drinking culture was also added. What was significant in the discussion of drinking with Fraternity and Sorority Life (FSL), alcohol and drugs were identified as ways to create a situation where women could be victimized. This was closely tied to hook-up culture in the discussion with participants. It was reported that there is a general sense of casual sexual relationships on campus, but with the addition of a party atmosphere at places like fraternities and drinking culture, hooking up becomes less about a decision to have casual sex, but rather a path to victimization.

Participants strongly associated university athletics with rape culture. This niche culture was described in some of the same ways as fraternity culture, but also had the

interesting component of how the university is believed to shelter athletes from consequences, which speaks to the second research question. The study's second research question sought to understand what organizational factors support and influence the continuance of rape culture. Part of these factors are the niche cultures that the organization is comprised of such as the basketball team or fraternities. These entities were identified by participants as cultures that have supported rape culture in negative ways. Participants noted that rape culture can survive in these niches because UVM shelters them to support their business interests. Participants identified that UVM's public image was at the core why and how UVM supports rape culture. Athletics was identified as a high-profile area of university life, but one that has been associated with rape culture on campus. Currently, there are multiple accusations and a court case involving the UVM men's basketball team in respect to sexual assault. It was reported in the interviews, that UVM has a vested interest financially to reduce the culpability of the athletics staff and players in sexual assault cases. Athletics, like fraternities, bring in money either from the public or alumni. The possibility of either type of organization being tarnished has the possibility to cut into UVM profit. Therefore, participants in the study explained UVM has tried to brush accusations of sexual assault under the rug in favor of their public image and monetary interests.

When speaking of public image, participants also noted that UVM does not challenge a rape culture because it would be identifying itself as having a rape problem. It was believed that if UVM did tackle the problem head-on, they may lose enrollment because parents would not want to send their child to a school known for their rape

culture. One participant discussed the university's use of social media as a way for rape culture to persist. It was reported that UVM used the practice of purchasing search engine results that preference the desire of the institution to be seen in a good light. This ultimately makes the stories of sexual assault at UVM harder to find and not generally discoverable if they are not being sought out specifically. Also, UVM athletics had used social media at one point to discuss men's basketball champion status and to explain that anonymous posts about sexual assault was not helpful. Participants reported that this post had an effect on supporting a rape culture and silencing victims.

Finally, when speaking about public image, it was clear that participants also found that the university engages in actions that are supportive to rape culture to avoid liability. This was closely tied with the findings of Institutional Process and Institutional Responses. UVM is guided by federal and UVM specific policies, which play into rape culture. As reported, UVM's Title IX Office through the AAEO, is the office that handles sexual misconduct cases, and they follow federal Title IX guidance for investigations. It was noted that a contributing factor to rape culture at UVM was the lengthy time it took for investigations to be resolved. Together with the length of time, is the options for the victim and the university as the investigation is ongoing. The interviews revealed that during this lengthy time, there is little the university can or will do to facilitate protections to the victims. These would have included moving the suspect out of the residential hall if they share a location with the victim or find other ways the suspect could attend a class, so they were not in the same classroom, but participants noted the burden of removing themselves falls to the person already victimized. This gives the

impression that UVM is siding with the suspect in these cases. The interviews revealed that the participants believed that the university does this to avoid liability, as a suspect can sue the university since the university is acting on an accusation, they had not resolved yet or found the person responsible for.

Additionally, the Title IX investigations and clearance rate was described as a “black box.” The general population of UVM is unclear how many sexual assaults are reported and how they had been adjudicated. There is a mechanism in the university that mandates certain employees on campus to report sexual assaults, but this does not ensure there will be enough information to identify a predator on the campus. The lack of information coming from the Title IX office was seen as supporting a rape culture on campus, as transparency would help students feel more supported by the process and create a trust with UVM that is reportedly not there currently. The president himself, was described as having a blind eye to the problem of rape culture.

An interesting finding in the research was that, although the state legal process was brought up, it was not identified by most participants as playing into rape culture on campus. It was noted that the supports in the legal system reflected much of what UVM offers and how UVM operates. The legal system was described as a daunting and lengthy process, longer than that the university system offers. This may be a factor in the choice many victims make in trying to rely on the university system to process their assault.

The Center for Student Conduct (CSC) was described as the end result of a Title IX investigation and determine the repercussions in a sexual assault case. CSC was identified as being able to suspend students for misconduct and giving the criteria for

return to the campus. These criteria often included education and therapy, but none of this would be verified prior to the persons return to campus. This meant there has been opportunities for predators to return to the campus without any rehabilitation. CSC was also connected by participants as a factor that adjudicated students for drinking alcohol underage, which was noted to be connected to rape culture. The interviews revealed that CSC, although dealing with the drinking culture on campus, had also reported difficulty with their capacity to adjudicate these cases. As noted with the fake IDs, CSC had asked police to discontinue their work in this area because they could not process the number of students attempting to gain access to alcohol. The participant explained that if alcohol is a factor in sexual assaults, then CSC's unwillingness to adjudicate fake ID cases leaves openings for rape culture to persist.

Participants also noted other supports on campus such as the Residential Assistants (RA) and the campus victim's advocate, but found that they were lacking in what they could provide to reduce rape culture on campus. The RA staff are students, which places a lot of responsibility on student employees when discussing rape culture. RAs were explained to be pulled in multiple directions and their role as mandatory reporter is a stressful one. Often the people reporting to them are friends and they may ask the RA staff member would be asked not to report what they were told. The student then must decide between honoring their friendship or their obligation as a mandatory reporter. UVM, in addition to the RA staff, had a victim's advocate on campus that students could access. This full-time employee has since left the university, but a local agency, HOPES Works, took over the advocacy for the university. Although this was

seen as helpful, the interviews revealed that an agency that is not based on campus is less helpful to victims than a campus based, full-time employee.

Amongst these various institutional processes and the departments or legal guidance that backs them, there are the responses from these processes that were identified by participants. When discussing active responses from the university in regard to rape culture, the research can point to the earlier noted process of Center for Student Conduct not being able to handle the amount of alcohol being bought (or attempt to be bought) by UVM students, the lack of response by UVM available to victims while a Title IX investigation is ongoing, and the big business response to rape culture. A notable passive response by the university was also noted in the form of the president shying away from the issues and how women students are educated in ways to protect themselves. Participants reported that the passive response to rape culture is entrenched in the university's need to keep a public image that does not paint them as a rape school.

A profound finding was that of institutional silencing. Institutional silencing was identified as actions or lack of action that created a sense of *silencing* victims or ignoring rape culture/victims of sexual assault. Among the most poignant of silencing was a recent example of the University of Vermont protecting an athletic team from public controversy surrounding sexual violence. In February 2022, UVM posted on the official UVM Instagram page, a congratulation to the UVM Men's Basketball team them on their new title, but within the same post told readers that anonymous posts about sexual assault were not helpful. Below, in Figure 10, is a screen shot from the Instagram page. It has since been deleted.

Figure 10

2022 UVM Men's Basketball Instagram Post



Note. Appeared in D'Auria (2022) article.

This response was tied to the niche culture of athletics, but it is also a statement about how the university wanted sexual assault to be handled. Participants in this study described that posting as a way of quieting or silencing victims of sexual assault. The post conveyed a distaste for open discussion about the issues. One participant called it a “wall of silence.” This wall of silence resonated with many people, as the Instagram post was flooded with people commenting about the insensitive and silencing nature of the post. Smith and Freyd (2013) explained that trauma from a trusted and depended upon relationship such as that of student and university, can be as damaging as the original

assault. This post silenced victims and also may have caused trauma to some students at UVM.

The theme of institutional silencing also was closely related to the theme of no-response, as participants believed UVM does not prioritize rape culture to the point where they actively work to annihilate it on their campus. One participant explained there are so many other acute issues, such as suicidal ideation and alcohol use that addressing rape culture does not take priority. An interesting example of the lack of priority rape culture takes at UVM and that also shows a willingness to ignore issues that contribute to sexual assault, was the highlighted story of the UVM employees reporting that drinking drops off when the students enter their junior and senior year, when in fact it they just did not access any statistics to show them how much juniors and seniors are drinking once they move off campus. This example shows a willingness to ignore issues that could have contributing factors to rape culture. This speaks to how victims perceive the responses by the university. Participants expressed that the university and the Title IX investigation process leaves victims feeling not supported by UVM. The length of the process, the lack of communication and staying safe is placed on the victim's shoulders has left participants noting UVM is not entirely victim friendly.

Students at UVM, as noted, have spoken out against the university's lack of proactive moves regarding rape culture. Students have taken to social media and to the university green the past couple of years to speak out the treatment of victims and how the university has sheltered rapists. The results of the interviews found that social media accounts such as @sahreyourstoriesuvm have been impactful among the students and

show that many women have been victimized at UVM. These accounts and protests were identified as impactful and eye-opening, but some students were noted to deal with rape culture in more passive ways, which included utilizing trigger warnings to help victims or the use of “whisper networks,” which describe women speaking to each other to notify each other of potential predators in the community.

An interesting area of rape culture was found in the data, which was education. The study participants were able to identify a lack of education as a factor in promoting rape culture. Participants reported a lack of knowledge of the Title IX process and believed victims were unaware of the process. In addition to understanding the investigative knowledge, it was reported there as a general lack of education about rape culture, consent and sexual assault. It was noted there was an initial introduction to it when coming to UVM or joining a fraternity or sports team, but beyond that the education was extremely limited.

My final research question had asked if there was a cultural “forgetting” at UVM that lends to the persistence of rape culture. I had entered the study believing there probably was a degree of forgetting since the entire student population turns over every four years. The interviews instead pointed that the cultural forgetting was not likely, as students have access to social media and rape culture is being called out regularly. The access to social media, newspapers and observing the student protests has been a factor in keeping rape culture in the minds of students.

5.2 Interpretation of the Findings

This study had an understanding that rape culture existed on college campuses. With statistics ranging from one in four women during their college career are sexually assaulted (Richards, 2018) to understanding that up to one in seven of these women experience sexual violence within the first year of college (Carey, et al, 2015). The impact of rape culture is significant. The study made it clear that rape culture exists at UVM and there are organizational supports that allow rape culture to thrive at UVM. Six main themes were identified in the interview data: education, niche culture, institutional responses, institutional processes, student responses, and public image. Although, there are organizational supports for rape culture, I do not think that the majority of findings point to nefarious intent by UVM. It seems that UVM has been following federal guidelines for how they deal with known sexual assaults, but UVM also has not attempted to make many additional attempts to address rape culture on campus.

UVM's niche cultures (Athletics, Greek Life, Drinking Culture, Hook-Up Culture) have been drivers for rape culture to continue campus. These niche cultures reinforce historical stigmas of women, treatment of women and fuel the ability for sexual assault to occur. As noted in the summary, the college experience has been defined by the participants as hooking up, going to parties, and making mistakes. It is not surprising that sexual assault may be referred to as a "mistake." The literature review notes, there is a long history of treating women as less than, creating an opening for sexual assault to be labeled or understood as a mistake rather than a crime. In America, marital rape was not even illegal until the 1990s and as Quinn (2019) pointed out, some states still have

loopholes that allow for rape in a marriage to be legal. With a long tradition of treating women as less than or not having their own sexual autonomy, it seems reasonable to suspect that a historical perspective on why rape culture still exists on college campuses is pertinent and why hook-up culture thrives. A participant pointed out that the college experience and how relationships function have been the subject of many movies as well. The subject of relationships in media frequently have characteristics of a sado-masochistic relationship that is under the guise of a romantic relationship (Phillip, 2017). Therefore, if we place college men that have been socialized to treat women as sexual objects by American culture via history, laws, media, and possibly their homelife into college atmospheres, rape culture is expected.

Alcohol consumption was identified as something that increased the chances of sexual assault and other risky behaviors. The literature review also highlighted the primary drivers of increased risk of sexual assault on campus is a culture of overindulgence of alcohol, peer pressure from other guys to prove their sexual worth and men's own attitudes favoring a hookup culture. (Kamenetz, 2014). My findings also showed that these types of cultures and attitudes were present at UVM as well, that they were synonymous with rape culture, and to some extent promoted by organizational conditions at the university.

Alcohol consumption was identified to be tied to partying in male spaces such as fraternities or sports houses. Participants noted that male-dominated spaces such as fraternities were identified as pieces of the larger UVM organization that has contributed and even fostered environments that facilitate rape. As Sanday (2007) pointed out, young

men entering college that join fraternities gain a brotherhood and power in exchange for taking on the role of misogynistic male. One participant in the study reported that even in the fraternity he was a part of, he knew of five brothers that had sexually assaulted a woman. These assaults occurred amongst a population of men that had joined a fraternity that decided to change their bylaws to attempt to do something about sexual assault. Women have been posting @shareyourstoriesuvm about various fraternities to avoid or their stories of sexual assault at the fraternities. In the findings, Phi Mu Delta was identified as one of these fraternities. This fraternity was identified as drugging women at their parties. One participant noted they were made aware of members of fraternity parties drugging the jungle juice with Xanax. What was interesting about the conversation with participants in relation to Greek Life, was that one participant described what happens in Greek Life as being like a prison culture, closing ranks when someone is accused of sexual assault and handling it inside of the fraternity rather than reaching out to the campus community. Participants noted that UVM knows this occurs – the partying, sexual assaults, and how the fraternities attempt to deal with it internally, yet do not address it. The prison culture attitude of the fraternities also makes rape culture hard to address unless there was a more public response by the university. From the research, it seems unlikely that UVM would be willing to take such a public stand without the presence of a scandal, such as the 2011 Sigma Phi Epsilon rape survey that became public.

The study participants associated poor university responses to behavior in the fraternities with rape culture. Nearly all the participants saw UVM operating more like a

big business rather than that of an institution that values education and safety.

Participants pointed out that Greek Life brings in many donations from alumni and if the university took a hard stance on Greek Life and abolished it on campus, they would lose a revenue stream. UVM sets the standard for fraternities through initial education and policies in place, and using Rubineau and Jaswal's (2017) theory of decoupling, we see that the policies are decoupled from the actual actions of the fraternity members. UVM's lack of clear and precise consequences for such behaviors creates the ability to decouple. These researchers wrote, "a culture that enables sexual harassment or sexual assault will also enable a broad range of milder behaviors that are likely to be more common and serve as useful sentient behaviors regarding the culture" (p. 31). It is fair to say that UVM's lack of public consequences for fraternities has bred more milder behaviors that has fed into the rape culture. A participant spoke about some of these milder behaviors that have fed into rape culture by discussing how fraternities often have themes that expect women to be dressed scantily or sexy.

To return the issue of alcohol, it was noted UVM did not always actively respond issues related to alcohol consumption by students. One participant relayed the story of a police officer being asked by the university to stop getting fake IDs from local convenience stores because the institution could not handle the case load of students, they would need to adjudicate for attempting to buy alcohol. This story is an example of the university's actively looking the other way instead of putting resources into adjudication or analyzing why the number of students attempting to buy alcohol was much higher than the school was equipped to handle. This lack of response is linked to Rubineau and

Jaswal's (2017) theory that behaviors may be decoupled from formal policies; this allows misconduct to continue despite a policy being in place. Failure to address the preponderance of fake IDs does not stem the rate of underage drinking and in fact removes barriers for students to engage in unlawful actions in the purchase of alcohol. This decoupling of policy and behavior allows for more alcohol to be readily available to students. As noted previously, alcohol consumption is also linked to risky sexual behavior.

It was noted that a hardship for universities when it comes to rape culture is that universities do not know how big the problem of rape culture or sexual assault actually is. This unknown is due to the underreporting of sexual assault. This study challenges the notion that the extent of rape culture cannot be known due to under reporting. The literature review states, "approximately 95 percent of collegiate sexual assault victims do not report their victimization through official avenues, such as law enforcement or campus officials" (Keener, 2016, p. 4). Therefore, UVM can estimate that many victims that are at UVM will not report. UVM could estimate that between one and four or one in five of their female-identified students will experience sexual assault while at UVM. Additionally, students over the past few years have publicly voiced their concerns about sexual assault on campus. In May 2021, students conducted a walk to the steps of the Waterman building demonstrating that the students believed there was a problem at UVM. Also, the problem of rape culture has been laid bare shockingly by the Instagram page @shareyourstoriesuvm. Post after post has described some type of sexual misconduct or sexual assault that has happened to UVM students or at UVM, itself.

Although these social media posts cry out to the university that there is an issue of rape culture on campus, there has been an overwhelmingly passive response by UVM and even an institutional silencing that has occurred in relation to rape culture. The President of UVM was described as shying away from the issue of sexual assault on campus. Participants noted that by not addressing rape culture, the President allows rape culture to thrive at UVM. One participant also explained that UVM tries to bury the conversation of rape and rape culture at the university by controlling what is seen on social media, their website, and even Google searches. Although this is troubling, it is not an uncommon practice for companies and universities to pay for search engine results to reflect more positive images of them.

What also facilitates a rape culture is how the institutions that are supposed to protect victims fails to do so. Recall the Brock Turner case where the judge departed from a reasonable sentence (based on the guidelines of the crime committed) and gave him six months imprisonment (three months with good behavior) because the male judge found the victim culpable too because she had been drinking. This case shows that sexual assault is not a crime that a victim can be found at fault to a certain extent. This case was not UVM specific, but the sentiment that victims can be not believed or blamed for what was done to them resonates to how victims are viewed nationally to include on the UVM campus. This case also showed that the rapist did not receive just consequences.

Participants suggested that rape culture was supported at UVM because of a perceived lack of consequences as well. In the literature review, some of the victim responses were noted, such as Kendall Ware who now has a case against the NCAA for

failing to protect her from sexual assault because UVM had misinformed her of the policies and how they are enforced and reportedly had pressured her to not ruin her abuser's life. Athena Hendrick, through her social media, explained she had reported a sexual assault to UVM, and it took two and half months for an investigation to start. In the investigation, she reported the suspect had admitted to not having consent, but later changed his statement. It was not until six months after her report was made that the university closed the investigation and reported there was not enough evidence, despite his first statement admitting to not having consent.

Six months is a long time to wait to find out how your case is going to be resolved. Time was noted many times by participants as a factor in how Title IX cases and how UVM, in general, dealt with cases of sexual misconduct were perceived by victims and observers. As one of the participants in the study noted, the Title IX office and their clearance rate is a black box. They are not transparent about what the outcomes are and how many cases they clear. This makes them seem as though they are not victim centered. Another participant reported the investigation took too long. These give the perception that UVM is dragging their feet, and in turn make victims feel like they just do not care.

The lengthy process also can prevent victims from reporting to the university. Another factor in victims' not wanting to report to UVM includes their worrying UVM will not believe them. As noted in the literature review, history has played a role in how society perceives victims' honesty. As early as the 1700s, courts have documented the belief that women make up sexual assault accusations. Gavey (2005) had written about

the English Chief Justice, Sir Matthew Hale and his contention that accusations are easily made and that accusers are also not innocent. Although centuries old, these perspectives reverberate for victims as they contemplate their options after a sexual assault. Participants in the study are reported that they may not always believe a victim if the accused was a friend or someone they knew.

UVM has not been an advocate in helping victims feel supported in tell their stories about sexual assault. A very public image of UVM silencing victims and showing little support was the 2022s men's basketball post those states, after congratulating the team on a title win, "UVM does not tolerate sexual misconduct and take such accusations seriously. Incidents are reported through the Office of Affirmative Action and Equal Opportunity where support and follow-up is provided promptly. Anonymous accusations on social media are helpful to victims or to anyone impacted by sexual violence" (D'Auria, 2022). This post had laid bare the reality that UVM did not understand that women did not feel supported or heard. Various women prior to that post had anonymously posted about their sexual assault by a member of that team, and then UVM allows for that team to post a UVM specific message telling these women they should not post their stories. Many of the facets to rape culture are hidden, but this was a very public slap in the face to victims. This could have been a moment that UVM showed institutional courage, but instead creates an environment where they did more harm to victims of sexual assault. Victims and people that are subject to sexual assault in the future will not feel they can trust the university to support them.

Interestingly, “organizational culture directs and constrains the range of behaviors organizational members feel licensed to express” (Rubineau and Jaswal, 2017, p. 31). The athletic department at UVM felt they had licensed to tell victims that anonymous posting was not helpful. This shows a decoupling of thought from the rhetoric that they will listen to victims and the silencing of victims. It also seems like a window into how sexual assaults are discussed out of the public eye normally. The posts about sexual assaults had shown there was a lack of trust with UVM, but this post by athletics did more to lose trust of women on campus. I would also argue that it reenforced the rape culture present, especially within the ranks of the basketball team. As members of the basketball team are being called out for sexual misconduct, they are praised by the university and in the same post having their accusers silenced.

What many participants of the study recognized, was that rape culture is not dealt with in ways that are transparent because the university wants to keep an image of a safe college. If that image is tarnished it could hurt enrollment and therefore their income. Public image was a major theme that was an underlying piece as to why niche cultures that include rape culture continue to flourish, why certain processes favor the suspects rather than the victims and why UVM does not publicly tackle the rape culture that is alive and well on their campus. Participants pointed out that UVM has a vested interest in silencing conversations about rape culture rather than tackling the issues. It was noted that if UVM were to tackle and openly state they have a rape culture their revenue stream may take a hit as less people may want to go to the university. I suggest that other may want to attend UVM because they are being bold and addressing the culture that is known

to be on all college campuses. The big business attitude of money first has played a role in supporting a rape culture on campus.

5.3 Limitations

This study used Applied Thematic Analysis (ATA) to analyze the data. This requires the researcher to be the “instrument for analysis, making judgements about coding, theming, decontextualizing, and recontextualizing the data” (Nowell, et al. 2017, p. 2). This allows room for interpretations and bias brought in by the researcher. For this study I was both a researcher and in my prior occupation served as a campus-based law enforcement officer directly involved in sexual violence crimes. I was aware that participants interacted with based on my position as the researcher, my identity as a law enforcement officer and as a woman. Maxwell (2013) explained:

Qualitative research is primarily concerned with understanding how a particular researcher’s values and expectations may have influenced the conduct and conclusions of the study (which may be either positive or negative) and avoiding the negative consequences of these. (p. 122)

To make my positionality known, I have noted multiple times in the study that this research starts with the assumption that rape culture exists. I also discussed my time as a detective working crimes that were sexual in nature and its lasting impression it left. I have approached the researched from a critical feminist lens and, in so, believe that this research exists in a culture that is inherently bias to women and has allowed rape culture to exist. These beliefs were the main factors in choosing this topic. To counter my own bias, I had member checks to verify or adjust my understanding of each interview after

they ended and worked with my advisor to ensure that my codes were congruent with the theme development and analysis. I also attempted to limit my own bias by creating themes that “stay close to the data, mirroring what is actually in them, rather than ideas and prior understandings of the researcher” (Llinneberg & Korsgaard, 2019, p 263). My bias and positionality to the research should be considered when reading this study.

Nowell et. al. (2017), noted that there is a lack of literature on thematic analysis compared to other analysis techniques such as grounded theory or phenomenology, which creates a disadvantage for the researcher, as it “does not allow [the] research to make claims about language use” (pg. 3). This lack of language did not take away from the general creation of solid themes. Additionally, “consistency and cohesion can be promoted by applying and making explicit an epistemological position that can coherently underpin the study’s empirical claims” (Nowell, et al., 2017, p. 3). To add to consistency and cohesion I used critical feminist theory as my epistemological lens. Additionally, I employed the use of a case-study, which has been established in qualitative research.

A limitation was also the heterosexual understanding of sexual assault among the study participants while discussing rape culture on campus. Although not all the participants identified as heterosexual, most of the discussion about rape culture were discussed in the context of men as perpetrators and women as victims of rape culture. This limits the understanding about rape culture and other diverse identities like LGTBQA identified people.

Sampling limitations were a factor in this study. I used a snow-ball sampling technique, but the first five participants were chosen purposefully by myself to start to engage in the research. I only received a second level of five people to interview. Due to the small sample size of ten, I believe this study cannot be generalizable to other universities. Also, this study did not interview faculty at UVM, only staff and students elected to participate in the study. Therefore, there is an absence of alternative viewpoints, which may be a function staff and students operating in a different organizational orbit. Faculty could have had a different viewpoint because they operate differently in the organizational structure and have different responsibilities as stakeholders at the university. Although, I think with the understanding of rape culture exists at most campuses, replication of this study at other universities may find other issues that promote rape culture that more specific to that university. Also, the people that did participate may have been more intrinsically motivated by the topic of rape culture than others that chose to participate.

Based on the small sample size, this research is not generalizable to other colleges. But, as an important note, “when looking specifically at the incidence of rape, a study from the U.S. Department of Justice estimated that a quarter of college women will be victims of attempted rape or completed rape before that graduate” (Caron and Mitchell, 2021, p. 2). These statistics represent colleges and universities from across the United States, which shows UVM may be just one of many campuses that have a rape culture present.

5.4 Implications and Suggestions for Future Research

Findings from this study indicate that UVM has organizational supports for rape culture at the university. The study explained that these supports are tied and interconnected with the following themes: institutional responses, institutional processes, public image, education, student responses, and niche cultures. Overwhelmingly, participants agreed there was a rape culture at UVM and identified the above areas that help the organization support rape culture. This is consistent with literature that has noted that 20% to 25% of women are likely to be victim of sexual assault while attending college. It was not surprising to find that a culture that supports rape culture existed at UVM and participants could point to how the organization supports rape culture.

Based on the findings of this study there are four areas I suggest improvements that may limit organizational supports of rape culture. First, is for the university to adopt a completely victim-centered process in the investigation, which would address how the victim is treated throughout the investigative process. Many participants in the study had discussed the victim's experience of the Title IX process and the organizations responses to victims as additions that created the perception of a rape culture on campus and can be linked to the idea of institutional betrayal. Specifically, moving the victim from their housing or classes rather than the suspect during an investigation was found to be particularly traumatic for victims. In conjunction with the lengthy nature of the Title IX investigation, the university could avoid re-traumatizing a victim by the process. As we know from the literature, most complaints of sexual assault are real and valid. Therefore, to help change the pro-rape culture the victim experiences on campus, universities can

move the accused from class or the residential hall until the investigation is over. This allows the university to take a victim-centered approach, especially when it is well documented that the majority of sexual assault complaints are true and real. Additionally, working to reduce the time frame of the investigation would help to make both the victim and the suspect feel heard and supported. It may also reduce the time the students need to be displaced from classes or their residential hall. To reduce the timeframe of the investigation, I would suggest the university prioritize staffing in this area and placing more money and emphasis on the creating the ability to streamline and reduce the timeframe investigations take.

Secondly, the Title IX process was also identified as being a process close to a legal proceeding without the ability to conduct full investigations that would be conducted if the case was going through the court system. It may benefit these investigations and create a more supportive environment if the university would offer more restorative justice options. Glynn, et al. (2012) explained that restorative justice models may allow victims to discuss the harm they felt from sexual violence and allows victims to name their own experience “in a manner not possible in the conventional, adversarial justice process. It may afford victim-survivors greater control and decision making, offering empowerment. It may encourage admissions of offending, offering validation and, in focusing on the offender, may reduce victim-blaming” (pp. 213-214). I would suggest restorative justice options be available, but do not have to be used. It should be the choice of the victim on how to proceed so that their experience does not feel trivialized.

Thirdly, the Title IX office was noted to not report their case clearance rates. One participant had reported that the Title IX office was a black box of information. If the number of cases cleared were reported, it would give the office more transparency. Additionally, I think if the university would report out the quantity of the cases, if they were founded or unfounded and finally what the outcomes were, the Title IX office would be a more trusted resource. Currently, the public often hears when the university does not treat a victim fairly, if the office reported out their results, then the public may have a better understanding of the office's role and results. Overall, transparency creates trust, and this transparency is a type of institutional courage that the university should adopt. Each year the university is required to statistics of the various crimes on campus via the Cleary Report, which anonymizes the cases but allows a better picture of crime at the university. A similar report could be issues by the Title IX Office and create the transparency needed.

Lastly, education was also noted to be a factor in continued rape culture. Most participants in this study believed there was a lack of on-going education. Most participants had reported knowing there was some type of education at the beginning of student's college career, but could not identify further education outside of athletic or fraternity and sorority life drive. I believe a more substantial and on-going education program about rape culture may help to change the culture. A semester long program would do more to change a culture than training online prior to students' arrival or mixed in with the week of welcome (where students are already overloaded with new information). As previously noted, UVM did respond to calls for change in this area to

an extent and has hired for a new position – Sexual Violence Prevention and Education Coordinator, which will lead to significant changes to the educational landscape at UVM. This new position will allow the administration to revisit the possibilities for education on campus. Based on this research, I would suggest that this education would also suggest that a move away from programs that teach women how to stay safe and move towards programs that teach men to not rape. Education programs still largely place a lot of responsibility on women, when it should be focused on changing the culture, so rape does not happen.

5.4.1 Suggestions for Future Research

Future research could build on this research to determine if the themes noted in this research are consistent across campuses or if there are differences amongst them. My research had focused on one organization, but future research could use more than one case (university) to find if the same issues are identified as contributing to rape culture across campuses. Incorporating other universities would potentially strengthen this argument that rape culture exist on most campuses and can be tied, in part, to organizational supports.

On a more local scale, this study lacked faculty input and had a small sample size. I would suggest a similar research study with a larger sample size that includes faculty members. This would allow for stakeholders with different organizational roles to bring in their perspective. It may change the outcome of the study.

Future research could also implement a different sampling structure to gain participants. As noted, I used a snow-ball sampling method, but I had also been offered to

place my research information sheet on the Instagram page @shareyourstoriesuvm. This was determined to be outside of the sampling method I chose and was not used, but it created the interesting question of what additional data could have been collected. As the social media handle was used to share stories of survivors of sexual assault, mainly at UVM, but some stories of Champlain College and Saint Michael's College. Both are colleges in the vicinity of UVM. My sampling size may have been bigger, but it would have also included people that have experienced sexual assault due to the rape culture on college campuses. Therefore, future research should consider advertising the research project to elicit responses from people that identify as survivors. Survivors of sexual assault on campus would be able to better identify where the organization has failed and where it has been effective from their own experiences.

Further research may also benefit from the perspective of a different researcher. I discussed how my positionality as a woman and former detective working in sex crimes, may have been an influence during interviews. Although, I felt confident that the participants explored the questions based on their own understanding of rape culture, I know my positionality could have created an influence of how they thought they should answer the question. It would be beneficial to have a person outside of law enforcement continue this research.

5.5 Conclusion

The findings of this study have shown that there are organizational supports for rape culture on campus. This study was able to identify six major themes that illustrate how rape culture manifests itself on campus and the role of UVM plays in rape culture.

These themes included: education, niche culture, institutional responses, institutional processes, student responses, and public image. This study provided suggestions for future research that would enable a broader understanding of school organization's role in supporting rape culture. The research was viewed through the lens of a feminist critique, which lends to the base understanding that rape culture exists due to unequal treatment of women in society. The implications of this study can reach beyond UVM with further research. It has been established that rape culture exists across the country and is tied to most universities. Findings from this study could have the potential to develop action at UVM or other universities and create more positive outcomes for victims of sexual assault. Also, importantly the findings can help organizations recognize rape culture on campus and work to address it openly. The findings suggest that for rape culture to be addressed, UVM will need to publicly address the problem to make true changes. Rape culture exists and it will take research such as this and student activism for change to occur.

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APPENDIX A: RECRUITMENT EMAIL SOLICITATION

Dear [insert name],

My name is Mary Seller and I am a doctoral candidate in the Educational Leadership and Policy Studies program at the University of Vermont. I am writing to invite you to participate in my research study which will evaluate if UVM's organizational practices support or contribute to the rape culture on campus. You're eligible to be in this study because you are faculty, staff, student or alumni of UVM and either have current or past ties (past three years) to UVM.

If you decide to participate in this study, you will participate in a one-hour long interview that will take place during the fall 2020 semester. I would like to audio/video record your interviews and then we'll use the information to determine if UVM as an organization has practices that are supportive of a rape culture. The anticipated time commitment will be approximately one hour of your time.

Remember, this is completely voluntary. You may choose to be in the study or not, and should you choose to participate, you may withdraw from this study at any time. Please read the attached consent to participate form. If you'd like to participate or have any questions about the study, please email or contact me at mary.seller@uvm.edu.

Thank you very much.

Sincerely,

Mary Seller
Doctoral Candidate
Educational Leadership and Policy Studies Program
University of Vermont

APPENDIX B: INTERVIEW QUESTIONS

Read: Thank you for taking the time to participate in my study that explores UVM's support of rape culture. This study is for my dissertation as part of the Ed.D. in Educational Leadership and Policy Studies program at UVM. The goal of this study is to determine if UVM's organizational practices support or contribute to the rape culture on campus.

Today, you'll be participating in an individual interview, which should take no more than 60 minutes of your time. Please know that your participation is completely voluntary, and you may stop participating at any time, should you no longer wish to participate with no consequence to you. Additionally, you may choose to not answer any question in my study, while remaining a participant.

Your responses are completely anonymous and will not be linked back to you in any way. Because I am recording this interview, I will select a pseudonym to identify you with as part of this study. Additionally, you will have an opportunity to review my analysis of your interview before it is incorporated into my study. The results of my studies will be presented in a summary format for my dissertation and will consist of information gleaned from the responses gleaned from all participants. Dr. Kieran Killeen, who serves as my advisor will be the only other individual who will review this data for the purposes of this dissertation. The results or data will not be released to any other individual other than my faculty advisor, and that includes residential life. Do you understand?

If you have concerns about this project, you are able to contact my advisor or the Institutional Research office, which I can provide you the contact information for. To confirm, do you consent to participating in this interview? Do you have any questions before we begin?

1. What is your understanding of rape culture?
2. Can you describe or give examples rape culture on the UVM Campus?
3. What experiences/or policies or lack of policies do you know of that contribute to rape culture at UVM
4. How has UVM responded to sexual misconduct and sexism?
5. Have you seen macroaggressions that are sexual in nature?
 - a. Are these gendered
 - b. Can you describe them
6. How has your unit or other units specifically addressed rape culture?
7. How has your unit or other units contributed to rape culture on campus?
8. Have you been a victim of the rape culture?
 - a. From passing comments to sexual assault
 - b. If so – was it reported/how did the university handle it
9. Who should I speak with next? Why?

APPENDIX C: CODE BOOK

Education: Education relative to rape culture

- Lack of Education: Relating to gaps in the education available or education that is not readily available in relation to rape culture
- Types of Education: Specific references to types of education offered or available about rape culture – includes consent, laws/policies, relationships

Institutional Process: These codes break down the various ways/entities that handle sexual assaults and sexual misconduct. Each one will contain process driven notations or notations that directly discuss that department or area.

- Center for Student Conduct: This is the department that is tasked with determining sanctions
- Title IX: This department is tasked with investigating allegations of sexual assault and sexual misconduct
- State Law or Court Processes: This includes references to police and court involvements.
- Policy and Procedure: This code is utilized when participants discussed UVM policy, but also federal guidance and policy
- Other Federal Policy or Guidance: Data used in this subtheme relates to federal guidance specifically, rather than local or state law/policy.
- Other: Includes processes that did not fit into the other categories

Institutional Responses: This includes how participants discussed how UVM dealt with issues surrounding rape culture or specifically sexual assault

- Active Response: This code was used when participants noted UVM taking an active role in addressing or promoting rape culture
- Institutional Silencing: Noted actions or lack of action that created a sense of "silencing" victims or ignoring rape culture/victims of sexual assault
- No Response: This code was used when the university did not respond to issues noted around rape culture, but did not amount to "silencing."
- Passive Response: These are responses by the university that were not proactive
- Victim Perceived Responses: This code captured when participants noted how victims of sexual assault/rape culture may have felt about UVM's response.

Niche Cultures: This encapsulates cultural traits that effect rape culture

- Athletics: Used when participants noted athletics role in rape culture
- Drinking Culture: Used when describing alcohol and parties as a possible fueling force for rape culture
- Greek Life: Used when participants noted fraternities and sororities role in rape culture
- Hook-Up Culture: Used when participants discussed a culture of casual sexual contacts
- Rape Culture: Participants described what they believed was a rape culture and the nuances of what a rape culture is at UVM

Public Image: This theme discusses how UVM's public image or want to cultivate a public image is affected by rape culture.

- Liability: Participants that reported liability as a factor in public image
- Big Business: This code was used when participants compared UVM to *big business* or referred to UVM caring about money.

Student Response: This theme represents how or if students have responded to rape culture

- Active Response: This code includes how students have been actively involved in addressing rape culture, i.e. protests
- Passive Response: This code included codes that allowed student to remain silent in the face of rape culture
- Victim Responses: This code includes responses from victims of sexual assault