Title IX

Title IX, the United States federal civil rights law that prohibits discrimination on the basis of sex, passed in 1972. Though sexual assault and sexual harassment are not explicitly named as violations of Title IX in the initial passage of the law, subsequent legal rulings have deemed that Title IX does indeed protect college students from sexual violence and harassment.

However, despite the establishment of Title IX protections, sexual assault continues to be a serious problem on US campuses of higher learning. Estimates indicate that as many as 25% of college women are sexually assaulted in the United States (Remnick and Addison, 2014). Additionally, according to RAINN, 21% of transgender, genderqueer, or gender nonconforming college students have been sexually assaulted, while 4% of cis-male students have been sexually assaulted. The overwhelming rates of women, transgender, genderqueer, or gender nonconforming college students who experience sexual violence make it clear that Title IX protections against sexual violence are necessary. However, there is a lack of appropriate action by campus administration to prevent and punish campus sexual assault which has been described as institutional betrayal by Stader and Williams-Cunningham (2017).

This institutional betrayal and historical lack of adequate action in response to sexual violence by campus administration adds to low percentages of reporting of sexual assaults by survivors. In fact, as Schaaf et al. (2014) p. 1, “Sexual assault is difficult to document. The processes of documentation ask that survivors of sexual assault re-live deeply traumatic experiences. Survivors have little incentive to report their assaults as they bear the burden of proof and can be further re-traumatized through the documentation process. Especially because even when survivors are believed, their assailants go unpunished by either the criminal justice system or the campus institution. Rather, survivors are the ones who suffer the negative consequences of disclosing the sexual assault” (Brubaker, 2013).

Introduction

Campus sexual assault is a wide-spread problem in institutions of higher learning across the world. In the United States, the civil rights law; Title IX, demands that students are not denied the benefits of federally funded educational programs on the basis of their sex. Though prevention of sexual assault and sexual harassment fall into Title IX protections for students, the rates of sexual assault have not decreased on federally funded campuses in the United States since the implementation of the law in 1972. This has led to a number of Title IX lawsuits against colleges and universities where students have been raped and sexually assaulted.

This situation provides campus archivists with a quandary regarding what records they should collect regarding campus sexual assault. Additionally, campus archivists are tasked with the responsibility of making sure that these records contain information on sexual assault. These decisions can be especially difficult in a campus environment where the administration, either faculty or explicitly, downplays the problem of sexual assault on campus. However, as many of campus archives’ mission statements unequivocally state, the college and university archive acts as a repository of campus history. If campus archives are to document campus history, what happens when that history is part of an enduring difficult reality?

Through a systematic investigation of US campus archival finding aids, collection policies, and mission statements, this current study interrogates the role of campus archives and campus archivists. Many questions arise through this process: What responsibility do campus archivists have in collecting materials about aspects of campus life that the administration does not wish to highlight? Can campus archives center survivors of sexual assault while protecting survivors’ privacy? Should the descriptive language in online finding aids explicitly reveal when records include information on difficult topics like sexual assault? How can we apply archival theory to not only the appraisal of such records, but to their description as well? The purpose of this paper is to explore these questions in order to understand how campus archives are responding to the problem of campus sexual assault in the United States.

Initial Findings

We are still in the data collection stage so these are very early findings that may change as we collect more data and conduct more in-depth data analysis. I did want to make a note of a few things that seem to be little evidence of active collecting on campus sexual violence. Positive results will often belong in special collections and will be about sexual violence in a broader sense. In campus related results, we tend to see administrative files much more often than active collecting on the topic. This suggests that materials about campus sexual assault are found in campus archives due to other factors instead of active collecting initiatives.