Lawmakers Shift Campus Rape Conversation to High Schools

By Elizabeth Zwerling
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This week federal legislators are expected to approve the Teach Safe Relationships Act, which seeks to get high school students focused on healthy relationships. The bill, which has been rolled into the overhauled No Child Left Behind, is based on the premise that sexual-assault-prevention training may be most effective before college age.

LOS ANGELES (WOMENSENEWS)—After she was raped by a classmate on an overnight field trip in 2012, Esther Warkov's daughter was haunted by nightmares. She spent several months in residential treatment for trauma but never returned to her Seattle school, and eventually moved away from her home and family.

A strong science student and promising orchestral musician, "her whole life trajectory fell apart," said Warkov, founder of the education and advocacy website Stop Sexual Assault in Schools, which is geared toward K-12 students and their families. "She was never able to regain her education. (Today) her location is unknown to us."

During the past three years, the epidemic of college sexual assault -- with the sobering statistic that 1-in-5 women can expect to be assaulted during her four-year college career -- has become part of the national
College victims-turned-activists have told their harrowing stories to national media. More than 120 colleges and universities have been put under federal investigation since 2013 for mishandling assault reports. And state and national legislators, with college administrators, have responded with new law and policy, including mandatory assault prevention education at campuses across the country.

Unlike the survivors profiled in many recent news stories, Warkov's daughter was only 15 and a sophomore in high school when she was assaulted by a boy the same age.

While sexual assault in high school has yet to be dubbed a national epidemic, Warkov's daughter's attack was hardly an isolated incident.

The October rape trial of former St. Paul's prep school student Owen Labrie exposed a rape culture on the campus of the prestigious New England boarding school similar to that of some college fraternities, where sexual conquests are almost a rite of passage.

High School Starting Points
A survey of ninth-to-12th-graders found nearly 12 percent of girls and 4.5 percent of boys reported being forced to have sex at some point in their lives, according to a 2012 Centers for Disease Control and Prevention report. It also found that 29.9 percent of female rape victims were first raped between the ages of 11 and 17.

An earlier report by the National Council on Crime and Delinquency found that 38 percent of women who were sexually assaulted while in college had been previously sexually assaulted before entering college, making past assaults the strongest indicator of future assaults.

In response to this and to advocates who say sexual-assault-prevention training may be most effective before college age, federal legislators are expected this week to approve the Teach Safe Relationships Act, as part of the larger Every Student Succeeds Act (ESSA), the revamp of the former No Child Left Behind.

The Teach Safe Relationships Act, originally introduced as a stand-alone bill co-sponsored by Democratic Sens. Tim Kaine of Virginia and Claire McCaskill of Missouri, directs federal grant money to public schools for instruction and training in age-appropriate “safe relationship behavior.”

According to the act, such programs must be designed to “help prevent bullying and harassment, improve instructional practices for developing relationship-building skills, such as effective communication, and improve safety through the recognition and prevention of coercion, violence or abuse, including teen dating violence, stalking, domestic abuse, sexual violence and harassment.”

The measure does not call for new funding sources for safe relationships programs, but would expand the provisions of the in-place Student Support and Academic Enrichment, or Title IV, grant program, which is available to virtually all public schools.

Teaching Consent, Communication
"My hope is that (these programs) will teach young people the importance of consent and communication in relationships, in addition to information about how to seek help in situations of domestic abuse or sexual violence," said Kaine in a recent email interview.

Kaine said he became interested in this legislation last year after meeting with students at the University of Virginia involved with One Less, a sexual assault education and advocacy group on that campus.

"Some of the students I spoke with said they were never taught about sexual assault before college orientation," Kaine said.

Currently only 20 states and the District of Columbia require that students learn skills to “avoid coercion” as part of their sex education programs, and only 22 states require that sex education be taught at all, according to a November report by the Guttmacher Institute, a New York-based research group. The Teach Safe Relationships Act of the pending ESSA would not necessarily be tied to sex education curriculum.

"The topic of sexual violence on campus has gotten a lot of attention, but college perpetrators come in as perps," said Annie Clark, co-founder and executive director of the national group End Rape on Campus. "If the first time we're talking about consent and healthy relationships is age 18, that's too late.

"We need to start talking about body autonomy much earlier. (In sex education) they talk about fallopian tubes, but they don't talk about healthy relationships," added Clark, a University of North Carolina graduate, whose own story, as a campus rape survivor-turned-activist, was the subject of the 2015 documentary "The Hunting Ground."

California Paves Way
In October, California became the first state to approve a high school sexual-assault-prevention law based on an “affirmative consent” or a “yes means yes” standard for sex, similar to the state's 2014 college “affirmative consent” sexual assault legislation. California's high school law, which takes effect in January, will require all public high schools to develop curriculum that addresses sexual violence prevention and healthy peer relationships based on the affirmative consent standard.

The federal Teach Safe Relationships Act, on the other hand, calls for voluntary participation by schools, and it does not prescribe a specific approach or age to start sexual assault prevention education.
Some advocates criticize the affirmative-consent approach to assault prevention education for reinforcing stereotypes of men as aggressors and women as passive gatekeepers to sex. Others contend the optional Teach Safe measure would not go far enough to address the horrendous problem of sexual assault in high school and college, though many acknowledge that these measures are an important step.

"We're in a time of much needed transition and awareness as to what sexual assault, sexual harassment and verbal harassment are," said Nancy Gruver, a director at Brave Girls Alliance, an online think tank, advocacy and lobbying group for girls' empowerment. "(This behavior) that's always been there is now being talked about (and) there is much more asserting of girls' rights and expectations of being treated in an equal way . . . We still need far more education, but school districts are now beginning to take responsibility for what goes on in schools."

**Freshman Programs More Successful**

"When I look at the effectiveness of sexual-assault-prevention programs delivered in high school, they are much more effective with high school freshmen than with seniors," said Paul Schewe, director of the University of Illinois Interdisciplinary Center for Research on Violence, in a recent phone interview. "At 14, their beliefs and values are a little more malleable."

Schewe, who helps schools and organizations evaluate their sexual-assault-prevention programs, added, "We need to address harassment and bullying in elementary school, in middle school (address) teen dating violence and healthy relationship skills and then in high school address sexual assault."

In Denmark, where sexual assault is far less common than in the United States, children begin to learn about body integrity and autonomy in preschool, said Caroline Heldman, a professor of politics at Occidental College, who co-founded the national group Faculty Against Rape.

"They establish a completely different set of norms with regard to bodily behavior (so) by the time they encounter misogynistic porn that promotes rape culture, it's against the norm," Heldman said.

Porn is the primary sex educator of young people in the United States, Heldman said. "In 1971 we saw an average of 500 media images a day, today we see an average of 4,000 to 5,000 images," she said, adding that for media to stay competitive, they present "increasingly sexual and increasingly violent imagery."

"We need to look at how we raise boys and girls in different ways that (contributes to) sexual assault," Heldman added.

Warkov said that even as legislators and educators begin to address sexual assault prevention, it is critical for students and their parents to educate themselves and to know their rights under Title IX, the federal law that prohibits gender discrimination in education, including sexual harassment and sexual assault.

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