ATIXA ADVISORY BOARD EXPRESSION OF SUPPORT FOR CAPPA’S “STATEMENT ON CAMPUS VICTIM ADVOCATES SERVING AS CAMPUS SECURITY AUTHORITIES”

ABOUT ATIXA
Founded in 2011, ATIXA is the nation’s only membership association dedicated solely to compliance with Title IX and the support of our more than 4,000 administrator members who hold Title IX responsibilities in schools and colleges. ATIXA is the leading provider of Title IX training and certification, having certified more than 2,500 Title IX coordinators and more than 5,000 Title IX investigators since 2011. ATIXA releases position statements on matters of import to our members and the field, as authorized by the ATIXA Board of Advisors. For more information, visit www.atixa.org.

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As the professional home for nearly 7,000 Title IX administrators, ATIXA wishes to express support for, and solidarity with, our advocate colleagues in the Campus Advocates and Prevention Professionals Association (CAPPAs), which issued an August 15, 2016 statement to the Department of Education entitled “Statement on Campus Victim Advocates Serving as Campus Security Authorities.”

CAPPAs letter was prompted by concerns about new language in the Clery Act Handbook for Campus Safety and Security Reporting (2016 Edition) related to campus victim advocates serving as Campus Security Authorities (CSAs) and the resulting obligation to report sexual violence and related offenses. After consultation with CAPPA’s leadership, ATIXA’s Advisory Board decided to offer the following brief comments to lend reinforcement to CAPPA’s statement, as well as to provide a Title IX framework for the necessity for confidentiality for advocates, while also empowering the sharing of data that is critical to empowering Title IX work on climate and culture.

- The feedback and comments received from attendees at our Campus Victim/Survivor Advocate and Campus-Serving Victim/Survivor Advocate Training & Certification Courses has mirrored the perspectives of CAPPAs membership. Participants report that supervisors and colleagues on their campuses do not understand what advocates do, what confidentiality really is, and how important their work is as complementary to Title IX work on compliance and, ultimately, to safer campuses. Empowered campus advocacy serves to facilitate the work around Title IX issues that so many colleges and universities have prioritized.
• ATIXA does not support the current Clery Handbook designation of advocates as CSAs who must make real-time reports, even if they are anonymous, for the same reasons that CAPPA objects to this approach. However, ATIXA supports the practice of having all confidential campus resources (including advocates, counselors, medical providers, clergy, etc.) provide non-identifiable, aggregate data periodically regarding reports of campus sexual violence, intimate partner violence, and stalking to institutional Title IX Coordinators and campus law enforcement. This position, while reflecting a slight departure from CAPPA’s statement, will help to provide a more complete picture of the extent and nature of misconduct on campus and can help to identify trends and patterns crucial to assess and address climate under Title IX.

• With that in mind, we agree with CAPPA that it is imperative that Title IX administrators expand the designation of confidential resources within college communities and reaffirm the importance of confidential safe spaces for survivors in general, and in support of their own work. More confidential spaces and personnel are needed and when fused with aggregate, non-identifiable data collection, facilitate better alignment of Title IX and the Clery Act.

• ATIXA’s Board is concerned that real-time reporting only facilitates timely warnings under the Clery Act, not statistical data collection, and that most acts of sexual violence, intimate partner violence, and stalking do not give rise to the need for timely warnings. In fact, the Handbook and many campus law enforcement entities take a rather overzealous position on timely warnings even when there is not a clearly demonstrated threat to the community. This overzealousness has led to the legitimate fear by advocates that overuse of timely warnings will jeopardize the perceptions of confidentiality that survivors need to have with respect to their disclosures to advocates. We urge the Department of Education to reframe advocate reporting expectations and confine them solely to release of de-identified, aggregate data on a periodic basis.

ATIXA is grateful to CAPPA for providing leadership on this issue, and also recognizes that advocates’ voices too often are not being heard.