

The Promise and Peril of Title IX Addressing Sexual Violence:
A University Case Study, 1972–2017

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ABSTRACT

In this dissertation, I investigate the interplay between campus sexual violence laws, activism, and university structures within the context of one university. Title IX has transformed universities and curtailed some forms of gender discrimination—increasing funding for women’s sports, for example—yet it has had less impact on reducing sexual violence. Despite resources devoted to both preventing and responding to gender inequity in personal safety on campus, sexual violence at universities remains prevalent and clearly harmful. Using an in-depth socio-historical case study of one institution that I call “State University,” I triangulated content analysis of 1,807 newspaper articles with 69 archival data sources, and supplemented these with purposively sampled interviews of 23 key actors. I ask the following questions: (1) how have activists sought to transform how universities approached sexual violence; (2) whether and how has the movement against sexual violence become institutionalized at universities; (3) how have Title IX and other linked campus sexual violence laws provided opportunities or obstacles for activists and formal organizations, including the university; (4) when and how have activists and university actors leveraged the ambiguity created by multiple laws on sexual violence; (5) when, how, and by which constituencies is sexual violence framed as a problem specific to the university for which the university as a formal organization bears responsibility; and (6) when and how do university constituencies demand that policies and practices extract accountability from organizational insiders?

In the first empirical chapter (Chapter Three), I focus on the institutionalization of the movement against campus sexual violence at U.S. universities. I find that the movement has become institutionalized through the complementary processes of professionalization, formalization, and ritualization. I introduce the concept of *hybrid activists*, who productively link

these three institutionalization processes. I show how hybrid activists provided movement continuity by fighting for State University to take new approaches to sexual violence, mentoring student activists, and routinizing student activism through ritual events (e.g., Take Back the Night or Sexual Assault Awareness Month).

In the second empirical chapter (Chapter Four), I compare the multiple trajectories and interactions of federal and state law on campus sexual violence at State University to understand how sexual violence was rendered into a problem that universities were legally required to address. I find three phases or layers of how the university came to understand sexual violence as a legalized problem for the organization. In the first layer, the university came to understand sexual violence as both a social and legal problem. In the second layer, the university came to understand sexual violence as a problem of student misconduct. In the third layer, the university came to understand sexual violence as gender discrimination under Title IX. Nevertheless, the university diminished gender to an identity, rather than a power structure. I argue that the ambiguity created by the legally plural environment contributed to the variation in the trajectories of use of state law, the Clery Act, and Title IX by the university and activists.

In the third empirical chapter (Chapter Five), using an organizational lens, I examine how several university constituencies (meaning sets of actors with specific institutional responsibilities) defined sexual violence and its perpetrators and how these constructions changed. The first constituency, student journalists, is often overlooked by scholars. I specifically focus on student journalists and show that they carried out enduring coverage of State University members committing sexual violence, while also covering local and national debates over sexual violence at universities. In particular, student journalists called for institutional accountability in addressing sexual violence. Other constituencies analyzed include feminist faculty and graduate

students, non-academic offices and staff, and university leaders. Many of these constituencies and their constructions of sexual violence perpetrators overlapped in time periods. I argue that the ongoing contestations within State University over definitions of sexual violence and its perpetrators illustrates how student journalists are key organizational actors. Student journalists' ongoing reporting on sexual violence, which contrasted with leaders' public statements and leaders' restrained organizational changes, kept sexual violence under discussion.

The dissertation distinguishes itself from other work on Title IX and campus sexual violence by considering longer-term change; showing how activist, organizational, and legal processes within the context of one university intersect with broader political, legal, and movement processes to shift definitions of the problem of sexual violence, shape institutional responses to it, and refocus activism. The dissertation contributes a new analytic perspective on the importance of *ritualization* (meaning rendering ritual events part of organizational life) to institutionalizing social movements. I proffer the concept of hybrid activists, which expands the insider-outsider activist continuum beyond organizational location to include the productive bundling of movement institutionalization processes. The dissertation also contributes an analysis of legal activism in a legally pluralistic, ambiguous environment created by multiple linked laws on campus sexual violence. Multiple layers of law co-existed for how the university regulated sexual violence. Because I analyzed law as indeterminate, I show the consequences of the legal framing of sexual violence as gender discrimination that fell under Title IX, demonstrating that the contestation between the university and activists was not only about whether Title IX applied to sexual violence, but also about the very definition of what constituted gender discrimination.

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INTRODUCTION

Title IX has transformed universities and curtailed some forms of gender discrimination—increasing funding for women’s sports, for example—yet it has had less impact on sexual violence.¹ As of 2025, sexual violence has been documented as a problem at universities for 68 years (Adams-Curtis and Forbes 2004; Cantor et al. 2015, 2020; Kirkpatrick and Kanin 1957; Mellins et al. 2017). Building on years of activism and federal attention, universities today seek to prevent and respond to sexual violence as a problem of educational inequity. University administrators have an obligation to comply with Title IX, now the primary legal framework for addressing sexual violence in educational institutions. Considering controversies over Title IX enforcement, universities turn to consultants, activists, student affairs professionals, and others for solutions to sexual harassment and sexual assault, the forms of sexual violence that Title IX covers. Yet despite resources devoted to both preventing and responding to gender inequity in personal safety on campus, sexual violence at universities remains prevalent and clearly harmful. Indeed, repeated sexual harassment has the same negative health impacts as one instance of sexual assault (Sojo, Wood, and Genat 2016).

In this dissertation, I ask: What effects have Title IX and other campus sexual violence laws had on higher education institutions? How has the evolving law on campus sexual violence shaped university politics and bureaucracies? How have activists sought to transform how universities have approached sexual violence? How have universities changed in response to

¹ In each dissertation chapter, I specify what I mean by sexual violence. Generally, I use it as an umbrella term to encompass both sexual assault and sexual harassment. Sometimes, I also include relationship violence, intimate-partner violence, or stalking when using sexual violence as an umbrella term. I find it analytically useful to cover a wide range of gender-based violence and/or sexually coercive behaviors, as the federal government requires universities to address sexual harassment, sexual assault, relationship violence, and stalking under Title IX, the Clery Act, the Violence Against Women Act, and the Campus Sexual Violence Elimination Act.

iterative changes in law and in social movements addressing campus sexual violence? What explains Title IX and other relevant laws' limited success in addressing campus sexual violence?

Although Title IX has become almost synonymous with responding to sexual violence in education, its intent was to address gender inequality in education, and its mere passage did not shift practices to promote gender equality. Title IX instead offered a path for activists to mobilize legal resources to contest gender-discriminatory admissions, curricula, and programs (including sports) (Reynolds 2018). In this way, Title IX has fundamentally restructured universities so that these organizations address gender discrimination. However, efforts to mobilize Title IX against sexual violence have only recently gained strength.

Plaintiffs in *Alexander v. Yale* in 1977 and diverse survivor-activists filing hundreds of federal Title IX complaints in the 2010s targeted sexual violence (Heldman, Ackerman, and Breckenridge-Jackson 2018; Reynolds 2018; Simon 2004). Title IX potentially provided students and staff activists with legal tools to press their universities for greater gender equality, but may also have limited their political opportunities by placing responsibility in the hands of administrators, and mandating internal grievance procedures (Edelman 2016; Edelman and Cabrera 2020; Edelman, Uggen, and Erlanger 1999). Regarding the process of making complaints about institutional problems, including sexual harassment,² Ahmed (2021:257) argues “complaints are contained because of what they threaten to reveal,” the implication of which is what they reveal about the organization. Scholarship on sexual violence and activist accounts have explored the myriad ways universities have blocked survivors from pursuing justice (Bedera 2021; Clark and Pino 2016; Cruz 2020). For example, Title IX coordinators work hard to remain objective and subsequently uphold gender inequality (Cruz 2020). University sexual

² Here, I am referring the legal definition of sexual harassment under Title IX, which includes the behaviors of sexual harassment and sexual assault.

misconduct policies are now so convoluted that survivors cannot navigate the process without relying on university staff, which can result in institutional betrayal (Bedera 2021). Institutional betrayal means “acting in ways that visit harm upon those dependent on them for safety and well-being” (Smith and Freyd 2014:575). University leaders and staff now have legal responsibilities to students to prevent and mitigate educational inequality, including sexual violence. For university leaders, concerns for preserving institutional reputation vie with demands for more accountability for identifying and reducing sexual violence (Ahmed 2021; Phipps 2018; Prior and de Heer 2022).

U.S. universities consider sexual misconduct policies to be essential, but their enforcement of their policies depends on both legal and political pressure. Public support and energy directed at mobilizing legal resources appear to play an important role in addressing sexual violence, such as federal complaints or lawsuits directed at universities (Gronert 2019, 2022a). Studies of observed correlations in national samples of universities (Boyle, Barr, and Clay-Warner 2017; Reynolds 2018) inspire my closer look at organizational processes and movement demands on the ground, as I seek to understand how a particular campus context intersects with such broader political, legal, and activist processes.

This dissertation investigates the changes in activist demands, government policy, and organizational strategies to address sexual violence on one university’s campus from 1972 through 2017. I call this higher education institution “State University” (SU). More specifically, I conducted an in-depth socio-historical case study that involved triangulating content analysis of 1,807 newspaper articles with 69 archival data sources and supplementing these with purposively sampled interviews of 23 key actors. This is the most comprehensive dataset to date of how one university has addressed sexual violence over a historical period. This dissertation distinguishes

itself from other work on Title IX and campus sexual violence by considering longer-term change. By showing how activist, organizational, and legal processes within the context of one university intersect with broader political, legal, and movement processes over time, I highlight the changes in how they define the nature of the problem of campus sexual violence, shape institutional responses to it, and sustain and refocus activism.

SCOPE OF THE PROBLEM

Universities have long been spaces for contests over gender inequality, both in student life and faculty employment (Malkiel 2016; Rosenberg 1988). Sexual violence is one form that gender inequality and other intersecting inequalities take on campus (Hirsch and Khan 2020; Khan et al. 2018; Wamboldt et al. 2019). Recent studies find that 25 to 28 percent of undergraduate women and 20 to 38 percent of gender-nonconforming students reported experiencing sexual assault in college (Cantor et al. 2020; Mellins et al. 2017). These estimates of campus sexual violence have not shifted much since first being systematically studied in the 1980s (Koss 1988; Koss et al. 1988; Koss, Gidycz, and Wisniewski 1987). Federal investigations, journalist accounts, and social scientists' work have revealed that some universities have obscured sexual violence on their campuses, whether intentionally or unintentionally (Ahmed 2021; Bedera 2021; Bennett 2011; Kingkade 2016; Krakauer 2016).

THEORETICAL GROUNDING AND RELEVANT LITERATURE

My dissertation draws on three literatures: (1) interdisciplinary study of sexual violence in higher education, (2) sociology of gender, and (3) law and society. Previous studies of campus sexual violence from the interdisciplinary literature often interpret the mere passage of a given law or the release of federal guidance as a victory, and allow pre-existing legal and policy frameworks to restrict their object of analysis (Heldman et al. 2018; McMahon et al. 2018).

Additionally, descriptive studies of the prevalence of campus sexual violence overlook how law and policy structure the inequalities they observe.

Sociologists are returning to the study of sexual violence after years in which it remained at the margins of the discipline (Armstrong, Gleckman-Krut, and Johnson 2018; Martin 2005, 2016; Martin and Hummer 1989). The sociology of gender and law and society literatures add a focus on systems that promote inequality and challenge the assumption that laws and policies work as intended (Gronert 2019). A gendered organizations framework (Acker 1990) and intersectionality theory (Collins and Bilge 2016) offer tools for identifying particular gendered and racialized logics in administering and enforcing university policies, as well as identifying actors who mobilize for and against specific changes. Since Title IX itself is only 37 words, what it means in practice depends on legal interpretations that have evolved over time, as well as university administrators' interpretations of changing federal guidance and regulation. My case study looks at the active process in which institutional investments, student engagement, and formal policy reconfigure what Title IX means in practice, in turn affecting the behavior of all campus actors—from college presidents to first-year students.

The law and society literature offers concepts clarifying the mechanisms connecting individual university policies and practices with broader political processes. The naïve hypothesis, which much law and society scholarship refutes, is that social movements make change by attempting to pass a law or win a court case (Dobbin 2009; Scheingold 2004). It is not unreasonable to expect that Title IX could improve responses to sexual violence at universities, given that it had considerable effects on other forms of gender discrimination in higher education, such as funding for sports programs or equity in admissions (Davis 1999). I explore specific mechanisms from law and society scholarship in Chapter One and also in Chapter Four,

entitled “How Campus Sexual Violence became a Legalized Problem.”

I address university responses to sexual violence as an outcome of dynamic interaction among movement activism, legal change, and administrative response. I chose one campus for a case study, not because it is representative of all higher education institutions, but because it allows me to focus on the ever-changing strategies of confronting campus sexual violence. Preventing sexual violence before it happens, or responding to it after the fact, are two overarching strategies (Greenberg and Messner 2014); each is shaped by competing institutional logics, invested actors, and organizational resources. Focusing on a single university delimits a manageable universe of relationships to examine for mutual influences and change over time, thus unpacking processes observed indirectly in the correlations across larger samples of higher education institutions. Approaching universities as sites where law, management of formal organizations, and activist engagement intersect allows my research to add insights from gender and sociolegal studies to the often descriptive literature on educational institutions and sexual violence.

OVERVIEW OF SUBSEQUENT CHAPTERS

The chapters for this dissertation build on one another and are presented so that the reader can bring background knowledge and empirical findings provided in each to their readings of the ensuing chapters. I begin with a chapter on background and theoretical questions that provides the broad overview of the web of laws on campus sexual violence, relevant national activism, and universities’ sexual misconduct policies as all of these have changed over time. In this first chapter, I lay out the theoretical questions I explore in the following chapters. My second chapter offers a detailed account of my methods and data for the project. I explain why I conducted a case study, the case selection of State University, the data collection process, and my data

analysis procedures. All empirical chapters draw on the following data sources: a sample of 1,807 campus newspaper articles, archival sources (both documents and oral histories), and 23 key actor interviews.

In my first empirical chapter (Chapter Three), I examine how key actors (students, staff, and faculty) furthered local movements against campus sexual violence through rituals, policy committees, and mentoring student activists. The movement against campus sexual violence has impacted universities across the United States by demanding the creation of new administrative offices, providing opportunities for student activism, and ritualizing marches and other protest events. But how have specific change processes contributed to this broader process of movement institutionalization? I investigate institutionalization as an ongoing process at SU in the more than 40 years since Title IX's passage. The scholarly consensus is that the movement has become institutionalized. I find that it became institutionalized through the complementary processes of professionalization, formalization, and ritualization. I introduce the concept of *hybrid activists*, who productively link these three institutionalization processes. Hybrid activists toggled between their activism and professional staff roles, using knowledge from each to enrich both their activism and their professional work. While students, especially undergraduates, cycled in and out of the university, hybrid activists in staff and faculty positions provided continuity that furthered the movement, and mentored student activists. Ultimately, hybrid activists institutionalized the movement itself within the university, giving it a life that would outlast individual actors and specific activist organizations.

In Chapter Four, I then examine how sexual violence became a problem that universities were legally obligated to address, paying particular attention to Title IX, the Clery Act, state criminal statutes, and state administrative law. Interdisciplinary scholarship on campus sexual

violence has often treated law, specifically Title IX, as a deterministic source of certain organizational change. However, emerging scholarship on campus sexual violence analyzes Title IX as an indeterminate resource, and analyzes Title IX's interplay with other relevant laws. I find three layers of how the university came to understand sexual violence as a legalized problem for the organization. I use layers to indicate overlapping and interacting trajectories of legal change. Each change in law or policy provided an additional layer of legal definitions and understandings. In layer one, through Clery and state law, the university came to officially recognize violence as a social and legal problem. In layer two, because of activism targeting state administrative law, the university came to understand sexual violence primarily as a problem of student misconduct and therefore the student code allowed university staff to sanction students for committing sexual assault. In layer three, the university came to address sexual violence institutionally as gender discrimination under Title IX. However, the university reduced gender to an issue of identity rather than one of power, while activists had pushed for an understanding of gender discrimination as an issue of gendered power. I argue that the ambiguity of interpretation created by the legally plural environment contributed to the variation in the trajectories of use of state and federal (e.g. the Clery Act and Title IX) law by the university and activists.

In Chapter Five, using an organizational lens, I examine how several constituencies at SU defined sexual violence and its perpetrators and how these constructions changed during the period of study (1972–2017). By constituencies, I mean groups where membership is connected to their role in the university as an organization. Moreover, each constituency has its own status in the organization, its own responsibilities, and varying resources. I add a group often overlooked, student journalists. Student journalists carried out enduring coverage of members of

SU committing sexual violence, while also covering local and national debates over sexual violence at universities. In particular, I discovered that student journalists persistently used their position to call for institutional accountability in addressing sexual violence. The next constituency on which I focus, feminist faculty and graduate students in the 1970s and 1980s, organized themselves to shed light on sexual violence as a problem the university was not addressing as an organization.

Two constituencies were charged in different ways with representing “the university.” One, the SU staff offices, first focused on strangers as the perpetrators of sexual violence, thus treating it as a part of an overall campus safety issue. Non-academic staff at SU gradually addressed date rape through Student Handbooks. The other constituency, university leaders, did not publicly address students committing sexual violence until much later. Ultimately, leaders spoke much about the seriousness of sexual violence but did so without taking organizational actions. Both challengers to and representatives of SU changed their constructions of who perpetrated sexual assault across overlapping time periods. Student journalists’ ongoing reporting on sexual violence contrasted with leaders’ public statements and their restrained approach to organizational changes. I argue that these ongoing contestations within State SU over definitions of sexual violence and its perpetrators illustrate how student journalists are key organizational actors.

I conclude the dissertation by returning to the question of what explains Title IX and other relevant laws’ limited success in addressing campus sexual violence? What effects have laws on campus sexual violence had on higher education? How have activists sought to change how universities have addressed the problem? In this dissertation, I illustrate that the organizational change one university experienced was mixed, neither entirely unsuccessful or

successful. On the one hand, how SU diminished gender to an identity in how the organization addressed sexual violence under Title IX was costly to victims/survivors. On the other hand, it remains encouraging to see how hybrid activists persisted and gained resources, going from a lone violence prevention coordinator to an entire office dedicated to violence prevention and survivor advocacy. I found it also heartening to see how student journalists shined light on “sex for grades,” a type of sexual violence that did not fit the more constrained frame of “date rape” and thus protected more powerful perpetrators. I encourage sociologists to study campus sexual violence over time, as it reveals how organizations, laws, and activism shape each other.

CHAPTER ONE

Background and Theoretical Questions

This chapter reviews what we already know about the national U.S. context surrounding campus sexual violence and builds on insights offered in the scholarly literature. The first half of the chapter summarizes relevant laws, social movements, and policies regarding campus sexual violence. The second half of the chapter presents the theoretical questions at the heart of this dissertation.³

LEGAL CONTEXT

As of 2025, a web of related laws determines universities' obligations to address sexual violence. The web includes Title IX (1972), the Clery Act (1990) (hereafter referred to as Clery), the Violence Against Women Act (1994) (VAWA), and the Campus Sexual Violence Elimination Act (2013) (Campus SaVE Act) (see Table 1).

Title IX has come to require that universities address sexual harassment (which legally covers sexual harassment and sexual assault) as an issue of gender inequality (Dauber and Warner 2019; Edelman and Cabrera 2020; Gronert 2019). This particular framing placed sexual violence in a context initially shaped more by concerns about inequity in access to curricular resources, majors and degrees, and sports and sports funding. Title IX has always been accompanied by controversy, although many of the measures it promoted legally have now become normalized as university practices (Davis 1999; Reynolds 2022; Ware 2007). Today it is a matter of course that higher education institutions may no longer exclude students from specific programs and majors based on gender; nor may they withhold resources from women's

³ This chapter incorporates ideas from my prior published work (Gronert 2019, 2022a).

Table 1. Federal and State Law Timeline, 1972–2017

Level	1972	1990	1991	1992	1994	2000	2006	2013	2014
Federal	Title IX Act	Clery Act		Campus Sexual Assault Victim's Bill of Rights	VAWA	VAWA renewed	VAWA renewed	VAWA renewed, included the Campus SaVE Act, which updated Clery	
State		SAESA	Sexual assault defined as student misconduct						State administrative code amended to align with federal law

Abbreviations: Sexual Assault in Education and Statistics Act (SAESA),⁴ Sexual Violence Elimination Act (Campus SaVE Act), Violence Against Women Act (VAWA)

⁴The Sexual Assault in Education and Statistics Act (SAESA) is the pseudonym for the state law that required universities to provide students with education on sexual assault and also publish statistics on reported sexual assaults of students.

athletics. Nevertheless, such resources are arguably still tilted toward masculine-coded fields and sports.

Dr. Bernice Sandler is known as the “godmother of Title IX” for her legal activism that contributed to this legislation and helped to implement it (Alexander 2019; Goldman 2019; Grigoriadis 2019). After facing sex discrimination in her work in academia, Sandler joined the Women’s Equity Action League. She realized that many universities had federal contracts that required them to not discriminate on the basis of sex per an executive order by President Lyndon B. Johnson (Alexander 2019; Goldman 2019). Through filing federal complaints against 250 universities and a class-action lawsuit against all U.S. universities for gender discrimination, she began working with congressional representatives like Rep. Martha Griffiths and Rep. Edith Green to make this statutory law (Alexander 2019; Goldman 2019; Grigoriadis 2019). This work with congressional representatives was the basis for what later became Title IX. Sandler went on to work as the director of the Project on the Status and Education of Women at the Association of American Colleges (Project) (Alexander 2019; Goldman 2019; Grigoriadis 2019). During her time as the director of the Project, the organization published the first report on campus sexual harassment in 1978, which even included the possibility of using Title IX to address such sexual harassment (Project on the Status and Education of Women 1978).

To explain federal interpretation of Title IX regarding sexual harassment, since 1981 the Department of Education’s (ED) Office for Civil Rights (OCR) has periodically issued guidance, typically in the form of a Dear Colleague Letter (DCL), question and answer documents, and manuals (Miller 2017; Reynolds 2018). Guidance clarifies how the federal agency interprets law to the stakeholders beholden to that law. In 1992, the United States Supreme Court (SCOTUS)

“recognized that sexual harassment could be considered gender discrimination prohibited under Title IX” in *Franklin v. Gwinnett County Public Schools* (Kuznick and Ryan 2008:373).

During the Obama Administration, Title IX guidance changed significantly; most notably, Title IX became and continues to be central to federal oversight of universities’ practices regarding sexual violence. The Obama Administration released four guidance documents, which focus on survivors’ rights and the operation of Title IX offices (OCR 2011, 2013, 2014, 2015). Generally, people who work in compliance, Student Affairs, and/or health services for survivors identify the 2011 DCL as a letter that underscored that the Obama Administration wanted to hold educational institutions accountable for addressing sexual violence. In 2017, the Trump Administration reversed course and implemented interim Title IX guidance, which constrained protections for survivors (OCR 2017b, 2017a). Since 2017, the Trump and Biden Administrations have focused on revising Title IX regulations.⁵ Proposed regulations go through a notice-and-comment period where the public can submit comments. These comments are then considered by the federal agency. The agency ultimately publishes the official regulations and those are considered binding under federal law. As such, regulations carry more authority than guidance.⁶

In addition to Title IX, Clery requires that universities⁷ release annual security reports (including campus policy) and protect the rights of those involved in campus sexual assault adjudications (meaning the formal process of investigating and resolving a sexual misconduct report) (Dauber and Warner 2019; Kiss 2013). Originally passed in 1990 as the Student Right to Know and Campus Security Act, Congress later renamed the law after college student Jeanne

⁵ This refers to the first Trump Administration (2017–2021).

⁶ The Supreme Court’s June 2024 decision to overturn *Chevron v. Natural Resources Defense Council* does make the interpretative authority of ED and other federal agencies uncertain.

⁷ Any university that receives federal funding must adhere to Clery’s requirements.

Clery, whom Joseph Henry raped and murdered in 1986. This renaming acknowledged Clery's parents' activism and lobbying efforts regarding campus crime (Dauber and Warner 2019; Kiss 2013). Clery addresses sexual assault as one of many campus crimes. In 1992, the Campus Sexual Assault Victim's Bill of Rights amended Clery to require that parties in these adjudications have the same rights (Dauber and Warner 2019; Kiss 2013).

While Title IX and Clery focus on educational institutions, VAWA has a broader scope, but I will focus on its application in higher education. Passed in 1994, VAWA gave additional funding to "many organizations that sustain anti-rape activism at the grassroots, including crisis centers and educational offices" (Whittier 2019:137). Some such organizations also work with or in colleges to respond to campus survivors, or to provide campus education. VAWA has also provided grant funding to sexual assault service and prevention education providers at universities (Bevacqua 2000). Whittier (2019:193) explains, "for feminists, these campaigns, like VAWA, have both liberatory and regressive potential," recognizing that social movements' intentions for how laws should be interpreted, applied, and enforced do not necessarily win out.

In 2013, as part of the VAWA renewal, the Campus SaVE Act passed, which revised and expanded Clery such that schools were required not only to define sexual consent in their policies, but also to educate students on how to prevent gender-based violence (Dunn 2014). The Campus SaVE Act made two other important amendments to Clery: first, the scope of the law was amended to address dating violence, stalking, and other forms of gender-based violence (Dunn 2019); and second, sexual assault adjudication procedures were modified to ensure that all parties involved would receive the case decision in writing at the same time (Dunn 2014).

To address variation in schools' policies and activist pressure on ED, the Obama Administration issued the Not Alone Report, which recommended best practices for school

policy regarding sexual violence (White House 2014; White House Taskforce to Protect Students from Sexual Assault 2014). Schools may choose to follow the report's recommendations, but they are legally obligated to follow federal guidance and regulations that stem from Title IX, Clery, VAWA, and the Campus SaVE Act.

In addition to federal law, individual states may also regulate campus sexual violence through state statutes. Since approximately 2013, at least four states have passed affirmative consent laws (Serad 2014). Such laws require institutions of higher education that receive state funding to have an affirmative consent policy, meaning consent must be clearly given (often verbally) and free from the influence of alcohol or drugs (Johnson and Hoover 2015). Further, some states, like Virginia, implemented statutes that require universities to execute broad mandatory reporting policies (Brubaker and Mancini 2017).

Laws that apply to campus sexual violence matter not only in how they regulate universities, but also in how they provide political and cultural opportunities for universities. Universities as formal organizations, university leaders, other university-affiliated actors, and activists may push for further legal change, or use the openings provided by legal change to attempt to change or to resist changing how universities address sexual violence. Moreover, these laws have become a crucial resource for university governance and operations; they lay out universities' obligations, and universities' counsel and compliance staff interpret them. Some of these laws were made possible by activism, such as Clery, which resulted from Jeanne Clery's parents' activism. Thus, the law may set favorable conditions for change or be the stage for change in the dynamic interaction between universities, legal change, and activism. Next, I turn to activism on campus sexual violence.

ACTIVISM AT UNIVERSITIES

Rape became a problem “on the public agenda” thanks to feminist activism during the 1970s (Bevacqua 2000; Brownmiller 1975). Black feminists had long considered rape a social problem, but they were not heeded because of racism, sexism, and misogyny (Freedman 2013; Richie 2012). Prior to rape being publicly considered a social problem, rapists were framed as strangers who were dangerous, especially seen as pathological individuals who targeted women alone at night (Bevacqua 2000; Greenberg and Messner 2014). As evidence of the inaccuracies in this view mounted, feminists shifted the analysis of rape from being individuals’ deviant acts to rape being emblematic of gendered inequality and patriarchal violence against women (Abu-Odeh, Khan, and Nathanson 2020; Bevacqua 2000).

Universities were linked with the anti-rape movement because activism was clustered in areas with universities, which also tended to have feminist networks (Bevacqua 2000). Campus activism began in the 1970s (Gold and Villari 2000), but at that point did not identify universities as organizations facilitating sexual violence (Armstrong, Hamilton, and Sweeney 2006; Hattery and Smith 2019; Martin 2016). While it is unclear when the first Take Back the Night march occurred, the first-large scale march occurred in 1978 in San Francisco, to both protest violence against women and pornography. Undergraduates first held their own version of a Take Back the Night march in 1981 at George Washington University (Bevacqua 2000). During the 1980s, Take Back the Night became a “ritual event,” meaning a regular celebration or observance of an important event for a social movement (Staggenborg 1998; Staggenborg and Lang 2007). Take Back the Night now occurs at colleges across the U.S., typically in the form of a march and/or vigil, where survivors share their stories.

As universities came to understand sexual violence as some sort of problem for higher education, student activists organized locally in various ways, including helplines, ride services, workshops, and by making demands of administrators (Bevacqua 2000; Gold and Villari 2000). In 1977, a group of students and alumni worked with Catherine McKinnon to sue Yale University to address sexual harassment on campus, arguing that it constituted gender discrimination and was therefore actionable under Title IX (Simon 2004). Although dismissed, *Alexander v. Yale* was the first case to link sexual harassment to Title IX, a link that became important for the movement in the 2010s (Heldman et al. 2018; Reynolds 2022).

During the 1980s, feminist social scientists shifted the definition of the problem to focus on the high proportion of sexual violence committed by people victims knew as acquaintances, friends, and intimate partners (Bevacqua 2000; Gavey 2005; Koss et al. 1988; Russell 1990). Much of this is apparent in Mary Koss' research articles and her 1988 trade book, *I Never Called It Rape*, published by the Ms. Foundation (Warshaw 1994). Koss used samples of college students to show how "date rape" and "acquaintance rape" were problems, drawing on the discursive frame of "date rape" that feminist activism had developed during the 1970s and spread during the 1980s (Bevacqua 2000). Bevacqua (2000) argues that Koss' research supported concurrent student efforts mobilizing against sexual assault. With this focus on the statistics regarding victims and perpetrators, a new understanding of sexual assault and rape as a "women's health issue" was layered onto the social problem framing. For example, in the case of Barnard College and Columbia University, this meant that university staff who addressed sexual violence were pushed into mental health services (Abu-Odeh et al. 2020).

From the late 1980s through the 1990s, anti-sexual violence activism became more professionalized, much like the broader feminist movement in the U.S. (Ferree and Martin 1995).

Rape crisis centers and other grassroots feminist organizations became absorbed by schools, hospitals, and other formal organizations by 1990 (Martin 2005; Whittier 2019). While grassroots activism was less prevalent, the movement was becoming professionalized within universities through health centers, campus rape crisis services, gender studies departments, and student affairs offices; the insider activists in these positions were said to be using “unobtrusive mobilization,” a concept common for feminists in the 1990s (Katzenstein 1990; Martin 2005:101). The professionalization of work to address campus sexual violence included campus health centers, which sometimes offered mental health services. Such professionalization resulted in universities “arguably depoliticizing sexual assault” and failing to understand it as a “gender-stratification problem” (Abu-Odeh et al. 2020:368, 373).

Campus anti-sexual assault organizing encouraged further campus policy and legal developments in the 1980s and 1990s. Grassroots activism that focused on college men started in the late 1980s and gained popularity in the form of educational programs, eventually growing enough to offer a career in the violence prevention profession (Greenberg and Messner 2014; Messner, Greenberg, and Peretz 2015). This period is also when universities started date rape and “no means no” education for students of all genders (Bevacqua 2000). Yale had changed its formal sexual harassment policies because of the plaintiffs who brought *Alexander v. Yale*, and the case appears to have spurred the implementation of sexual harassment guidelines at hundreds of other institutions in the 1980s (Simon 2004).

The first affirmative consent, or “yes means yes” policy was drafted at Antioch College in 1991, which was initiated as students protested Antioch’s handling of a rape case, demanding policy changes. The Antioch students, faculty, and administrators eventually wrote the policy together (Sanday 2007), but it was seen as radically different enough that it generated much

discussion, including a skit mocking it on Saturday Night Live. Nevertheless, affirmative consent would become a standard policy at universities by the late 2010s (Malae 2022). In the 1990s, Katie Koestner, a victim of sexual assault as an undergraduate at College of William and Mary, became an activist speaking nationally about sexual assault and taking issue with university responses (Gold and Villari 2000). Professionalized feminist groups, like the National Organization for Women, pushed for the 1994 VAWA, while younger grassroots activist groups were much less involved (Whittier 2019).

While Whittier (2019) argues that the 1990s and 2000s were a period of abeyance for grassroots anti-campus sexual violence activism, I argue that this was not a period of abeyance but a period of movement institutionalization that rendered the movement less visible nationally. Ritual events became institutionalized at universities and persisted from the 1980s onwards. Activists on campus mostly facilitated ritual events or local, short-lived campaigns (Whittier 2019). These ritual events included: Dating/Domestic Violence Awareness Week, Take Back the Night, The Clotheslines Project, Sexual Assault Awareness Week, the Vagina Monologues, and Walk a Mile in Her Shoes. In, 2000 Sexual Assault Awareness Week was changed to include all of April and was renamed Sexual Assault Awareness Month (Baker and Bevacqua 2018). Dating/Domestic Violence Awareness Week became Dating/Domestic Violence Month, spanning the month of October. January became Stalking Awareness Month. Some national groups and coalitions of students formed in the 1990s but no longer exist (Bevacqua 2000; Gold and Villari 2000). To sum up, the 1990s and 2000s were not a period of movement abeyance but of ritualization, rendering ritual events part of organizational life that persist across multiple cohorts of actors. In Chapter Three, I explore how ritualization was a part of how the movement against sexual violence became institutionalized over time at State University. The threefold process I

detail of ritualization, formalization, and professionalization offers a sharper picture of activism and organizing in pursuit of movement institutionalization during the 1990s and 2000s.

Sexual violence was not absent from national debate during the 1990s and 2000s, but national attention shifted away from higher education. The early 1990s included multiple high-profile cases of sexual violence. The so-called “Tailhook scandal” revealed that Navy and Marine Corps officers and contractors sexually assaulted and harassed 80 to 90 women at the 1991 Tailhook convention (Kempster 1993). Also in 1991, at the Senate Confirmation hearings for now-Justice Clarence Thomas, Anita Hill accused him of sexually harassing her during their time working together. That same year, William Kennedy Smith of the Kennedy family was acquitted of rape in a case that ignited journalistic debate over naming victims when reporting on such accusations and court trials (Anon. 1991). In 1992, boxer Mike Tyson was charged with and convicted of raping Desiree Washington, a Miss Black America contestant (Muscatine 1992). Across these cases, the power of the perpetrator was central, marking a shift from the “date rape” frame in higher education. Importantly for later university-focused activism and broader activism against sexual violence, Tarana Burke began organizing using “Me Too” as a frame in 2005 (Garcia 2017), which emphasized sexual violence as a pervasive experience.

While activism against campus sexual violence was mostly absent from the national stage during the 2000s, the Center for Public Integrity’s (2010) report “Sexual Assault on Campus: A Frustrating Search for Justice” shined light on the problem of universities not fulfilling their legal obligations under Title IX and Clery. The report also demonstrated how student survivors were deeply disappointed when they chose to report to their university and found the adjudication process disempowering and unjust (Center for Public Integrity 2010). The Center for Public

Integrity's (2010) report is one prominent example of journalists bringing public attention to campus sexual violence.

In 2011, local mobilizations and Title IX guidance converged to create political opportunities for the movement to push universities and the Obama Administration for change. "SlutWalks" rapidly spread across the U.S. and Canada after a Toronto police officer made a victim-blaming comment (Whittier 2019). Some university activist groups organized SlutWalk as a ritual event. Later in 2011, a group of Yale students and alumni filed a federal Title IX complaint and strategically communicated with news media, leading to national attention (Bennett 2011). Analysis of how survivor-activists used news media tends to emphasize how they used it strategically, treating journalism merely as a tool for activists. In contrast, in Chapter Five, I demonstrate that student journalists are an important category themselves within the university as a formal organization. From 2011 through 2016, sustained and coordinated mobilization brought national attention back to campus and generated recommendations, guidance, and law from state and federal government (Gronert 2019; Dauber and Warner 2019). Survivor-activists founded several social movement organizations (SMOs) to coordinate this work: End Rape on Campus (EROC), Know Your IX, and SurvJustice. Thus, during the 2010s activists used a variety of strategies, moving beyond the unobtrusive mobilization within campuses that had not resulted in significant gains in the 2000s (Heldman et al. 2018; Heldman and Dirks 2014). Many survivors found public ways to tell their stories, from Angie Epifano's (2012) viral blog post on how Amherst failed to address her sexual assault to Emma Sulkowicz's 2014–2015 Carry That Weight performance art protest with her mattress (Marcotte 2015). Another way of actively "stand[ing] outside and allocat[ing] blame" to institutions was legal mobilization, specifically hundreds of Title IX complaints and an unknown number of Clery

complaints filed with the federal government (Gronert 2019; Heldman et al. 2018; Martin 2005:102). SMOs like EROC, Know Your IX, and SurvJustice were instrumental in filing federal complaints. Sustained public visibility combined with mobilization resulted in changes in university policy, state legislation, and federal law and guidance.

The movement had to change focus after the election of Donald Trump in 2016, focusing on state laws and defending gains made under the Obama Administration. Sexual assault remained under national scrutiny in 2017 due to the viral #MeToo movement, which grew out of the previously mentioned phrase and movement founded by Tarana Burke in 2005. Student activists drew on #MeToo for their campus organizing. National attention to sexual violence continued in 2018 when Dr. Christine Blasey Ford testified during a SCOTUS confirmation hearing that Justice Brett Kavanaugh had sexually assaulted her when they were teenagers. In 2019, Chanel Miller revealed that she was Emily Doe in the 2015 Stanford case where Brock Turner sexually assaulted her. After the 2020 election of Joe Biden, the movement prepared for him to overturn the Trump Administration's Title IX rule. As of this writing, the Biden Administration's Title IX rule has been released, but cannot go into effect in several states because of ongoing lawsuits (Knott 2024). The 2024 re-election of Donald Trump brings further uncertainty for federal Title IX rules and the sexual misconduct policy space.

UNIVERSITY POLICIES

Both activism and law have shaped sexual violence policies in higher education. Sexual violence policies at American universities vary significantly (Sabina and Ho 2014; Sabina, Verdiglione, and Zadnik 2017). Evidence suggests that how policies are implemented varies based on the type of institution, including how school officials interpret Title IX and its guidance (Gualtieri 2020). This extends to variation in resources for survivors depending on the type of

university (e.g., a two-year college, a small liberal arts college, a Big Ten school, etc.) (Sabina and Ho 2014). Schools employ compliance professionals to implement the law and oversee compliance; these include Title IX coordinators and Clery professionals (Edelman and Cabrera 2020; OCR 2015; U.S. Department of Education 2016).

Research on non-educational workplaces indicates that leaders' messaging about sexual violence also matters; this conclusion could be extended to universities. Hart and colleagues (2018), using an experimental survey, found that people take sexual harassment or sexual assault more seriously if the organizational leader's message emphasizes the gravity of the problem. Thus, college presidents, provosts, and other leaders' messaging on sexual violence may impact the seriousness given to the issue in a university's entire community.

As universities are also workplaces, they are organizations that implement sexual harassment policies for their employees. Dobbin and Kalev (2019) conducted a study of 805 companies over 32 years (this does not include universities), finding that types of sexual harassment policies and programs impact women differently according to individuals' race and the number of women managers already employed in their workplace. After a grievance procedure was introduced, generally, workplaces were seen to employ fewer women of color overall and saw no increases in white women in management (Dobbin and Kalev 2019). New *employee* trainings that explained sexual harassment were followed by "reductions in white women in management" (Dobbin and Kalev 2019:12259). New *manager* trainings on sexual harassment, which the authors argued were similar to bystander intervention programs, showed the most promise for increasing women in management across races (Dobbin and Kalev 2019). Thus, sexual harassment policies matter for both gender and racial composition of workers across an organization's hierarchy.

Preventing sexual violence before it happens, and responding to it after the fact, are the two categories of strategies that institutions of higher education employ (Greenberg and Messner 2014). Sexual harassment policies for employees likely took the form of interventions that Dobbin and Kalev (2019) studied, as discussed above. Interventions focused on students are intrinsically different. Universities need students and recruit them; they also have a legal responsibility to educate them. Students expect universities to offer them an “experience” that extends beyond the classroom. Federal law lays out universities’ obligations to students’ civil rights, which includes Title IX. After explaining how prevention is typically carried out, I turn to consider responses after the fact, meaning how institutions handle official reports (e.g. penalties for assailants, academic accommodations for survivors) and confidential resources (e.g. mitigating survivors’ trauma through mental health services).

Health education has become the predominant violence prevention strategy on university campuses (Greenberg and Messner 2014; Hirsch and Khan 2020; Messner et al. 2015). Such violence prevention approaches grew out of the public health field, campus health centers, and men’s engagement (Hirsch and Khan 2020; Messner et al. 2015). The idea underlying health prevention education is to bring “medical and disease-based approaches to bear on gender-based violence” to stop such violence before it happens (Greenberg and Messner 2014:231). Under the Campus SaVE Act, since 2015 all universities must require prevention education for incoming students and employees.⁸

Since approximately 2014, universities have widely adopted “affirmative consent” policies following the Antioch model as a result of varying combinations of activist pressure, the federal attention to sexual violence, and state law (Gronert 2019; Malae 2022). I believe that

⁸ This applies to all universities that receive federal funding.

universities have adopted formal recognition of this standard of affirmative consent for the purpose of brand management, because there is no evidence that students generally are practicing affirmative consent (Gronert and Raclaw 2019; Prior and de Heer 2022; Willis and Jozkowski 2018). Yet, even when students' sexual scripts *do not* align with affirmative consent, students can articulate the policy and demonstrate their understanding of it (Gronert 2022b; Gronert and Raclaw 2019). Thus, educational interventions seem better at increasing knowledge than changing norms and interpersonal practices.

Universities have fielded sexual misconduct climate surveys since approximately 2015 in the wake of the Not Alone Report (White House 2014), which recommended that universities survey their students so that they could better address sexual violence.⁹ In 2015, the Association of American Universities (AAU) (2015a) in partnership with Westat, a survey research company, conducted a survey at 27 AAU member institutions and one non-member institution. According to an AAU (2015a) press release, "Nearly all of the AAU universities not participating in the survey are either carrying out their own surveys or participating in state university system surveys." A flurry of such climate surveys were fielded between 2015 and 2020. Fielding climate surveys symbolically bestowed attention on the issue of sexual violence and garnered prestige for the universities that fielded them.

Universities have adopted bystander intervention training due to the Campus SaVE Act, which requires that Annual Security Reports include information about bystander intervention trainings. Moreover, the Campus SaVE Act requires universities to have all new students and employees go through "primary prevention programs;" this language directly comes from public

⁹ While social scientists had empirically shown that sexual violence was pervasive on campus (see Prior and de Heer 2022 for a review of these quantitative studies), the first university-fielded surveys began in 2015.

health, not the new manager trainings Dobbin and Kalev (2019) studied. Such primary prevention programs under the law are to “encourage bystander intervention” (Campus Sexual Violence Elimination Act, 2013). Bystander intervention as an approach teaches students how to intervene and encourages students to interrupt anything from a rape-supportive joke to a situation where someone is being physically harmed. Some bystander intervention programs are empirically supported for specific types of and sizes of schools (Coker et al. 2011, 2016).

However, universities are not necessarily using programs supported by empirical research. Research shows that it matters greatly *how* bystander intervention trainings are facilitated. The facilitator, the medium, and content of such trainings may in fact reinforce sexist beliefs and inadvertently stall gender equality on campus (Tinkler 2018; Tinkler, Clay-Warner, and Alinor 2018; Tinkler, Gremillion, and Arthurs 2015; Tinkler, Li, and Mollborn 2007). In their study of a mandatory sexual misconduct training, Htun and colleagues (2022) found mixed and less-than-ideal results. After the training, students gained knowledge about behaviors that constitute sexual misconduct, but women said they were now less likely to report being sexually assaulted by another student (Htun et al. 2022). Generally, one-time trainings produce fewer changes in students’ knowledge and attitudes about sexual assault than semester-long classes (Gronert 2022b; Jozkowski 2015). Finally, students may use the knowledge from bystander intervention trainings to uphold campus hierarchies and to sexually harm their peers, such as a man from high-status fraternity offering to walk an extremely inebriated woman back to her dorm room for her safety and then raping her (Wamboldt et al. 2019).

Generally, campuses have two pathways for victim reporting strategies: formal and confidential. Legally, all response strategies are governed by Title IX, Clery, and the Campus SaVE Act. The formal pathway falls under what scholars call an internal justice system, meaning

the university oversees the process of taking reports, investigating, and conducting hearings (Hattery and Smith 2019). To make a formal complaint, the student survivor must report to campus police, the Title IX coordinator, or the judicial branch of the Dean of Students' Office. Schools then adopt a criminal justice-like approach, where the accuser is the "complainant," and the accused is the "respondent" (Cantalupo 2013).

Sexual misconduct policies shape whether and how survivors report sexual violence. Few students report sexual violence through the formal, non-confidential pathway (Holland and Cortina 2017a; Khan et al. 2018). Mandatory reporting falls under both Title IX and Clery; currently, this means that most non-academic staff and faculty must send the name of a student who discloses sexual violence to their university's Title IX office. Research shows that mandatory reporting policies actually suppress reporting and may even force students to report when they do not wish to do so (Holland et al. 2021; Holland, Cipriano, and Huit 2020; Holland, Cortina, and Freyd 2018; Khan et al. 2018). Title IX policies are challenging for students to navigate (Albrecht, Nielsen, and Wuorinen 2023; Bedera 2021). In an online experiment, researchers found that undergraduates did not understand Title IX policies (Albrecht et al. 2023). Cruz (2019, 2020) finds that while Title IX administrators may have good intentions toward those reporting a problem, they also work hard to appear objective in every individual case and to avoid media and public scrutiny of how prevalent such cases might be. Ultimately, this fuels a Title IX system that upholds gender inequality (Cruz 2020). Other scholars have shown that universities' sexual violence response systems uphold intersecting inequality regimes of race, gender, sexual orientation, and class (Acker 2006; Grundy 2021; Hirsch and Khan 2020).

Drawing on her ethnographic observation of and interviews with survivors, perpetrators, and administrators at "Western University," Bedera (2021) argues that the Title IX reporting

system is set up for survivors to fail and that they cannot pursue the options they want for justice. Regarding the process of making complaints about institutional problems, including sexual harassment, Ahmed (2021) studied testimonies (oral and written) by faculty and students who had made harassment complaints. Ahmed (2021:257) argues “complaints are contained because of what they threaten to reveal”; the implication of which is what they reveal about the organization, namely sexual harassment going unchecked, unpunished. Another issue with Title IX and sexual misconduct policy is what advocates call “pass the trash” (Logan 2018). This means that those who are found responsible for violating Title IX or school sexual misconduct policy may find employment or enroll as a student at another institution, without the next institution being made aware of these prior offenses. Some schools are now requiring potential employees to disclose whether they have officially been found to have violated Title IX or school sexual misconduct policy when they apply for a position.

The confidential pathway offers resources for survivors through campus health centers and centers for survivors; scholars argue that these resources resulted from feminist anti-rape mobilization (Bevacqua 2000; Greenberg and Messner 2014). Many campuses have confidential resources, but they vary in whether they are health- or survivor-specific services. Some campuses have sexual assault centers, which “place survivors’ needs and interests at the very center of their mission” (Holland and Cortina 2017a:51). Campus victim advocates work for such centers and do work similar to rape crisis advocates in the community; they can provide therapy services and attend all steps of the formal reporting pathway. As of 2015, research found that 55 percent of a nationally representative sample of colleges employed on-campus victim advocates (Richards 2016). The same study found that two-year colleges were less likely to report having victim advocates and counseling services than four-year institutions, again showing how resources to address sexual violence vary

across colleges and universities (Richards 2016). Confidential resources for survivors are essential as most faculty and university staff are now considered Title IX responsible employees or “mandatory reporters” under the Biden Administration’s Title IX rule.

Accommodations for those who report sexual violence have been contested in debates over Title IX policies. The landscape has changed such that accommodations are available for victims who report, so long as they do not impact the accused during the adjudication.

Accommodations during the adjudication process are called interim measures. Interim measures have been criticized by law professors, those accused of perpetrating sexual assault, and men’s rights groups as unfair to the accused, unjustly impacting their education before allegations are properly adjudicated (Bartholet et al. 2014, 2017; Halley 2014, 2016). Accommodations and interim measures are generally handled by some combination of compliance officers (e.g., Title IX staff), Dean of Students staff, and campus victim advocates. Accommodations can include the victim accessing disability accommodations for exams, changing housing, notifying faculty of extenuating circumstances, etc. Such accommodations are also generally available for those accused of perpetrating sexual violence.

Universities’ sexual misconduct policies and practices have overwhelmingly perpetuated campus inequalities. Dissatisfaction with the formal reporting process has stopped survivors from pursuing justice (e.g. Ahmed 2021; Bedera 2021). This leads to several questions. Which dynamics incite organizational action or discourage organizational action? What is institutional action intended to accomplish (e.g. reduce incidents of violence or reduce reporting of incidents of violence)?

I contribute a study design that looks across the membership of the university, including staff, faculty, leaders, and students (graduate and undergraduate) and that is attentive to change

over time. Prior scholarship argues that leaders' messaging about sexual violence may shift organizational insiders' views on the gravity of the problem (Hart et al. 2018) suggesting that university leaders' messaging about sexual violence matters. In Chapter Five, I add a new analytic perspective on student journalists, tracing how their demands for policy and accountability interacted with SU leaders' and staff members' attempts to address sexual violence.

To conclude this background section, I emphasize that universities are required to follow a web of federal law, federal regulations, federal guidance, and state laws and their own evolving policies regarding sexual violence. These include but are not limited to, Title IX, Clery, VAWA, and the Campus SaVE Act. National and local activism has taken the form of grassroots feminist actions, professional social movement groups, student protests, and ritual events. Activists have demanded more responsive sexual violence policies at universities, targeting individual campuses, state legislatures, and the federal government. Policies on campus sexual violence have proliferated, especially after the 2011 DCL. These policies vary depending on the size and type of university. How policies are implemented is also variable and matters greatly for justice and equity. Different organizational actors have the potential to maintain the organizational status quo or push to change it. Thus, law, activism, policy, and organizational members shape whether and how universities address sexual violence.

THEORETICAL STAKES

I now turn to elaborating the research questions guiding each empirical chapter. Chapter Three focuses on the changes in institutionalization of the movement against campus sexual violence. Chapter Four foregrounds law-making, and I analyze how Title IX and other linked campus sexual violence laws provided changing opportunities or obstacles for university

activists and formal organizations over time. In Chapter Five, I investigate how university constituencies—a set of actors with institutionally defined roles in the organization—frame sexual violence as a problem and make demands on how the university should address sexual violence. I pay close attention to how challengers (student journalists and feminist faculty and graduate students) and organizational representatives (staff and leaders) make demands of the university and how university leaders respond.

Institutionalization of Social Movements

Chapter Three looks at institutionalizing a social movement as a process, meaning how the social movement becomes “sticky” and reproduces itself over time within the organization, which depends on a number of actors (Colyvas and Jonsson 2011:38). I draw on the case of the anti-sexual violence movement at SU to unpack how such “stickiness” is created and used over time and across cohorts of activists.

Universities offer useful cases to examine how the institutionalization of the movement against sexual violence happened over decades. The institutional forms that the movement against sexual violence has taken have become more visible not only nationally but also on individual college campuses. Today, universities clearly dedicate resources to managing, or at least appearing to manage, what they concede is a continuing problem of sexual violence.

Debates over the consequences of institutionalization have primarily focused on community rape crisis centers and the criminal justice and healthcare systems of these communities (Bevacqua 2000; Bumiller 2008; Corrigan 2013; Martin 2005; Richie 2012). Some scholars have argued that grassroots activism became coopted and gave up their transformative politics to support carceral politics in order to work with the federal government, the criminal justice system, and the medical institution (Bumiller 2008; Corrigan 2013; Richie 2012). Others

have argued that the anti-rape movement made strategic tradeoffs to win abiding influence within mainstream institutions (Bevacqua 2000; Martin 2005).

Universities have rarely been thought of as following their own institutional course of development. Yet, college campuses in the U.S. often have their own police forces and systems of judicial review for complaints levied against faculty, staff, or students. Focus on these bodies and rules suggests that many scholars view sexual violence as a problem for the criminal justice system; yet it is possible for a complaint at a university to not go through that system whatsoever. Moreover, universities' student populations have remained active in the movement against campus sexual violence, continually problematizing the issue. And universities are high-turnover organizations where students' "careers" are intended to be short and even faculty, staff, and leaders experience considerable turnover.

College campuses are the sites where students learn how to mobilize, organize, professionalize, and formalize positions through grassroots activism and ritual events. These are four distinct processes for social movements. Han (2014) notes that mobilizing and organizing bolster each other but are different movement actions. Mobilization is carried out by a few leaders trying to accomplish specific actions with lots of people, not trying to build "capacities for further activism" while, in organizing, leaders try to build people's capacity for future activism and grow a movement community (Han 2014:11). Professionalization occurs when movement actors gain official power, status, and resources within an organizational hierarchy (Staggenborg 1988, 2013). Formalization happens when social movement organizations follow specific and established processes or have created structures that enable their mobilization and organizing even when the occupants of positions change.

Professionalization and formalization together reflect what Reger (2018) calls the academic opportunity structure, wherein student groups are expected to learn to meet specific criteria to professionalize and formalize. By developing “centralized leadership,” regular activities, and university advisors, groups become able to gain funding, meeting space, and other resources from the university (Reger 2018:559). The formalized status of student groups is an asset for their persistence beyond their founders’ date of graduation; it is easier for later cohorts of students to sustain the group, and the group may have access to mentoring by seasoned campus professionals (e.g., staff and faculty). So, professionalization and formalization are two types of movement institutionalization. A third type of institutionalization is found in ritual events, meaning “periodic celebrations or commemorations of meaningful occasions” (Staggenborg and Lang 2007:178). These have become the visible annual activities of student groups, including Take Back the Night, which started in the 1970s and continues today.¹⁰

I bring a new analytic perspective on institutionalization by focusing on actors whom I call hybrid activists. These actors flow between movement activism and their professional positions and who mentor students via formalized student groups (Binder and Kidder 2022; Broadhurst and Martin 2019; Reger 2018). They work with students to sustain the movement and connect all three movement institutionalization processes: professionalization, formalization, and ritualization.

Models for institutionalizing social movements. There are two competing sociological models of the institutionalization of social movements. In the first model, the classic social movement story, challengers work to gain power by building an organization and gaining

¹⁰ Take Back the Night started as a protest regarding violence against women and pornography and arose from a march in San Francisco in 1978. It has since morphed to become more broadly about sexual and gender-based violence.

resources by means of institutional structures and policies. Through that process, the movement organization absorbs the challengers and coopts their social movement goals and ideas (Coy and Hedeen 2005; Modavi 1996; Piven and Cloward 2012). This institutionalization-as-cooptation model would predict that institutionalizing a movement as an organization or a part of an organization would dampen, chill, or coopt grassroots activism. Much scholarship on the anti-rape movement that is focused on the criminal justice system and associated organizations argues that the anti-rape and anti-domestic violence movements succumbed to cooptation by the priority criminal justice gives to punishing offenders (Bumiller 2008; Corrigan 2013; Richie 2012).

This first model has been critiqued by social movement and gender scholars. Davidson (2018:214) contradicts this classic story, showing how an LGBTQ+ organization in the Netherlands became institutionalized in working with and working within the government; he argues that they did not become coopted, but instead made “tradeoffs,” and mostly gained what they wished. Scholars who study gender and social movements have also illustrated the limitations to this classic story, showing benefits that accrue to “unobtrusive mobilization,” also known as the “occupy and indoctrinate” strategy; specifically, feminist social movement organizations embedded within larger institutions are able to impact institutions’ policies and practices to be more in line with the feminist organizations’ goals (Ferree and Martin 1995; Katzenstein 1990:27; Martin 2005:102). Hence, the classic social movement story may fail to capture the complexities of movement strategies and tactics as movements work with or within organizations.

The second model of institutionalizing social movements captures the dynamism of actors and their methods for working with or working within organizations. Initially, this second model was focused on the spectrum of actors involved when a social movement targets an

organization. Scholars understand this to be a spectrum running from insider to outsider (Abers 2021; Arthur 2009; Binder 2009; Briscoe and Gupta 2016; DeJordy et al. 2020; Donoso 2017; Katzenstein 1998; Pettinicchio 2012, 2017; Werum and Winders 2001). Those with some degree of institutional membership may try to marginalize a social movement or they may ally with outsiders in trying to bring that social movement centrally into the institution. This second model initially was concerned with actors' location and how that impacted their activism and, in turn, how they were able (or unable) to transform the organization.

Scholars do not focus on cooptation of the movement in this model of institutionalization but emphasize variation in the processes and outcomes of social movement activities that get institutionally accepted. This second model predicts varied and complex outcomes for organizational change when a social movement is institutionalized. It also predicts degrees of professionalization and formalization where power is placed with bureaucrats within the organization and new formal offices are created, both of which are focused on organizational transformation. Banaszak (2005:150) offers the example of Esther Peterson, Assistant Secretary of Labor under the Kennedy Administration, who "had long been an advocate for women workers." Peterson influenced the Kennedy Administration to create the President's Commission on the Status of Women, contributing to a political opportunity for the women's movement (Banaszak 2005).

Relying on analysis of actors' organizational location has been critiqued by those who study gender, politics, and social movements. Katzenstein (1998:197) argues that researchers cannot assume that "organizational location mandates a particular set of political forms or political claims" as that would obscure "that which needs to be elucidated." Building on this

insight, Banaszak (2005, 2010) questions a purely location-based framework for analyzing activism and social movement institutionalization.

In focusing on the U.S. federal government and the women's movement, Banaszak (2010:8) argues that a "movement-state intersection" exists where "a network of movement actors or organizations is located within the state . . . The intersection of movements with the state varies across movements and across time for the same movement." Banaszak (2010:15) shows that the movement-state intersection is not the end result of movement institutionalization but that "the multifaceted and varied nature of both states and movements allows intersections at any state of movement mobilization." So, Banaszak and Katzenstein emphasize the necessity of investigating organizational actors' politics and activism while recognizing that a movement can intersect with the state to varying degrees during the process of the movement becoming institutionalized within an organization. I apply their insights from the movement-state intersection to consider the intersection between the university as an organization and the movement against campus sexual violence.

I extend the work of scholars who sought to examine the dynamism of how social movements become institutionalized by focusing on the complexity of movement actors and their access to institutional resources (Banaszak 2010; DeJordy et al. 2020; Isaac et al. 2020; Katzenstein 1990, 1998). I contribute the concept of hybrid activists to focus on those actors who remain identified with the movement for change even as they access formalized resources as organizational professionals. Hybrid activists, I show, toggle between activism and their professional work, using each to enrich the other. These hybrid activists drew my attention as I investigated social movement institutionalization at SU and saw all three processes of

institutionalization—ritualization, professionalization, and formalization—as directly linked in their work.

Processes for institutionalizing social movements. Haveman (2022:158) critiques how many scholars have used institutionalization to “mean everything and explain everything.” I aim to specify how the three processes of professionalization, formalization, and ritualization contribute to a larger process of social movement institutionalization over time and across cohorts of activists.

Through the process of professionalization, social movements gain power within an organization, including opportunities for movement actors make personal gains and follow career trajectories within the organization as employees or leaders (Staggenborg 1988, 2013). Through formalization, movements can establish and grow official social movement organizational structures within a larger organization or become freestanding organizations with their own processes of recruiting and funding future actors (Staggenborg 1988, 2022).

Scholars emphasize possibilities for cooptation within the processes of professionalization and formalization. Markowitz and Tice (2002) call these the “paradoxes of professionalization,” emphasizing the tensions that arise when a grassroots social movement organization becomes a formalized and professionalized workplace that is subject to employee hierarchies, as well as donor demands and backlash, placing their social change agenda at risk. Building on Markowitz and Tice (2002), Messner and colleagues (2015) argue that formalized college violence prevention programs are deployed strategically by university leadership as public relations for their whole organizations, which vacates such initiatives of their potential for transformative social change. I argue that Messner and colleagues (2015) are overlooking the

ways outside of formal violence prevention programs that professional violence prevention staff could still impact the movement against campus sexual violence.

On university campuses, staff and faculty whose jobs intersect with or focus on sexual violence are affected by the processes of professionalization and formalization. Scholars argue that campus women's centers and victim advocates are the present-day outcome of feminist anti-rape organizing and rape crisis centers' activism (Bevacqua 2000; Greenberg and Messner 2014; Martin 2005). Such centers are staffed by students and staff who continue to organize on feminist issues, including sexual violence (Crossley 2017).

Rojas (2010) argues that the growth of Black Studies constitutes a "bureaucratic response to a social movement" and Arthur (2009) and others have argued the same about gender and women's studies. Some see these formalized programs within universities as "institutional abeyance structures" that allow the feminist movement to persist through activist downturns as resources and organizing are still rooted in women's and gender studies departments, women's centers, and student groups (Crossley 2017). We also can expect victim advocacy and violence prevention staff or offices to constitute a bureaucratic response to the anti-sexual violence movement that can be used to preserve the university's image or brand (Messner et al. 2015; Prior and de Heer 2022). But such staff or offices could also function as institutional abeyance structures for the movement against campus sexual violence in times of downturn and offer activism opportunities when attention returns.

In addition to formalization and professionalization, I bring a new focus on ritualization, which I define as ritual events becoming regular features of organizational life that persist across multiple cohorts of actors and thus institutionalizing activism itself. Studies have shown that grassroots activists, social movement groups, undergraduate groups, and university centers

facilitate ritual events, such as Love Your Body Day or Take Back the Night (Crossley 2017; Reger 2018; Staggenborg 1998). Ritual events help sustain attention to and participation in the movement and help it gain legitimacy in the eyes of organizational actors (Fiorito 2019; Smithey and Young 2010; Swerts 2015). Ritual events vary in the extent to which they support or substitute for contentious politics (Staggenborg and Lang 2007).

Importantly, ritual events and practices offer a sense of movement continuity over time and connection between prior, present, and future movement phases, organizations, and actors (Eyerman 2006). These are critical aspects of what institutionalization means. Events that have become ritualized include International Workers' Day/May Day, Christopher Street Day, Pride, and "Un Violador En Tu Camino" (BerlinOnline 2022; Blakemore 2020; Bowman 2022; González-López 2020).

Ritual events allow movements to stay visible and keep or gain legitimacy, even during times when the movement has fewer political opportunities (Smithey and Young 2010; Staggenborg and Lang 2007). In the college campus context, ritual events are a forum where students can learn how to organize, often with specific offices', departments', or centers' staff and faculty mentoring or collaborating with students on such events. Certain ritual events, like Take Back the Night, are widely recognized as important by activists and gender scholars but have not received systematic scholarly attention for their importance to institutionalizing social movements (Kretschmer and Barber 2016). I extend this analytic focus to the campus anti-sexual violence movement's ritual events.

To investigate the process of how the movement against campus sexual violence was institutionalized over time, I look at long term data on actions, actors, and resources that show whether and how this movement became institutionalized at SU. I ask: How do the processes of

professionalization, formalization, and ritualization interact with one another? Where and by whom are these three institutionalization processes connected? How do hybrid activists use their positions as professionals in a formal organization to contribute to the ongoing survival of the movement against campus sexual violence at SU?

Legal Mobilization, Legal Framing, and Legal Ambiguity in a Legally Pluralistic Environment

In Chapter Four, I build on emerging scholarship that addresses the interplay between multiple linked laws on campus sexual violence. I bring a sociology of gender and law and society lens to studying these laws using legal mobilization and framing in the context of legal ambiguity and pluralism. Legal pluralism occurs when different legal systems and norms co-exist (e.g., a university is accountable to both state and federal law and the university's code of conduct interacts with those laws) (Merry 1988; Suchman and Edelman 2007). By legal ambiguity, I mean the indeterminacy produced by multiple laws that try to address the same issue or conduct.

Earlier literature on campus sexual violence has largely ignored the significance of a legally plural context and assumed that law is determinate. Legal determinacy is the assumption that "law on the books" works as intended and produces change, such as changing the organizations to which the law applies. Dobbin (2009) cautions against considering specific laws as dramatic turning points for changing society since they at best initiate a struggle over what they are to mean going forward. The interdisciplinary scholarship on campus sexual violence does examine state laws, focusing on laws that enforce mandatory reporting at universities, reporting sexual assaults to police, and other criminal justice system measures. These studies generally find that such state laws are ill-suited to address campus sexual assault (Brubaker and Mancini 2017; DeMatteo et al. 2015; Richards and Kafonek 2016).

DeMatteo and colleagues (2015) and Richards and Kafonek (2016) examined the text of laws and proposed legislation, an implicitly legally deterministic approach, in contrast to Brubaker and Mancini (2017). Richards and Kafonek (2016) find much variation in the types of proposed legislation at the state level regarding campus sexual assault. The state laws that passed during their period of study established partnerships with criminal justice actors; these are the types of law interdisciplinary scholars of sexual violence generally find do not work well in increasing reporting or reducing incidence of sexual assault (Richards and Kafonek 2016; Brubaker and Mancini 2017). These three studies imply legal pluralism is at play as they frame state laws as filling in the gaps in how federal law addresses campus sexual violence (i.e., federal law is the minimum standard for universities) (DeMatteo et al. 2015; Brubaker and Mancini 2017; Richards and Kafonek 2016) but are not designed to capture the interaction between the trajectories of multiple laws on campus sexual violence over time.

Scholarship on legal pluralism encourages scholars to move away from essentialist ideas of law (Berman 2009). Research already suggests that local norms impact the use of law regarding campus sexual violence, which is an example of legal pluralism (Boyle et al. 2017; Gualtieri 2020). For instance, variation in local norms helps explain why administrators at large research universities and small liberal arts colleges used Title IX differently in the wake of the 2011 DCL to demonstrate their compliance with the law (Gualtieri 2020). Boyle and colleagues' (2017) work shows that campuses with women's centers, gender scholars, and feminist activism were more likely to report more sex crimes to ED under Clery, suggesting that these locations were more attentive to issues of sexual violence or had created more trust for survivors to come forward.

Whittier (2019:138) argues that VAWA's framing of "violence against women as a gendered crime" and discussion of its renewals in 2000, 2006, and 2013 "helped build support for later legislation and policy initiatives, such as expansions in the enforcement of Title IX and 2013 expansions to the Clery Act." Whittier suggests that VAWA, Clery, and Title IX are linked in practice in their connection to campus sexual violence, but without showing how.

Legal pluralism has also impacted legal activism on campus sexual violence. I use legal activism broadly, referring to activists' engagement in diverse legal processes, such as lobbying, legal mobilization, and legal framing (e.g., García-Del Moral 2022). Crabtree (2021) shows that survivor-activist groups have framed sexual violence as a legal problem and lobbied against proposed legislation at the state level regarding campus sexual violence. Here, I employ Lehoucq and Taylor's (2020:178) definition of legal framing, "the use of law in an explicit, self-conscious way to give meaning to an event." This is evident in the mobilization strategies of the activists that Crabtree (2021) studied, who targeted state governments to fight for survivors' rights because the federal government became harder to target after the 2016 election of Donald Trump. Thus, they navigated a legally pluralistic system to find opportunities for their activism.

Lehoucq and Taylor (2020:178) define legal mobilization as "the use of law in an explicit, self-conscious way through the invocation of a formal institutional mechanism." They define legal mobilization as such to differentiate it from other forms of legal activism, such as lobbying, to try to prevent slippage of the concept (Lehoucq and Taylor 2020). As both Crabtree (2021) and Gronert (2019) have noted, much of the scholarship that studies Title IX and Clery has focused on legal mobilization at the national level through federal complaints to ED.

Reynolds' scholarship (2018, 2022) is a notable example in approaching Title IX in a non-deterministic way in the context of legal pluralism. In a longitudinal study of federal Title IX

complaints, Reynolds (2018:20) shows that legal mobilization of Title IX is “institutionally uneven,” and that prestigious, highly selective colleges face more federal complaints. This finding suggests that such legal mobilization happens “in the shadow of the institution” (Albiston 2005). Reynolds (2022:500) shows how Title IX came to include sexual harassment through endogenous repurposing of the law, whereby “mutual interpenetration of social networks across the educational and legal domains stimulated the emergence of this innovative interpretation of the law.” In other words, social networks in specific locales (Yale and University of California–Berkeley) transformed the meaning of Title IX to include sexual harassment; these local norms shaped the law’s meaning (legal pluralism).

Networks matter for how law acquires meaning. Feminist students and lawyers at Yale and UC Berkeley were able to come into contact with each other, interact, and propose that Title IX applied to what is legally classified as sexual harassment (this includes sexual assault) (Reynolds 2022). While activists at Cornell University, such as Lin Farley, came up with the term “sexual harassment,” Cornell as a case lacked the interaction between feminist activists and lawyers that generated groundbreaking legal framing. Thus, the innovation of Title IX applying to sexual harassment was not present in the discussion at Cornell (Reynolds 2022).

Recent work expands scholarship on campus sexual violence beyond Title IX to include the web of pertinent laws, specifically Clery; this approach has shown that university policies and practices are shaped by both Clery and Title IX. In Holland’s research on mandatory reporters/campus security authorities, she studies the effects of both Title IX and Clery (Holland 2017; Holland and Bedera 2020; Holland et al. 2020). Rondini (2021) found that Title IX staff perceived Clery to be at cross-purposes with their jobs and with Title IX policy. Title IX coordinators saw Clery as in tension with the work they were doing, since if the Clery sexual

violence statistics were high, students might see the high statistics as evidence of the university not addressing sexual violence and then not seek out campus resources that Title IX offices or coordinators could supply (Rondini 2021). To the general public, such Clery statistics could indicate that a university is a “rape school,” when, in actuality, such statistics indicate a high number of reports to Title IX and other non-confidential offices, not the actual incidence of sexual assaults. Rondini (2021) argues that concerns over this perception lead to campuses more readily complying with Title IX than Clery. Holland’s and Rondini’s scholarship illustrate how Clery and Title IX are linked laws that cannot be completely disentangled from one another in university practice, for better and worse. Yet, scholarship that analyzes the multiple laws that address sexual violence at universities remains limited.

The sociology of gender and the law and society literatures question a deterministic approach to law. The interdisciplinary literature on campus sexual violence is mixed in its assumptions about law. Some scholars treat law as deterministic (e.g., DeMatteo et al. 2015), while others emphasize confusions over Title IX policy (e.g., Albrecht et al. 2023) or legal indeterminacy¹¹ in Title IX and its application on campus (e.g., Edelman and Cabrera 2020). Legal indeterminacy emphasizes that law does not exist as indisputable text but is rather applied by legal actors and open to re-interpretation when conflicts over the specific law arise (e.g., Hart 2012; Holmes Jr. [1897] 2009; Unger 1983). For example, Title IX is only 37 words; what it means in practice depends on case law, guidance and regulations documents, and application on individual college campuses.

I will use “legal ambiguity” to refer to legal indeterminacy generated by multiple laws. Legal ambiguity identifies not only the indeterminacy of legal text but adds the uncertainty

¹¹ Legal indeterminacy is often called legal ambiguity in legal endogeneity scholarship (e.g., Edelman 2016).

created by legal pluralism in the form of multiple, interacting laws. It is this compounded ambiguity that sets the context for diagnostic struggles over the meaning of laws and solutions for sexual violence. Chapter Four brings this law and society perspective to the web of laws that pertain to campus sexual violence. Importantly, legally plural contexts are not inherently ambiguous, such as the example of the pluralism of American federalism. Under American federalism, it is often quite clear when state law versus federal law or other rules should govern.

So, it is less predictable how the legal ambiguity and legal pluralism created by multiple linked laws on campus sexual violence interact with the organization of the university and local activism. Chapter Four asks, how do activists' legal mobilizations and legal framings (legal activism) interact with this legally plural, ambiguous environment over time? When and how does the organization seize on some laws as useful (and others not) in such an environment over time? What opportunities or obstacles does the legally plural, ambiguous environment present for activists and organizations over time?

University Constituencies, Response to Problems, and Institutional Betrayal

As a formal organization, a university has multiple members who are part of formal and informal hierarchies. Formal organizations are made up of people who occupy specific roles and have resources, status, and responsibilities as occupants of these roles, both individually and collectively. Within the university, the membership in such roles creates what I call constituencies, since each group has interests linked with their position in the organization. The most obvious such roles in a university are administrative leadership, faculty, students, and non-academic staff.

I contribute a specific focus on student journalists as an important constituency. Conventionally, universities have a student-run newspaper that is presumably autonomous but

does not have the same protections as professional media.¹² Student journalists write about issues important to the student body and student newspapers are a forum for student perspectives not only through interviews but also editorials and letters to the editor. In their research on student activists, Binder and Kidder (2022) found that the student newspaper could be an important community for and socializing agent of student activists. Extending work that encourages scholars to pay attention to “the mutual effects of media coverage and events” (Oliver, Hanna, and Lim 2023:11), I assert that student journalists are a significant campus constituency with their own interests in shaping the university. Student journalists not only have organizational interests as students, but also as journalists who can do their best work with organizational support for student newspapers. Thus, I analyze student newspaper articles as giving voice to student interests and making demands of SU’s administration.

In the case of a research university, students could be at the graduate or undergraduate levels, learning from experts, discovering new ideas, seeking out credentials to improve their job prospects, and potentially engaging in efforts at social change. One such avenue for future job experience would be staffing the student newspaper.

University faculty make up another important constituency, whose interests include their specific academic departments, labs, research groups, and the university overall. Laube (2021) has found that feminist faculty sometimes bring their expertise to bear on organizational issues to improve gender equity. More broadly, faculty are a constituency who bring their personal and specific organizational interests to faculty governance (e.g., Senate memberships, university committees, department roles) and to more informal efforts to shape the organizational behavior of the university.

¹² The Student Press Law Center has a library of relevant court cases about student media, protection, and censorship: <https://splc.org/law-library/>.

The number of non-faculty employees, whom I call non-academic staff or university staff, has increased at universities. Connell (2019:56) points out that such staff are “operations workers,” as they make it so that the university “operates as an organization.” This includes staff in Student Affairs, like those who work in the Dean of Students Office, but also staff in other positions like university police, research labs, and teaching units.

Organizational leaders are prominently understood as critical actors for explaining organizational responses to sexual violence. Scholars highlight how failures in addressing sexual violence are linked with how university leaders attempt “to please varying stakeholders and constituents like alumni, corporations, accrediting bodies, state, local, and governmental agencies, athletic supports, and granting agencies” (Prior and de Heer 2022:33). As Martin (2016:39) argues, “leaders are caught in a web of social, political, and economic ties that prompt them to prioritize interests other than the welfare of women students.” The expectations constituencies have of universities often oppose one another (Prior and de Heer 2022).

I use “university leaders” to refer to those in managerial positions at the top of the university hierarchy, like Provosts or Chancellors. Becoming a university manager like a Dean, Provost, or President has become a distinct career path (Connell 2019, 2024; Thelin 2018). After the student movements of the 1960s, universities have gradually changed priorities such that university leaders act like corporate managers and run the university like a corporation (Connell 2019; Prior and de Heer 2022; Thelin 2018). The position of Dean varies depending on whether it is academic. Academic Deans come from the faculty and often return to the faculty after their term ends. In contrast, non-academic Deans are a newer role, sometimes filled by staff from Student Affairs or by new hires. The non-academic Deans have become similar to “middle management” at a corporation in that they answer to those at the top of the university hierarchy.

Historically, before additional leadership levels were instituted above Deans, the Dean of Students was a university leader. In the case of SU, Deans ranked highly in the university hierarchy during the time period under study in that they answered to the Chancellor but retained much discretion over their defined area. Thus, the SU Dean of Students was a role I consider a university leader during the time period I studied.

As the review of university constituencies illustrates, universities are not only institutions of higher education, but they are also workplaces. Therefore, universities are beholden to U.S. law that governs employment in addition to law that governs education. Law and related policies are forces with which university leaders must contend; the same goes for employees whose work intersects with these laws (e.g., faculty, non-academic staff). Sexual assault and sexual harassment are covered by Title IX as a problem of educational inequity, while sexual harassment in the workplace is covered by Title VII and relevant federal guidance (Dobbin 2009; Edelman and Cabrera 2020; Zippel 2006). Analytically, to cover the scope of sexual harm that falls under Title IX and Title VII, I use a definition of sexual violence that includes the behaviors of both sexual assault and sexual harassment. This definition allows me to capture issues that may be important to different university constituencies.

The many constituencies that make up an individual organization, like a university, can respond in a range of ways, such as inaction, discourse, or using their resources to address a given problem, like that of sexual violence. An example of inaction is the lack of doing anything about the problem, such as a lack of policy. Constituencies also construct problems through discourses about the organization's relationship to the issue they raise (García-Del Moral 2016; Winder 2023). A prominent example of discourse about sexual violence raised by activists, including feminist social scientists and students, is that of "date rape" and "acquaintance rape,"

as detailed earlier in Chapter One. Taking action through using resources depends on the constituency. For example, university leaders can use their organizational resources to create an office to address an issue. Student journalists, for instance, decide which stories to report, and their editors decide which become features or series.

Fraternities are a competing organizational system of power within the university; their goals are often at odds with university faculty, staff, and leadership's goals for the university as an organization. Greek letter organizations started at U.S. universities in the 1800s and endure today (Syrett 2009). Several different councils of Greek organizations exist, and they map onto the race and class demographics of the Greek letter organizations belonging to each council. As I discuss later, the Greek organizations on Greek Row at SU are historically white organizations that belong to the Interfraternity Council (men's organizations) or the National Panhellenic Association (women's organizations) (Freeman 2020; Syrett 2009). In addition to the current student members, the constituency of the Greeks includes their alumni and their advisors (themselves alumni or university staff).

By historically white, I mean that these organizations started at colleges and universities with almost exclusively white student bodies. I use the terminology of "historically white" as Black fraternities often do not have their own houses and "lack anonymity" (Ispa-Landa and Thomas 2023:170). Indeed, at SU, the Black fraternities did not have their own houses on Greek Row. Today, while historically white organizations cannot legally only select white students, their current members are still majority white students (Chang 2014). Their alumni are also disproportionately white and a potential source of university donations (Connell 2019). Greek organizations remain a bastion of privilege in U.S. higher education (Armstrong and Hamilton 2013; Ispa-Landa and Thomas 2023).

Research has long established that fraternities are “rape-prone” contexts where fraternity men are not deterred from committing sexual assault (Armstrong, Hamilton, and Sweeney 2006; Boswell and Spade 1996; Hirsch and Khan 2020; Martin and Hummer 1989; Sanday 2007; Wade 2017). In addition to hegemonic masculinity and rape culture, men in historically white fraternities benefit from their control over the party scene (Armstrong and Hamilton 2013; Wade 2017). Their control over the party scene is an organizational issue that illustrates struggles between fraternities, non-academic staff, and university leaders. For example, non-academic staff enforce a “dry dorms” policy, but fraternities transport underage women from their dorms to fraternity houses for parties with alcohol (Armstrong, Hamilton, and Sweeney 2006). Historically, while universities were still held *in loco parentis*, sororities were subject to the same rules as women in college dormitories (Fabris 2015). In the last approximately 40 years, however, National Panhellenic sororities’ (historically white) facility insurance policies mandate that no gatherings with alcohol are to be held in their houses.¹³ This mandate likely stems from lawsuits against *fraternities* for accidents and deaths resulting from gatherings with heavy drinking (Fabris 2015; Ispa-Landa and Thomas 2023). Thus, sorority houses’ insurance policies push sorority women into partying at fraternity houses, where perpetrators use alcohol as an intoxicant and disabling agent to commit sexual violence at fraternity parties (Armstrong, Hamilton, and Sweeney 2006; Fabris 2015; Ispa-Landa and Thomas 2023).

In analyzing universities as hierarchical formal organizations pursuing prestige and resources, scholars have noted a lack of institutional commitment to care for university members and to adhere to moral commitments (Connell 2019, 2024; Prior and de Heer 2022). Regarding

¹³ This has not only been uncovered by news reporting, but I can anecdotally confirm this as I was an advisor for a National Panhellenic sorority for nearly seven years and a member of said sorority for three years as an undergraduate.

sexual misconduct, institutional betrayal refers to how an organization, like a university, harms its members by not engaging in prevention efforts or not adequately responding to reports of sexual violence (Freyd 2018; Freyd and Smidt 2019; Smith and Freyd 2014). Institutional betrayal is becoming further studied in sociology (e.g., Bedera 2021) as an organizational phenomenon while psychologists study institutional betrayal's ramifications for individuals' well-being and trauma recovery. We can think of institutional betrayal as a stylized fact with much psychological and interdisciplinary empirical evidence to support it (Freyd and Smidt 2019; Griffin 2023; Hirschman 2016; Rosenthal, Smidt, and Freyd 2016).

In Chapter Five, I build on Martin's (2016) recommendation to study sexual misconduct at universities with an eye to the multiple constituencies that compose and make demands of the formal organization. I study these constituencies' interactions, demands, and struggles over time. I also analyze how these constituencies react to instances of institutional betrayal. I consider the following research questions: (1) when, how, and by which constituencies is sexual violence framed as a problem specific to the university; (2) when, how, and by which constituencies is sexual violence framed as a problem for which the university as a formal organization bears responsibility; and (3) when and how do university constituencies demand that policies and practices extract accountability from organizational insiders?

CHAPTER TWO

Methods and Data

Change is at the heart of the research questions I presented in Chapter One. I use case study and process tracing methods to investigate change over time, as these methods are well suited to analyzing how processes develop and shift and the mechanisms at play. The goal is to “consider simultaneously the impact of diverse factors and to analyze processes over time” within the case of a single university (Lange 2012:45).

I focus my analysis on the period from 1972 through 2017 to trace how university leadership, staff, faculty, and students changed their understanding of and approaches to reducing campus sexual violence, as this kind of harm increasingly fell under the jurisdiction of Title IX. To do this, I selected one large public university for an intensive case study, called SU.

My case study approach combines analysis of events and groups covered in campus newspapers with archival work on the establishment of formal offices, allocation of resources, and social movement events; supplemented by retrospective interviews with some of the actors involved. The long time period of the study allowed me to observe the processes by which on the one hand social movements, law, and policy changed SU; and on the other the social movements, law, and policy themselves changed. These are longer-term processes, often taking decades. Moreover, I was able to study the roles of individuals and organizations within the larger context of SU.

I chose this 45-year period (1972–2017) because 1972, when Title IX passed, also marked the heightened visibility of the anti-rape movement (Bevacqua 2000). Case study logic asks primarily “how or why questions about processes unknown before the start of the study” (Small 2009:25) in an “attempt to explain holistically the dynamics of a certain historical period of a particular social unit” (Stoecker 1991:97–98). The empirical study of a single case provides

insight into how processes unfold over time and offers explanation of processes within the case that led to specific outcomes (Lange 2012). The goal is not to generalize from the case to a population, but rather to build analytic generalizations by finding processes that may apply under similar circumstances (Yin 2013).

THE CASE: STATE UNIVERSITY

The IRB protocol required the use of a public-facing pseudonym to obscure SU's identity. Moreover, not naming the university under study was useful methodologically for recruiting interviewees; it built trust and enabled my access to their insights. This is especially important given the sensitive nature of sexual violence and the politics of it. Interviewees confirmed that maintaining confidentiality was an important precondition for their participation. Thus, interviewees and all organizations or groups named are pseudonyms.

The case of SU offered fruitful opportunities to observe both local social movement activity and university-specific initiatives and highlight effects of some generalizable factors. Student mobilizations happen more on campuses with a history of student activism (Van Dyke 1998), and SU has a strong history of student activism since at least the 1960s. SU's Women's Studies program started in the mid-1970s, making it an early adopter of curricular institutional responses to Title IX in relation to academic aspects of discrimination. As a public research university, SU must be responsive to state and federal law, and faces heightened scrutiny from public authorities. In fact, SU has faced Title IX complaints and federal investigations. SU's home state also has its own laws regarding campus sexual violence, and SU's responsiveness to those laws has varied over time. Like other selective universities, SU has an organizational imperative to protect its prestige and attract students from a national pool. It also has an organizational imperative to follow federal law to preserve its federal funding.

SU also shares with many large state universities a culture that contributes to sexual violence. This culture emphasizes partying and sports, and encourages men to participate in rape-prone systems, such as fraternities and athletic teams, for the status they confer (Martin 2016; Sanday 2007). Studies on the prevalence of sexual assault for undergraduate, graduate, and professional students at SU establish that the overall magnitude of the problem is similar to the estimates of sexual violence at other selective universities (Cantor et al. 2020). Additionally, various academic departments at SU have a local reputation for a culture of harassment against cisgender women, trans and non-binary faculty, staff, graduate students, and undergraduates; and some of these incidents have become public scandals. Because many of the structures and cultures of SU are commonly found at other public universities, SU as a case study offers potential for analytic generalization to other such universities.

DATA COLLECTION

I triangulated data collected from student newspaper articles, SU's archives, and contemporary retrospective interviews to examine how the multidimensional processes of organizational and legal change as well as activist pressures combined to shape how sexual violence was defined as a university problem and how solutions were imagined and implemented.

Newspaper Data

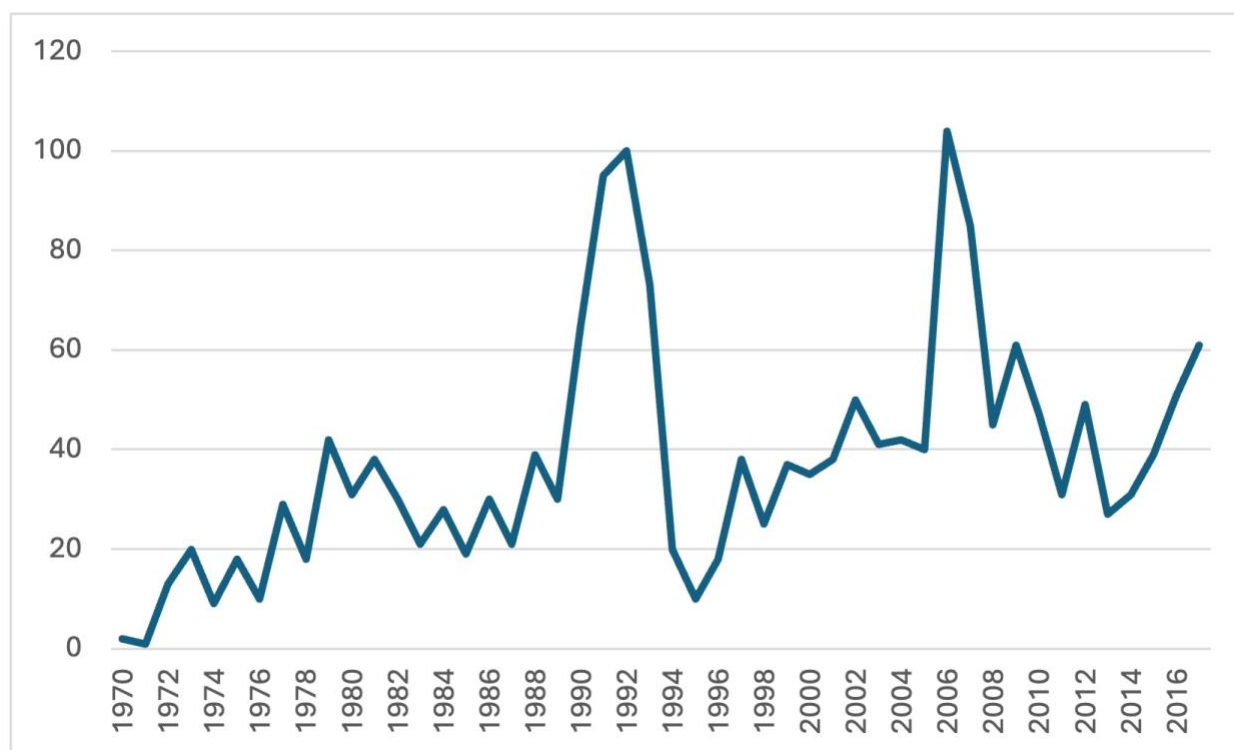
I used student newspaper data to identify events and turning points in activist efforts, university policies and practices, and university responsiveness to the movement, triangulating these stories with archival data and interviews (Earl et al. 2004). The newspaper articles are specific to SU and offer contemporaneous accounts of events, allowing for historical analysis (Tarrow 1996). By capturing university leaders' and activist groups' contemporaneous

perspectives, the student newspaper data are particularly helpful in understanding the issues that activists and administrators considered important.

With the assistance of four undergraduate research assistants, I collected and digitized a sample of 1,807 newspaper articles published in two student newspapers from 1970 through 2017 (Figure 1). The majority of the source articles were not yet digitized—they were only available as printed newspaper copies in the archives. Therefore, a keyword search was impossible. Roughly half the sample came from each of the two student newspapers (55 percent of the articles came from one newspaper and 45 percent came from the other, 995 and 812 articles respectively). As shown in Figure 1, the number of newspaper articles in the sample by year peaked in the early 1990s and mid-2000s, likely due to high-profile cases of sexual violence, including but not limited to the SCOTUS confirmation hearings for now-Justice Clarence Thomas, and several local cases of stranger rape. The campus newspapers were not available online in their entirety until 2008 and 2011. All newspaper articles came from the published physical editions of the newspapers.¹⁴ Using the same sampling rule for the small proportion that were digital kept the data consistent.

¹⁴ For digital editions that were identical to the published physical editions, we used the sampling strategies detailed. Student editors generously shared full digital files of the physical editions.

Figure 1. Number of Newspaper Articles by Year, 1970–2017 (n=1807)



My research assistants and I collected these articles using a quasi-random sampling strategy. Each study team member was assigned specific years, started with the first week of that year, and then proceeded chronologically. In the years that the newspapers were released daily or 5 days a week, everyone used the same random number generator to select a day of the week. The team member would read the article headlines in that day's issue, looking for articles on sexual violence. If they found an article on sexual violence, they would then look through all the newspaper issues from that week, making sure to scan all articles from that week on sexual violence. If they encountered an article on sexual violence that referenced a past article, they would search past issues in order to scan that article and add it to the sample. For years where newspaper issues were released weekly, we looked through every newspaper issue from that year. Since we were interested in the substantive features of the articles that

covered sexual violence in some way, we accepted that this procedure overestimates the share of all articles in these papers that were concerned with sexual violence.

Table 2. Articles by Newspaper Section (n=1807)

	Number	Percentage
Page One Story	739	40.9%
News	622	34.4%
Editorial	417	23.1%
Other	29	1.6%

We collected the following types of articles: features, news pieces, letters to the editor, and editorials. We also collected ads and comics. Table 2 shows the distribution of articles by newspaper section type. About 40 percent of the sample stories came from the newspaper's front page, about 34 percent were from the news section, and about 23 percent were from the editorial or opinion section. A small percentage of articles (about 1 percent) came from other sections, such as comics or arts columns. Every week, I looked through all undergraduate research assistants' article scans and logs of bibliographic information for the newspaper articles. This way, I caught any issues with scans and had research assistants rescan the articles for highest scan quality. I then compiled the newspaper articles with their bibliographic information and assigned numbers to them. In what follows, I cite them according to these conventions:

- Article 1, May 1970: the first article my sample, a news article published in May 1970.
- Article Editorial 5, February 1972: the fifth article, an editorial published in February 1972.
- Article Letter to the Editor 31, August 1973: the 31st article, a letter to the editor.

I cited the newspaper articles using these conventions comply with the IRB requirement that I use a pseudonym for SU. This way, I am not inadvertently naming the university.

Interviews

I conducted a small number of selective interviews to augment the newspaper and archival data, focusing on people who were “critical actors involved in the processes of interest,” which also provided a validity check on my analysis (Abu-Odeh et al. 2020:357). I used the newspaper content analysis (explained below) to identify key actors. These people were active on issues of sexual and relationship violence at SU from the 1970s through 2017; they were quoted or mentioned in many newspaper articles, or occupied positions in movement organizations, community organizations, or SU university offices with sexual violence responsibilities. Such positions of interest were located within the local rape crisis center, the state battered women’s coalition, the SU Women’s Studies Department, the feminist nighttime ride service, student groups, the Dean of Students Office, the Title IX Office, Employee Affairs, SU legal counsel, a men’s engagement program for fraternities, and SU Health Services.

Having identified 23 key actors through my analysis, I conducted one-on-one interviews with each of them (see Table 3 below). One interview was conducted in person, and 22 were conducted over the phone or a video calling platform due to interviewees living out of the area, as well as the COVID-19 pandemic. All interviews were audio-recorded. They were transcribed using NVivo AI and I cleaned the transcripts with the help of an undergraduate research assistant. To further protect respondents’ identities, I created pseudonyms for interviewees and assigned each interview a number.

Table 3. Interviewees by position and years active at SU, n=23

Pseudonym	Position^a	Years active
Amy	Assistant Dean of Students	2000s–2017
Barbara	Faculty member	1980s–2000s
Beth	Violence prevention specialist, former SAVE member, SU alumna	Late 2000s–2017
Chris	Prevention specialist	2010s–2017
Daniel	Senior special assistant	1980s–2017
Ella	Violence prevention staff member, Community organization prevention and community educator, SU alumna	2000s–2016
Emmie	Former SAVE Chair, SAVE Peer Education Coordinator, SAVE member, SU alumna	2010s
Erin	Former SAVE Media Chair, SAVE member, SU alumna	2000s–2010s
Georgia	Professor of English and Women’s Studies	1970s–1980s
Gloria	Assistant Dean of Students	1990s–2000s
Haley	Former Title IX Student Advisory Group member, SU alumna	2010s
Heather	Activist, organizer, and professor	1980s–2000s
Kate	Community partner in prevention at local organization	Mid-2000s–2012
Kit	University staff person	2000s
Landon	Violence prevention peer educator	Late 2000s–2010s
Matt	Peer facilitator for fraternity program, SU alumnus	2000s
Melissa	University staff person	2010s
Michelle	Title IX Coordinator	2010s
Patricia	Former WAC director, Executive Director of local RCC	Mid-1980s–2000s
Sandra	University staff member	1980s–1990s
Sharon	Former Dean of Students	1980s–2000s
Will	Peer facilitator for fraternity program, SU alumnus	2000s
Zoe	SAVE founder, SU alumna	2000s

^a Positions listed were provided by interviewees in case they had concerns over confidentiality.

Questions to interviewees invited their reflections on (1) events and processes that led to specific university policies and practices; (2) how they saw themselves and others over the period in which they were most engaged and today; (3) whether they consider themselves activists; and (4) how successful they or others were in making change. Each interview guide included common questions for all respondents. I also was able to use newspaper and archival data to ask questions tailored to each interviewee. Moreover, I used archived oral histories to supplement interviews.

Archival Data

In addition to interviewing critical actors and collecting newspaper data, I also collected hundreds of archival documents and 22 oral histories from the SU archives between March 2020 and October 2021. Newspaper coverage was helpful in finding documents and relevant oral histories already in the SU archives. I was able to find files bequeathed by Professor Green and Ms. Morton, two prominent members of the anti-sexual violence movement at SU during the 1970s and 1980s. The SU archivists were essential to helping me locate information about the following committees and their iterations: the Sexual Harassment Policy Committee, the University Safety Committee, the SU Status of Women Committee, the Faculty Senate, and their relevant subcommittees. Upon learning about my research interests, an SU archivist also pointed me to the boxes from the Women's Area Cab, a feminist nighttime ride service. To locate policy information available to students, I consulted all available student handbooks' sections on rape, sexual assault, sexual harassment, domestic violence, and stalking (16 handbooks). I scanned all documents of interest. All oral histories and archival documents cited in the dissertation are listed in Appendix A.

DATA ANALYSIS

Content Analysis of Newspapers

With the assistance of 15 undergraduate research assistants, I conducted content analysis of the sample of 1,807 newspaper articles. I rigorously trained these undergraduate coders and regularly performed intercoder reliability checks, requiring that everyone to exceed the threshold of 0.7 using the Krippendorff's alpha statistic (Krippendorff 2004a, 2004b). We also met weekly to discuss coding challenges as a team.

Using NVivo, the qualitative content analysis accounts for (1) the establishment and dissolution of university committees, social movement groups, student groups, and faculty committees (groups code); (2) mobilizations (actions intended to persuade decision-makers); (3) passage and enforcement of laws at the city, state, and federal levels; (4) city and SU policies and programs; (5) policy and law diffusion (programs copied or shared between universities); and (6) ritual events (Take Back the Night, etc.). The full coding manual is included in Appendix B.

Drawing on these codes, I made a directory of people involved with the issue of campus sexual violence, as well as timelines that captured (1) mobilizations at SU regarding sexual violence; (2) city, state, and federal laws regarding sexual violence; (3) policies at SU regarding sexual violence; and (4) SU committees and offices that addressed sexual violence.

Codes specific to Chapter Three. For Chapter Three "Between Policymakers and Protestors," I focused on the following codes: ritual events, mobilizations, and groups (university committees, social movement groups, student groups, and faculty committees). These codes allowed me to focus on the following movement institutionalization processes: (1) ritual events becoming institutionalized, (2) professionalization of movement actors, and (3) movement formalization.

In the second phase of coding for ritual events, I grouped ritual events so that events of the same type/lineage were in the same code (e.g., “sexual assault prevention week” and “sexual assault awareness week” were grouped into the same code for Sexual Assault Awareness Week). I then assembled a timeline of all ritual events. In this timeline, I tracked the name/category of the ritual event, whether the ritual event was associated with other ritual events, who attended (using the groups and people codes), how many people attended (if available in the article). I used another layer of coding to code the people who organized or participated in these events into the following six categories of interest: (1) community/activist organizations, (2) government organizations, (3) university staff, (4) university leaders, (5) students, or (6) faculty. The following constituted the eleven types/categories of ritual events: (1) the Clothesline Project, (2) Denim Day, (3) Domestic/Dating Violence Awareness Week/Month, (4) International Women’s Day, (5) Sexual Assault Awareness Week/Month, (6) Stalking Awareness Month, (7) Take Back the Night, (8) the Vagina Monologues, (9) Walk A Mile In Her Shoes, (10) specific conferences, and (11) local ritual events. This phase of ritual events coding allowed me to track hybrid activists who organized or participated in ritual events, as well as the recruitment processes that brought new actors into ritual events.

Codes specific to Chapter Four. For Chapter Four, “How Campus Sexual Violence became a Legalized Problem,” I focused on the three following codes: Federal Laws; State Laws; and SU Policies, Procedures, and Programs. Within the Federal Laws code, I focused on the following sub-codes: Title IX, Clery (which itself included the additional sub-codes Clery Act, the Jeanne Clery Act, the Student Right to Know Act, the Campus Security Act, the Crime Awareness and Campus Safety Act, and the Campus Sexual Assault Victim Bill of Rights), VAWA, and the Campus SaVE Act. Within the Federal Laws code, I also focused on the

following sub-codes for federal guidance and/or initiatives: Dear Colleague Letters, It's On Us, and the Not Alone Report and Associated Task Force. Within the State Laws code, I focused on the administrative law that mandated sexual assault be addressed within SU's student conduct code, and the law that required all universities in the state to provide education on sexual assault at orientation and collect annual statistics on sexual assaults reported to non-confidential offices. Within the SU Policies, Procedures, and Programs code; I focused on: the amendment of the student code of conduct to include sexual assault as a sanctionable offense, policies to comply with Clery, and policies to comply with Title IX. Within each of the above codes, I noted when mobilizations occurred and when the university issued statements or made comments about legislative actions, law, or guidance.

Codes specific to Chapter Five. For Chapter Five, "Contestations in Constructing Perpetrators of Sexual Violence," I made a timeline of cases of sexual violence that generated discussion, mobilizations regarding sexual violence, and policy changes regarding sexual violence. Then, I focused on the following six codes: Campus Surveys (specifically, the AAU Survey in 2015), Editorials/Letters to the Editor (specifically, those authored by students who had attempted to report sexual violence, those authored by university leaders, and those authored by student journalists making demands of university offices and leaders), Groups (specifically, the Affirmative Action Office, the Dean of Students Office, fraternities, Greek life, Greeks, the Marching Band, Safe Campus, the University Safety Committee, the Women's Area Cab), Mobilizations, People (specifically, university leaders, self-identified victims/survivors interviewed in news articles or who authored editorials, and the serial perpetrator in the late 2010s), reported sexual violence university policies, procedures, and programs. These codes allowed me to focus on the discourse and frames surrounding sexual violence and perpetrators,

as well as the responses in the form of changes in SU's policies, practices, structures, leaders' deflections, and leaders' acceptance.

Interview Analysis

After completing each interview, I wrote a memo about what I learned that was new or seemed important. I kept these notes so that I could find those passages in the transcribed interviews. I reviewed the transcripts and coded information relevant to the research questions for each chapter. I have lightly edited interview quotes in each chapter to omit repeated words for clarity.

Interviews included in Chapter Three. For Chapter Three, "Between Policymakers and Protestors," I coded information about ritual events, mentoring students, their job duties, attempts to change how the university approached sexual violence, and their perspectives on activism (theirs and others). I included data from 11 interviews. These interviewees were: Amy, Barbara, Beth, Chris, Ella, Emmie, Erin, Heather, Kit, Sandra, and Zoe.

Interviews included in Chapter Four. In Chapter Four, "How Campus Sexual Violence became a Legalized Problem," I included data from nine interviews. These interviewees were: Amy, Barbara, Beth, Daniel, Ella, Emmie, Erin, Gloria, and Sharon.

Interviews included in Chapter Five. In Chapter Five, "Contestations in Constructing Perpetrators of Sexual Violence," I included data from five interviews. These interviewees were: Barbara, Daniel, Georgia, Patricia, and Sharon.

Analysis of Archival Documents and Oral Histories

During each visit to the archives, I wrote memos about what I was learning, noting where certain documents filled gaps in my knowledge to that date. I later relied on these notes when closely reading the document scans for analysis. In this dissertation, I draw on 69 archival data sources (oral histories and archival documents). With oral histories, I selected oral histories from

figures who had engaged in activism or participated in committees of interest. Each oral history interview index allowed me to find the relevant section of the interview, which I then transcribed. All archival documents and oral histories cited in the dissertation are listed in Appendix A.

Overall Analytic Approach

I analyzed the newspaper, archival, and interview data together, using Haydu's (2010) reiterated problem-solving approach and within-case comparisons. Haydu's approach pairs well with my theoretical grounding. The problem-solving approach allows me to analyze temporality throughout the 45 years of data; it "distinguish[es] epochs as successive problem-solving regimes" (Haydu 2010:32). This approach helps me understand how prior strategies employed by university leadership, staff, faculty, and social movement groups constrain future strategies. It also combines well with within-case comparisons among different strategies taken to ameliorate sexual violence at SU across time (Lange 2012). By triangulating the newspaper, archival, and interview data, I constructed a chronology of activism, policy changes, and organizational practices regarding sexual violence by university administration and activists. This allowed me to identify processes that preceded or followed changes in the institutional structure (e.g. the Dean of Students Office and the Affirmative Action Office could advise victims but could not sanction student perpetrators until after the change to the university conduct code) and to compare strategies that were initiated or declined during different periods. The problem-solving approach drew out what alternatives were possible, which actors were prominent in facilitating or constraining organizational change, and how previous responses to sexual violence shaped the subsequent choices (e.g. in Chapter Three, the violence prevention coordinator position grew into the Sexual and Relationship Violence Prevention and Response Office).

TERMINOLOGY NOTE

In what follows, I use sexual violence as an umbrella term. Sexual violence covers the spectrum of gender-based and sexualized violence including sexual harassment, sexual assault, stalking, and relationship violence. Universities do not share a uniform definition of these behaviors or of sexual misconduct broadly (Prior and de Heer 2022). Anti-sexual-violence mobilizations are often more specific to certain behaviors or crime definitions. I use “anti-rape movement” or “anti-sexual assault movement” to refer to concerted political actions supporting the reduction or elimination of sexual assault. These actions began during the 1960s and early 1970s and continue today (Bevacqua 2000; Martin 2005).

When I describe activism concerning sexual harassment, that emerged in the late 1970s, and I note when I am applying the term sexual harassment for behavior or when activists are applying the term in newspaper or archival evidence. Around the same time, the battered women’s movement emerged but largely among different activists, and the battered women’s movement used different routes than the anti-rape or anti-sexual harassment movements (Bumiller 2008; Schechter 1982). I use the activists’ preferred terms to refer to the “battered women’s movement” for actions in the 1970s and 1980s, and “battered women’s shelter” when I refer to the local organization from the 1970s through about 2000. The activists’ change of terms to “anti-domestic violence movement” in the 1990s, and “domestic violence shelter” after the year 2000 is one that I also follow. Some of these changes in terminology reflect shifts in perspective, and I explore the relevant changes in logics and frames in each of the empirical chapters.

When I am referring to movement organizations or actions specific to or centered on universities, I will specify that with terms like campus, college, or university. These are treated as synonyms, with no specific distinctions among them.

Most Used Abbreviations:

1. Association of American Universities (AAU)
2. Campus Sexual Violence Elimination Act (Campus SaVE Act)
3. Clery Act (Clery)
4. Department of Education (ED)
5. Domestic/Dating Violence Awareness Month (DVAM)
6. Domestic/Dating Violence Awareness (DVAW)
7. Office for Civil Rights (OCR)
8. Rape Crisis Center (RCC)
9. Sexual Assault Awareness Month (SAAM)
10. Sexual Assault Awareness Week (SAAW)
11. Sexual and Relationship Violence Campus Coordinating Council (CCC or Coordinating Council)
12. Sexual Assault in Education and Statistics Act (SAESA)
13. State University (SU)
14. Survivor, Ally, and Victim Empowerment (SAVE)
15. Violence Against Women Act (VAWA)
16. Women's Area Cab (WAC)

CHAPTER THREE: ACTIVIST PERSPECTIVES

Between Policymakers and Protestors:

The process of movement institutionalization at State University, 1972–2017

Sexual violence has been documented as a problem at universities for over 65 years (Cantor et al. 2020; Kirkpatrick and Kanin 1957). The impact of institutionalization on the anti-rape and anti-domestic violence movements in the criminal justice and medical fields over that time is much debated (Bevacqua 2000; Bumiller 2008; Corrigan 2013; Martin 2005; Richie 2012).¹⁵ At the heart of the debate is the conflict over whether institutionalizing a social movement coopts it, robbing it of its potential for social change; or whether institutionalizing a social movement sustains it, giving it access to organizational resources, dedicated actors, and other benefits. Given that the movement against sexual violence has become more visible nationally and has a strong, local presence at university campuses, most universities now invest increasing institutional resources into addressing campus sexual violence. Despite these decades of activism, we know little about how this movement has persisted and potentially been institutionalized there (Bevacqua 2000; Gronert 2022a).

This chapter examines how social movements on campus become institutionalized in higher education, pointing to interaction among the familiar processes of formalization and professionalization that grow bureaucracies, and a less-familiar, student-focused process of *ritualization* that transforms reminders of the cause into recurrent and expected campus events supported by the university. I focus on the case of the anti-sexual violence movement at SU, asking whether and how this movement became institutionalized? I draw on data from a historical case study on the politics of sexual violence at SU. My case study approach combines

¹⁵ When I discuss the movement against campus sexual violence, I broadly refer to efforts to respond to, prevent, and eradicate sexual assault, dating/domestic/relationship violence, and stalking.

analysis of events covered in campus newspapers with archival work on the establishment of formal offices, allocation of resources, and social movement events, supplemented by retrospective interviews with key actors.

In yoking together these three institutionalization processes, hybrid activists pursued strategies such that the anti-sexual violence movement became institutionalized at SU. These strategies included: (1) facilitating and sustaining ritual events; (2) mentoring student activists and activist groups; (3) passing on the facilitation of ritual event to student activists; and (4) changing SU's approaches to sexual violence.

Given these findings, I argue that this chapter's analysis bridges the two popular models of social movement institutionalization and expands the insider-outsider activist continuum beyond organizational location. Rather than institutionalization dampening grassroots activism or placing power entirely in the hands of bureaucrats within the organization, I show that hybrid activists found ways to sustain activism through mentoring the next generation of activists, routinizing student activism with ritual events, and changing SU approaches to sexual violence. Ultimately, hybrid activists institutionalized the movement itself so that it had an ongoing campus presence that outlasted individual staff, faculty, and students. Following Banaszak's (2010) insights on the movement-state intersection, I found that considering the kinds of activism and their relationships to the organization illuminated the dynamic role of hybrid activists. This moves the insider-outsider activist continuum beyond considering the organizational location of actors as a static dimension of their identity.

FINDINGS

In what follows, I show how hybrid activists acted as a conduit that linked ritual events with professional and formalized resources. The anti-campus sexual violence movement's ritual events associated with SU strikingly increased during the 1990s and 2000s because of student affairs professionals (i.e., hybrid activists) organized ritual events and mentored student groups through doing the same. The main student activist group, "Survivor, Ally, and Victim Empowerment" (SAVE), used funding from SU's student government to aid their efforts and ritual event organizing. Thus, both professional staff (who were hybrid activists) and formalized student groups organized pre-existing ritual events and drew on professionalized and/or formalized resources to institutionalize these ritual events at SU. Additionally, I illustrate how hybrid activists pushed to change SU's approaches towards sexual violence by professionalizing a position (and eventually a campus office) dedicated to sexual violence response and prevention. This position and office could draw on formalized resources, such as relationships with campus leaders, grant applications, and sexual violence incidence surveys, to continue to push for campus changes, support ritual events, and mentor student activists.

In following the three processes of ritualization, formalization, and professionalization as they interacted over time, I found that hybrid activists pursued four strategies that sustained longer-term goals of the movement against campus sexual violence. These strategies included, a holistic approach toward campus sexual violence through an office (which would include efforts to support victims/survivors and to prevent sexual violence), supporting victims/survivors, educating students/raising awareness, and preventing sexual violence. While supporting victims/survivors and education were early goals of the movement, hybrid activists were also pursuing a holistic campus approach to sexual violence as far back as the late 1980s. During the 1990s and early

2000s, the public health paradigm of prevention became a goal for the anti-campus sexual violence movement. Of course, these goals differed from the university's goals as an organization, which included educating and supporting students. Hybrid activists worked through the tensions between the movement and SU, sometimes managing to align their differing goals.

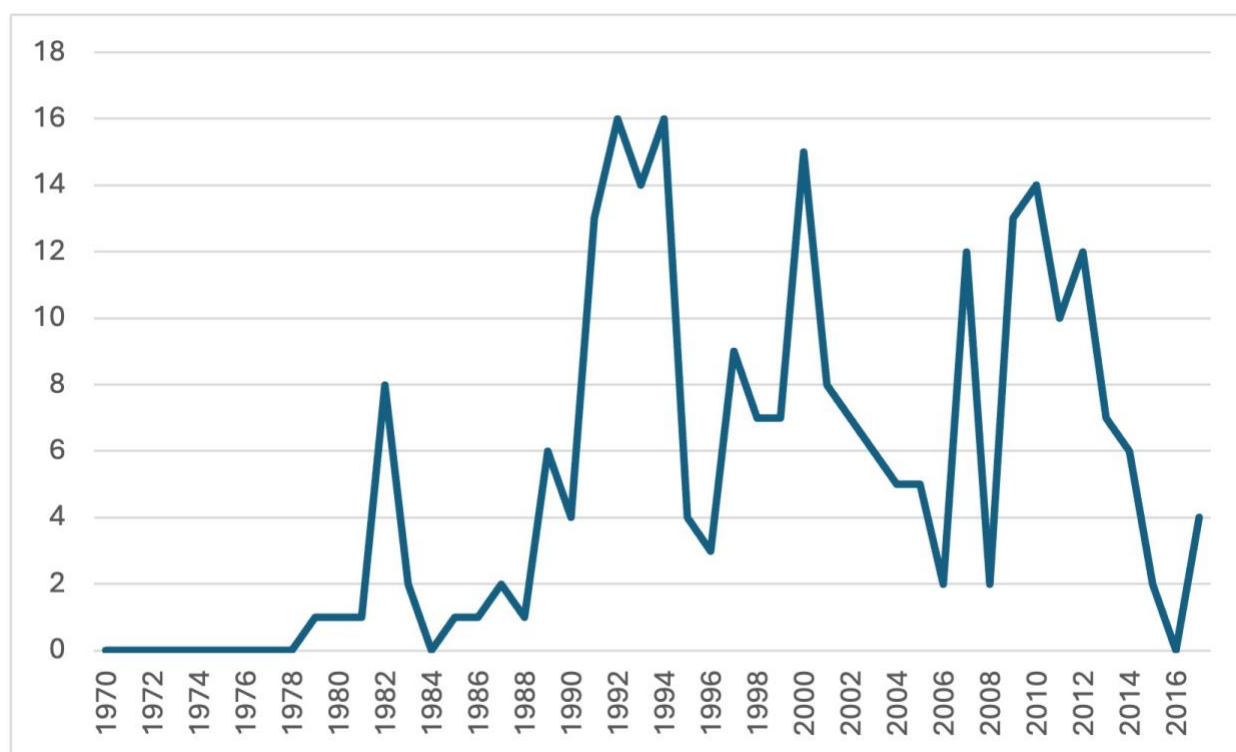
Facilitate and Sustain Ritual Events

Starting in 1979, the local anti-sexual violence movement near and around SU began to hold ritual events. These activist-run events continued through the 1980s, when in 1989 hybrid activists began to link professionalization and ritualization processes. After this link, there was a gradual expansion of professional and formalized resources for ritual events that addressed sexual violence. At this point, ritual events began to shift from being part of the broader field of the anti-rape and anti-battered women's movements within the community, to being factors institutionalizing those movements on SU's campus as part of what formalized student groups and hybrid activists developed as repertoires of contention. This shift in 1989—from ritual events being organized outside SU to being organized at SU or by SU actors—coincided with the rise of professionalized feminist movement groups and actors nationally.

In this section, I first show how ritual events preceded movement professionalization and formalization. Mobilizations became ritualized and regular features of community activism that eventually joined with SU activism. Next, I show how the professionalization and formalization of the anti-sexual violence movement at SU brought further resources to those ritual events and allowed for the processes of professionalization, formalization, and ritualization to complement one another moving forward. Lastly, I analyze how ritual events entering the university aligned well with the university's goal of educating students.

The rise and persistence of ritual events. Starting in 1979, ritual events against sexual violence began to arise, both at SU and in the surrounding community. The first phase of community ritual events becoming routine was driven by national and local activism during the late 1970s and 1980s. By 1989, these ritual events had become routine both at SU and in the surrounding community. Newspaper content analysis shows that a total of 247 ritual events occurred from 1979 through 2017. This total includes all the events that constituted individual “awareness weeks” or “awareness months.” The frequency of these ritual events was responsive to local and national events and to anti-sexual violence activism. As such, the annual total of ritual events varied. Comparing across years, the total surged in 1982, 1991 through 1994, 2001, 2007, and 2009 through 2012 (Figure 2).

Figure 2. Ritual events count from newspaper content analysis (n=247)

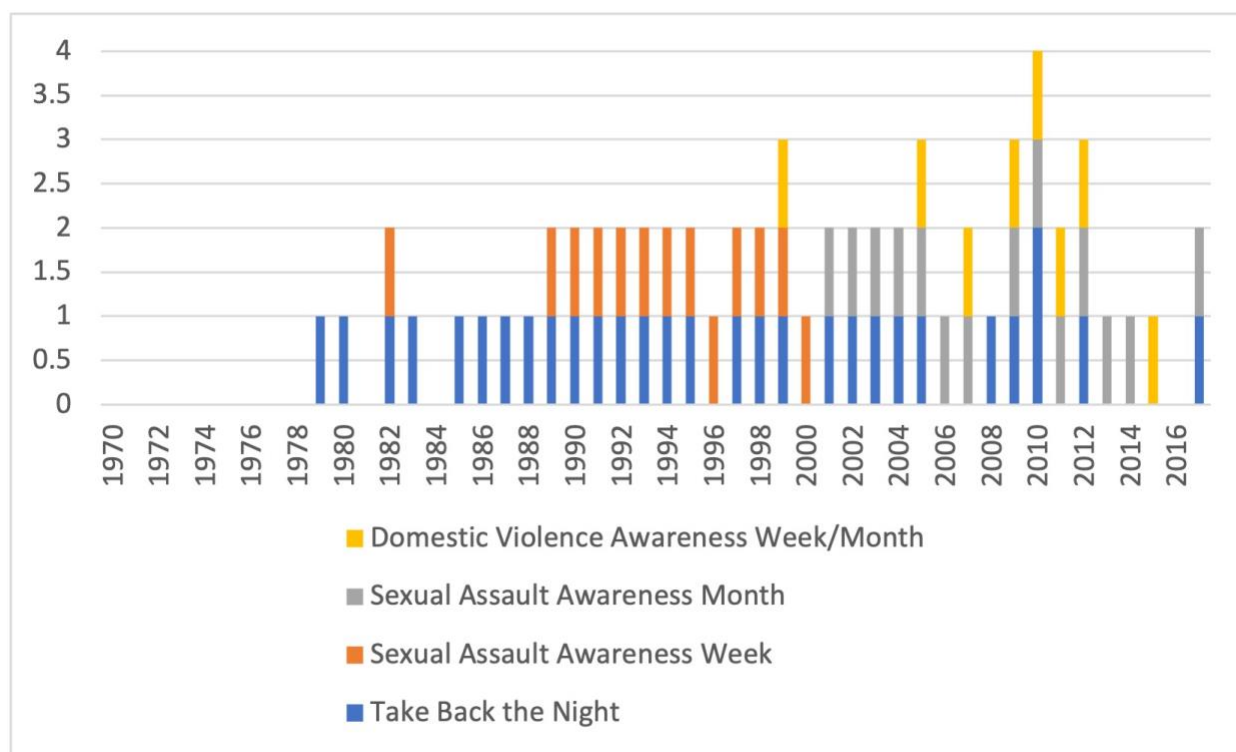


National and local organizations assigned ritual events to specific weeks and months through press releases and declarations. Those ritual events that occurred most frequently often had a national scope. For example, according to a student journalist, “Sexual Assault Awareness Month is a national campaign aimed at raising awareness about the realities of sexual assault” (Article 1369, April 2009). The National Sexual Violence Resource Center was cited as the national leader of Sexual Assault Awareness Month (Article 1712, April 2017). Sexual Assault Awareness Week (SAAW) originated nationally in the 1980s (Baker and Bevacqua 2018). In 2000, SAAW expanded into Sexual Assault Awareness Month (SAAM)¹⁶ (Baker and Bevacqua 2018; National Sexual Violence Resource Center 2018). In addition to SAAW/SAAM, the ritual events with a national scope included: Take Back the Night, Domestic Violence Awareness Week/Month (DVAW/DVAM), the Clothesline Project, Stalking Awareness Month, the Vagina Monologues, International Women’s Day, Denim Day, and Walk A Mile in Her Shoes.

The four most frequent ritual events in the community or at SU all had a national reach: Take Back the Night, Sexual Assault Awareness Week/Month, and Domestic Violence Awareness Week/Month. Take Back the Night became a ritual within the larger ritual event of SAAM/SAAW during the 1990s at SU. DVAW/DVAM became a ritual event later and was not institutionalized on campus until the 2000s (see Figure 3). As Figure 3 shows, SAAW/SAAM, Take Back the Night, and DVAW/DVAM came to be held almost every year.

¹⁶ SAAM, rather than SAAW, began being observed at SU in 2001.

Figure 3. Most Frequent Ritual Events



Local activists held ritual events such as SAAM or DVAM during the same months as their respective national ritual events. Local and state government officials would also sign official declarations of ritual events, such as a local leader declaring October as DVAM in 2011 (Article 1464, October 2011). Now, local ritual events not only contributed to creating connections between participants, activist groups, and community organizations in the area; they also served to reinforce the connection to the national movement, given that they occurred during SAAM or DVAM. These local ritual events most frequently included: the state sexual assault coalition's day of action, conferences on campus sexual assault, and fundraisers for the local RCC and domestic violence shelter.

How hybrid activists and other campus professionals facilitated ritual events. Initially, ritual events were the realm of activists and activist groups, whose members included community members and students. As groups like the RCC or the battered women's shelter became

formalized as community organizations, they continued to facilitate ritual events. Campus professionals, including some hybrid activists, came to organize and participate in ritual events in their official capacity starting in the late 1980s. From then onwards, these professionals began to include SU students in the organizing of these events, and they also further invested in ritual events by securing funding and professional resources, thereby contributing to the institutionalization of ritual events at SU.

The first surge of ritual events came from 1979 through 1982. Without institutional resources or endorsements, activists (both community members and students) organized Take Back the Night in 1979 and 1980 (Figure 2; Article 138, October 1979; Article Editorial 165, October 1980; Article 166, October 1980). As the first large-scale Take Back the Night march had only taken place in San Francisco in 1978, the 1979 march near SU illustrates swift protest diffusion. The 1979 march near SU was part of a month-long series of events called “No More Rapes Month,” intended to educate university and local community members about rape (Article 132, October 1979; Article Editorial 133, October 1979; Article Editorial 136, October 1979). Multiple student and community activist groups such as the local RCC and Women Stopping Campus Harassment (composed of undergraduate and graduate students; see Chapter Four) hosted the events, in addition to Take Back the Night (Article 128, September 1979; Article Editorial 133, October 1979). These groups briefly formed what they called the No More Rapes Coalition. The No More Rapes Coalition only lasted for a few months during 1979 for the purpose of organizing Take Back the Night and No More Rapes Month.

Throughout the period under study, two main groups participated in or organized ritual events: community/activist groups (e.g., the RCC) and students/student groups, 48 percent and 67 percent, respectively (see Table 4). Community and activist groups began consistently

facilitating ritual events in 1979, and students began to do the same in 1986. Both groups were still actively facilitating events through 2017 (when the study period ended). It makes sense that students would participate in the most ritual events (67 percent) given that they are the largest campus constituency, and that students generally participate in social movements at a high rate. Moreover, having large numbers of people at ritual events drives newspaper coverage and draw attention to movements. In this case, students participating in such ritual events at high rates could, in turn, drive student newspaper coverage of those events.

Table 4. Dummy variable percentage of who participated in or organized ritual events published in newspaper sample, Total ritual events=247

	Community/Activist Organization	City/State Government	University staff	University leaders	Students	Faculty
Counts	119	32	61	8	165	5
Percent	48.2%	13%	24.7%	3.2%	66.8%	2%

Note: This is the percent of total ritual events that a given constituency would participate in, according to student newspaper articles. Participation was coded as a group being present at the ritual event. For example, university staff participated in almost 25 percent of the total ritual events. So, the percentage row does not add up to 100 percent. For each event, I used the number 1 to indicate whether each constituency participated (dummy variable).

In the 1980s, professionalization and formalization complemented ritualization and started to sustain SAAW in the area. At first, SAAW was jointly organized by a combination of groups. Following the sexual assault and murder of a pre-teen girl in the area, a coalition of city government officials and activist groups organized the first local SAAW in 1982 (Article 228, April 1982). Coverage of the sexual violence appeared to drive participation by institutional bodies, like the city government, in ritual events. The city Women's Rights Committee was a primary organizer; the RCC also helped organize. This indicates that formalized groups

associated with the women's movement contributed to the local SAAW's organization in 1982 (Article 224, April 1982; Article 225, April 1982; Article 228, April 1982; Article 229, April 1982; Article 230, April 1982; Article 231, April 1982). When the next local SAAW was held in 1989, it now included SU offices, in addition to city government officials and community groups (Article 401, April 1989). The participation of professional SU staff and formalized women's organizations in SAAW shows that professionalized and formalized groups were directly involved in ritualization as early as 1989.

Some SU staff became more involved in ritual events in their professional capacity, sometimes even facilitating them. Importantly, this included several hybrid activists. From 1989 through 2005 (16 years, or about 35 percent of the newspaper sample), these ritual events included at least one of the key actors Sandra, a campus professional who occupied multiple staff roles at SU while working on issues of sexual assault, and Marlowe and Beth, two subsequent violence prevention coordinators. Indeed, SU staff formed the third highest constituency to participate in or organize ritual events from 1979 through 2017, participating in a full 25 percent of ritual events over this period. The increased and persistent occurrence of ritual events, paired with SU staff and hybrid activist participation, suggests that ritualization and professionalization were connected, although the analysis of data cannot determine whether one caused the other.

Campus staff, mainly those who sought to work to prevent sexual violence, made facilitating ritual events part of their paid employment during the 1990s. Sandra facilitated ritual events in collaborations starting in 1989 and did so nearly annually until her career took her away from SU in 1998. By then, Sandra had organized or participated in ritual events as a hybrid activist for eight years. The University Safety Committee sponsored and organized the 1989, 1990, 1991, 1992 SAAW (Article 401, April 1989; Article 436, April 1990; Article 500, March

1991; Article 625, April 1992); at this time, Sandra chaired the University Safety Committee (Article 410, May 1989; Article 468, October 1990; Article 503, March 1991; Article 658, September 1992). During this time, Sandra opted into committee work on sexual assault—this was not required in her employment role. She was bringing her activist stance not only to the University Safety Committee, but also to organizing SAAW. In 1993, the Dean of Students Office was one of the sponsors of SAAW in partnership with other campus offices, student groups, and community organizations (Article 731, October 1993). The Dean of Students staff person who took reports of sexual assault spoke at a 1993 SAAW event (Article 736, October 1993). Then, Sandra again organized ritual events, mainly SAAW and sometimes Take Back the Night, from 1994 through 1997. In a 1994 newspaper article, Sandra was listed as the “coordinator” for SAAW (Article 763, November 1994). Sandra spoke at the 1995 Take Back the Night (Article 770, October 1995; Article 771, October 1995; Article 773, October 1995). She brought her activism into her professional roles by using University Safety Committee resources for SAAW.

Around this time, Sandra pushed for the creation of a violence prevention coordinator role within SU Health Services. Sandra succeeded, and she was the first staff person to fill the role. As Sandra was the first staff person in this role, she could shape what sexual violence prevention efforts would look like, and she made sure that ritual events were part of that role. Sandra told me that she had already participated in ritual events prior to becoming the violence prevention coordinator in 1996: “Because I had interest. Because I was a [self-defense] instructor. Because I was the campus spokesperson” (Interview 6). So, Sandra participated in these events initially because they were important to her as an activist. Then, as the violence prevention coordinator, she made these events part of her job: “I knew when I became the

violence prevention person, you know, then I had to head those up” (Interview 6). Sandra set the trajectory that the violence prevention coordinator was always to be professionally involved in campus ritual events.

As the violence prevention coordinator, Sandra focused on organizing ritual events, educating the campus, and working with students involved in prevention education or volunteering for the RCC (Interview 6; Article Advertisement 789, August 1996). She organized SAAW in 1996 and 1997 (Article 784, April 1996; Article 798, April 1997; Article 800, April 1997). She invested in ritual events with the professional resources she could muster, which included her own organizing, as well as collaborating with and mentoring the students in facilitating ritual events. Given Sandra’s longstanding activism on sexual violence, her history of participating in ritual events allowed her to teach others about their importance to the broader anti-sexual violence movement. Thus, as a hybrid activist, Sandra connected the new professional position of violence prevention coordinator with ritual events in more formalized ways. Essentially, Sandra linked her growing professionalization with campus investments in ritual events.

Following Sandra’s departure from SU in 1998, other university staff (mostly violence prevention coordinators who were hybrid activists) facilitated ritual events at SU, further institutionalizing campus ritual events. The violence prevention coordinators even did so as part of their actual job description, as established during Sandra’s tenure.

Sandra’s immediate successor spoke at the 1998 Take Back the Night (Article 835, October 1998; Article 836, October 1998; Article 837, October 1998). Likewise, the following violence prevention coordinator was involved in Take Back the Night in 1999 (Article 870,

October 1999). That same coordinator was also part of the team who organized SAAW and the Clothesline Project in 2000 (Article 890, March 1990; Article 893, April 2000).

Continuing this established pattern of staff contributing to ritualization, in 2001 a Dean of Students staff member was one of Take Back the Night's featured speakers (Article 932, April 2001). In a 2002 editorial, Zoe, the president of SAVE, thanked the then-current violence prevention coordinator for her mentorship specific to SAAM (Article Editorial 981, April 2002); here, we see that SAVE was slowly becoming more responsible for ritual events under the guidance of the violence prevention coordinator. In 2003, the violence prevention coordinator was again part of the team that organized that SAAM and the Clothesline Project (Article 1035, April 2003). That same year, the Dean of Students herself conducted a keynote lecture during SAAM (Article 1035, April 2003; Article 1037, April 2007; Article 1039, April 2003). In 2004, Student Health Services staff worked with a student organization to facilitate a climbing wall for SAAM, indicating that SU staff continued to provide additional resources (Article 1086, April 2004). And in 2005, a student who worked with the violence prevention coordinator helped organize a lecture for DVAM; indicating that Marlowe, the coordinator at that time, was likely herself involved (Article 1742, October 2005). The extensive newspaper evidence of mostly hybrid activists and other campus staff over 16 years reveals the link between professionalization, formalization, and ritualization. This continued under Marlowe's mentorship, as students took over campus ritual events.

Faculty participated or organized ritual events the least from 1979 through 2017, only two percent of ritual events (see Table 4). This lower participation is likely because interested faculty had other routes for activism, such as through their teaching, building informal connections with administrators and leaders, and serving on policy committees. According to

Heather, a professor of Women's Studies and self-identified activist, who spoke at a 1995 Take Back the Night event (Article 771, October 1995),

I was on almost any committee that happened. And I was very lucky in that if people needed a speaker, I could do it often . . . If there was a group of students that wanted a one-time evening to discuss something, I would . . . So when you see things like [students] join an independent study because of who I was and the excitement of this topic. So many people did independent studies (Interview 9).

As a faculty member who studied domestic violence, Heather had many avenues to be an activist, from teaching her classes, to mentoring students through independent studies, to service work on relevant committees. Ritual events were not the only way she could work on these issues.

The most frequent ritual events reveal the connections between professionalization, formalization, and ritualization. SAAW was initially organized by a mix of professional groups from the city, community, and campus. After Sandra proposed the creation of a violence prevention coordinator position, she staffed the position and became responsible for organizing ritual events on campus. Later hybrid activists in the violence coordinator position collaborated with students on ritual events and eventually would hand over the facilitation of these ritual events to those students and their successors.

The strategy of facilitating and sustaining ritual events on sexual violence supported the larger goals of the movement against campus sexual violence. Those ritual events included shows of support (usually a vigil) for sexual violence survivors. Ritual events also often included educational events, such as panels or speakers, to educate and raise awareness around different issues of sexual violence. As sexual violence prevention became a movement goal from the mid-1990s onwards, events that focused on prevention were incorporated into ritual events. Ritual events becoming ritualized within the university aligned well with the broader university goal of

educating students. This is potentially why university offices and staff were able to fund and facilitate ritual events beginning in 1989.

Mentor and Advise Student Activists

The people in the violence prevention coordinator role (and later, someone in the larger Sexual and Relationship Violence Prevention Office) mentored student activists, including the SU anti-sexual violence group; these staff members were often hybrid activists who brought their activist stance into their professional roles and used knowledge from both their professional positions and activism in mentoring students, like those in SAVE. A main way violence prevention coordinators mentored students was through advising SAVE.

In staffing the first-ever violence prevention coordinator role, Sandra shaped the responsibilities of the position as a hybrid activist. Sandra described the position to me as: “It was exciting because I got to . . . organize those campus events and programs and work with other health service staff to start a peer education program” (Interview 6). In addition to ritual events, Sandra worked with students who were involved in prevention education and volunteered for the RCC (Interview 6; Article Advertisement 789, August 1996). This was the beginning of a longstanding mentoring role the violence prevention coordinator played, both formally and informally, to student groups, students who interned or worked for SU Health Services, and individual students.

Zoe, the undergraduate founder of “Survivor, Ally, and Victim Empowerment” (SAVE), established the relationship between the student organization and the violence prevention coordinator in 2001 (Interview 23). The violence prevention coordinator was the advisor for SAVE from 2001 onwards (Interview 2, Interview 3, Interview 7, Interview 10, Interview 23). This relationship lasted through 2017 and enabled SAVE to access the academic opportunity

structure for their activism. At least four hybrid activists occupied the violence prevention coordinator role in advising SAVE from 2001 through 2017, including Marlowe and Beth. Zoe made sure to work with staff across campus and the community, including SU Health Services, the Dean of Students Office, the RCC, and the domestic violence shelter, which mattered because she drew on hybrid activists' expertise as activists and professionals embedded in different contexts (Interview 23).

A SU professional staff member, Kit, helped Zoe start SAVE. Kit used their years working in community organizations on sexual and relationship violence to support Zoe in founding SAVE, and to support SAVE in establishing a regular funding source from the student government. Zoe described Kit as a "mentor" (Interview 23). Kit recounted to me:

[Zoe] came and she found me, and she told me she wanted to do this. And so I was a resource for her. And we ultimately made it to the student org and [student government funding committee] and applied for funding. And that was really significant because then the organization could last. It wouldn't be just this excitement of this one student and this one employee. And we were going to move on to something else. It had some staying power (Interview 12).

Mentoring and formalized organizational funding went hand-in-hand for making SAVE sustainable and supporting its activism.

Beth identified that Marlowe worked with students and also mobilized within the university, flowing between her professional role and activist orientation as a hybrid activist. Beth, who had been an SU undergraduate member of SAVE and later worked as a violence prevention specialist, recalled, "From my perspective as a student, and this is probably just because I was just within those networks, Marlowe was like the main staff member pushing and advocating" (Interview 2). While Marlowe was the violence prevention coordinator, she was consistently identified as a mentor and advocate across campus and beyond. Erin, who was an activist at SU who went on to work as a survivor-activist at the national level, remembered Marlowe as a mentor dedicated to organizational change,

She was very good at mentoring . . . She was trying to encourage me to be working with the institution on the inside . . . I obviously chose to be an advocate. . . on the outside of an institution, putting pressure on it . . . creating the leverage, bluntly, that people who are dedicated to making change on the inside can maximize to create those gains (Interview 22).

According to Erin, Marlowe recognized her position as an activist *within* SU. Marlowe explained to Erin how she attempted to leverage her insider position, something I argue renders Marlowe a hybrid activist. Marlowe seems to have recognized the access her professional role gave her and pursued goals as an anti-sexual violence activist. Emmie, another former president of SAVE, explained that Marlowe was an important mentor for her and someone who she considered to be an activist,

Marlowe was just like such a huge part of shaping this whole experience for me and was like the person that we looked to, to help us figure out how to be activists when we were so stuck in trying to navigate a complex, big institution that, you know, didn't really have clear pathways for us to push for changes (Interview 7).

Marlowe not only taught students how to be activists within a complex institution and mentored them through their campus activism, but also was visible to students as someone pushing for campus change on sexual violence as a broad political goal. As a hybrid activist, Marlowe used her professional position and associated knowledge, as well as her activist stance and knowledge, to mentor student activists and collaborate with them.

The strategy of mentoring and advising student activists bolstered the following larger goals of the anti-campus sexual violence movement: supporting victims/survivors, sexual violence prevention efforts, and educating students. Some students involved in campus activism were themselves victims/survivors and SAVE's events often drew victims (Interview 12, Interview 23). In mentoring and advising students, hybrid activists were educating students, a goal of both the anti-campus sexual violence movement and the university. Sandra and later violence prevention coordinators mentored students in learning and applying sexual violence prevention frameworks to their activism and the kinds of events SAVE hosted.

Turnover Facilitating Ritual Events to Student Activists

Staff in the violence prevention coordinator role and the Sexual and Relationship Violence Prevention Office supported ritual events. Sandra organized them and later mentored the students who organized them. Violence prevention specialists (whether solo or in the Sexual and Relationship Violence Prevention Office) supported student activism, mainly through SAVE, and mentored SAVE by facilitating ritual events. This mentoring relationship between violence prevention staff and student activists persisted (1997–2017) and became a formalized advising relationship for SAVE, indicating its stickiness. In doing so, these hybrid activists connected their professional positions in violence prevention and organization resources with ritual events.

A specific student group's history reveals connections between professionalization, formalization, and ritualization; namely, SAVE, in 2002, took over organizing ritual events on sexual violence on campus and was mentored by the person who occupied the violence prevention coordinator role. During the late mid- to late 1990s, Sandra organized ritual events, often with students interested in issues of sexual violence who volunteered for SU Student Health Services. After the student anti-sexual violence group started in 2001, SAVE became responsible for several ritual events, including SAAM (from 2002 onwards) and DVAM (from 2007 onwards) (Interview 2, Interview 10). Professional and formal resources, in the form of staff mentoring and student government funding, contributed to the anti-sexual violence student group organizing SAAM and DVAM. Mentoring and funding went hand-in-hand for making SAVE sustainable and SAVE, in turn, organized ritual events, such as SAAM, annually; SAAM became part of SAVE's repertoire, helping to further institutionalize ritual events on sexual violence on campus.

In the case of SAAM, violence prevention staff and RCC staff mentored students through ritual event planning and implementing. The RCC played a role in facilitating students' organizing of ritual events starting in the early 2000s. According to an SU violence prevention specialist, the RCC had organized a student group planning meeting for SAAM for several years. Then, the RCC and the solo violence prevention coordinator or Sexual and Relationship Violence Prevention Office (established in 2014) "have been collaborating on [awareness months] for a while" after 2005 (Interview 10). The professional staff at SU who advised SAVE also facilitated the SAAM planning meeting for SAVE and other student organizations, building on the annual planning meeting that the RCC started sometime during the early 2000s (Interview 2, Interview 3, Interview 10). The purpose of these meetings was to support the student groups involved in the ritual event and ensure that the groups communicated with one another to avoid scheduling conflicts of their individual events. Flowing between their professional role and activist stance, the staff mentors drew on prior successful SAAM organizing strategies, like the annual planning meeting to turn over the facilitation of SAAM to student activists.

SAVE became the main campus organizer of SAAM because of two mechanisms: student government funding and staff mentoring (again, professionalization and formalization enabled ritualization). Student government funding and staff mentoring were connected. According to Beth, a former SAVE member who also became a violence prevention specialist at SU:

There was a requirement that for a group to access that kind of money [from SU's student government], they needed to have some sort of faculty advisor or staff advisor linked to the university . . . So, in order to apply for funds, students had to demonstrate a commitment from some staff person on campus (Interview 2).

Only student organizations that were registered with the university and had an advisor who worked at SU could access student government funds. Due to needing student government funding for ritual events and other activism, the violence prevention coordinator became SAVE's

formal advisor. SAVE drew on student government funds and staff advising to facilitate ritual events. The convergence of professionalization, formalization, and ritualization sustained such ritual events for 15 years (2002 through 2017). The academic opportunity structure supported student organizing as student groups could put student government-awarded funds towards SAAM or other ritual events. This enabled ritual events as the student government funding board would recognize these repeated rituals and their repeated format and success would justify future allocation of funds. However, it could have also constrained other types of activism by SAVE and similar organizations as those types of activism may not have had the same legitimacy in the eyes of the funding board. The reliable funding from the student government was an important formalization mechanism for institutionalizing ritual events, in addition to the professionalized resource of staff mentoring.

The strategy of turning over facilitating ritual events to student activist groups was crucial for supporting the longer-term movement goal of a holistic campus approach to sexual violence. Turning over ritual events to students meant that the staff member in the violence prevention coordinator position could dedicate their time to working towards the longer-term goal of a holistic campus approach to sexual violence. After this transfer of ritual event facilitation, the solo violence prevention coordinator made more headway in working towards a holistic campus approach, as I will explain in the next Findings section. Students becoming responsible for ritual events also coincided with the broader university goal of educating students; students gained more activist experience and skills through facilitating ritual events.

Changing SU's Approaches to Sexual Violence

Hybrid activists were crucial in advocating and pushing for change in SU's approaches to sexual violence. Next, I show how they established the violence prevention coordinator position

and eventually expanded it into an entire office, the Sexual and Relationship Violence Prevention Office.

Establishing the violence prevention coordinator position. Sandra's experience across professional roles at SU and her interest in the issue of sexual assault allowed her to push for change and institutionalize a staff position that focused on sexual violence (not only including response and prevention, but also ritual events). Sandra worked at SU during the 1980s and 1990s in a variety of roles in student affairs. She began by bringing self-defense classes to the university. She also served on the University Safety Committee, the committee primarily responsible for addressing sexual assault from 1979 into the early 1990s. Sandra ended her time at the university as the violence prevention coordinator, a position she proposed, championed, and herself occupied.

Sandra brought her activist stance into her professional roles, finding ways to address sexual violence. She described herself to me as “a campus spokesperson for sexual assault issues” (Interview 6). Indeed, Sandra was mentioned or quoted in a greater proportion of newspaper articles that covered sexual violence from 1986 through 2001 (59 articles or approximately three percent of the newspaper article sample); she is mentioned in a greater proportion of articles than all other hybrid activists. When I asked Sandra whether she considered herself an activist, she said, “Yeah, I consider myself an activist because I was one of the ones always bringing up the issue and trying to change things, trying to improve situations, trying to improve understanding, improve skills” (Interview 6). In short, Sandra saw herself as an activist because she consistently worked to address sexual assault during her time at SU.

One such action came in the mid-1980s, when Sandra was instrumental in bringing self-defense classes on an ongoing basis to SU. Her job at the time had nothing to do with sexual

violence; rather, she took the initiative to bring self-defense classes to campus. The RCC decided to facilitate self-defense classes in the area; the first record of this in student newspapers occurred in 1984 (Article 266, March 1984). According to Sandra, the RCC “did a nationwide search of self-defense programs and decided that Shield was the best . . . so the RCC employees took the Shield courses [in another city] and . . . eventually had workshops and classes” (Interview 6). Sandra became a certified Shield instructor and brought the RCC to campus to teach Shield self-defense classes during the mid-1980s (Article 316, August 1986; Article 319, September 1986; Article 323, September 1986; Article 324, September 1986; Article 343, May 1987). She started a new job in the 1990s in the Dean of Students Office and would promote Shield self-defense classes during new student orientation (Interview 6), bringing her self-defense advocate experiences to her Dean of Students position, or bringing her activist orientation into her professional role. The Dean of Students Office went on to co-sponsor Shield class throughout the 1990s with the RCC (Article 504, March 1991; Article 739, November 1993; Article 795, April 1997; Article 808, May 1997). Sandra was a dedicated Shield instructor and continued teaching classes and working with the larger Shield organization after she left SU employment in the late 1990s (Interview 6). As Sandra was responsible for working with the RCC to bring Shield classes to the university, she institutionalized this aspect of the anti-rape movement on campus, which endured through the 1990s.

Sandra also laid the groundwork for a paid position on sexual violence at SU; the staff position also facilitated ritual events, further linking formalization and ritualization. Given her activist stance, Sandra wanted SU to take a more holistic approach to sexual assault and worked with a larger network to champion this idea. In 1988, Sandra chaired the University Safety Committee and its Subcommittee on Prevention and Education (Article 375, September 1988;

Article 418, November 1989). Sandra and other subcommittee members wrote a proposal for a “Sexual Violence Prevention Center.” The purpose of the center would be to

provide a fixed point of responsibility for education and prevention efforts and for assistance to students who have been assaulted or harassed. The Center will be a highly visible symbol of campus commitment to the elimination of sexual assault and harassment.¹⁷

Importantly, the center would address sexual harassment and sexual assault, rather than the current separate campus committees to address them, as the proposal stated: “Sexual assault and sexual harassment cannot be successfully addressed in isolation because both are serious abuses rooted in the same underlying patterns of sexism.”¹⁸ The larger network supporting the Sexual Violence Prevention Center viewed sexual assault and sexual harassment through a feminist anti-violence lens.

Sandra worked with the subcommittee to gain feedback and letters of support from a coalition across the insider/outsider activist continuum. The subcommittee feedback on the proposal from numerous local stakeholders, including the RCC, the State Sexual Assault Coalition, students, sorority members, Men Against Rape, the SU Women’s Center (an all-student organization), the staff member who received reports of sexual violence at the Dean of Students Office, the Women’s Studies Department, the battered women’s shelter, the Women’s Area Cab, and the law professor who chaired the Sexual Harassment Policy Committee. Moreover, the following organizations and people wrote letters of support for the center: the SU Women’s Center, the SU Student government (which passed a resolution of support), the RCC, the State Sexual Assault Coalition, the Sexual Harassment Policy Committee, the Women’s Studies Department, and two psychology professors. Thus, the proposed center had widespread

¹⁷ Dean of Students Office. 1989. Sexual Violence Prevention Center Proposal. Box 1, Folder 11. State University Archives.

¹⁸ Dean of Students Office. 1989. Sexual Violence Prevention Center Proposal.

support across the network of university and community organizations, students, staff, and faculty who were attentive to issues of sexual violence.

Sandra had first proposed the center at a 1988 meeting of the University Safety Committee (Article 375, September 1988; Article 376, September 1988). The proposal was finished in 1989 and sent to SU's Chancellor and Dean of Students (Article 395, January 1989; Article 418, November 1989). After two mentions of the proposed center student newspaper coverage in 1990, it ceased to be mentioned in the newspaper sample. I asked Sandra about this, "it seems like [the center] wasn't implemented." She replied, "Right, which is why eventually I made a proposal for a violence prevention position" (Interview 6). Sandra revised her goals and instead organized for a single professional position funded by SU.

Sandra then pushed for the first violence prevention coordinator position on campus, again attempting to gain professional resources for the movement. She explained, "I developed a proposal for a violence prevention position because I was determined not to leave campus before that position existed" (Interview 6). A few years after the proposed center was not funded, the Dean of Students and the Director of SU Health Services agreed to fund a violence prevention position in Health Services because of Sandra's proposal for the individual position (Interview 6). According to student newspaper coverage, Sandra was the violence prevention coordinator starting in 1996 (Article 781, April 1996; Article 784, April 1996; Article Advertisement 789, August 1996). This position laid the groundwork for later projects for victim/survivor resources and violence prevention efforts, meaning a more coordinated and holistic approach to sexual violence, as Sandra had wanted. As a hybrid activist, Sandra drew on her prior employment experiences working on issues of sexual assault for approximately a decade, and accounted for

the lack of funding for the proposed center to instead push for the violence prevention coordinator position.

The violence prevention coordinator position was an intermediate step on the way to establishing an entire office dedicated to preventing and responding to sexual violence. In the late 1980s and early 1990s, the movement against campus sexual violence and the university were not aligned on the goal of a coordinated and holistic campus approach to sexual violence. However, this would eventually change, as I explain next.

Expanding the single violence prevention coordinator into an entire office. In getting the violence prevention coordinator position in SU Health Services funded and staffed, Sandra initiated a key trajectory for institutionalizing the movement against sexual violence at SU. Establishing the position and then having hybrid activists who toggled between activism and their professional role staff the position was crucial for later developments. The staff who occupied the violence prevention coordinator position were mostly hybrid activists; at least three of the five total drew on prior employment and activist experiences. This included Sandra, Marlowe, and Beth. Before starting work at SU, Marlowe had volunteered for a sexual and relationship violence crisis line and then worked in professional positions in victim advocacy and violence prevention. These years of work and volunteering encouraged Marlowe to focus on changing organizational culture and preventing violence before it occurs (Article 1098, November 2004). Beth was a SAVE alumna; she brought her activist stance from her undergraduate years into her professional role.

The violence prevention coordinator remained a full-time, one-person position for 18 years. As an SU staff member recalled, the position was “too wide. It's kind of like, ‘OK, here's forty thousand people. Now go help them figure out how to reduce sexual assault on campus.’”

I mean, it was too open” (Interview 12). It was difficult to gain traction on the issue when one person was responsible for prevention efforts, while policy and response efforts were divided among many offices. It was also a mid-level position, so the violence prevention coordinator had limited organizational power. From 1996 to 2004, three different staff members held the violence prevention coordinator position. The turnover lessened when Marlowe held the position for nearly 14 years. She was hired into the role and held the single staff version of it through 2013. Marlowe was quoted or mentioned in 24 newspaper articles on sexual violence from 2004 through 2017.

Despite staff turnover, the student mentoring and coalition work between staff and students lasted (or “stuck”) across the 18 years, and new staff members in the violence prevention coordinator position. Ella, who worked at a community agency and later in the Sexual Violence Prevention and Response Office, recalled, “for the longest time, Marlowe . . . [was] just one staff person really doing prevention, but also coordinating all of campus’ efforts, response efforts too. Like it just wasn’t happening without Marlowe” (Interview 3). Ella was one among many who described Marlowe’s efforts as a single staff member who worked to improve communication between different campus offices tasked with addressing elements of sexual violence in addition to implementing violence prevention efforts.

Hybrid activists concerned about sexual violence also occupied professional roles outside of SU Health Services and their time within the larger institution of higher education changed them, setting them on their hybrid activist path. For example, Amy, an Assistant Dean of Students, had become interested in addressing sexual violence through student affairs. She explained to me, “it actually goes back to my days as an undergrad” at another university in the state system, where she participated in and facilitated dialogues about sexual consent and sexual

assault (Interview 8). Similarly, Sandra's experience working at another university pushed her to learn more about sexual violence and become an activist before she even started working at SU (Interview 6).

Hybrid activists like Amy and Marlowe found ways to collaborate with each other and build formalized structures to endure on campus, using their professional skills to support the movement against sexual violence. A network of campus professionals, which included Amy and Marlowe, applied for a federal grant, and received it in 2009 (Article 1693, January 2009; Article 1690, January 2009; Article 1354, March 2009, Article Editorial 1365, March 2009; Article 1383, May 2009; Article 1723, September 2009). This grant funded the Sexual and Relationship Violence Campus Coordinating Council (CCC) from 2009 through 2012, and for the first time a second full-time staff member who worked alongside Marlowe to facilitate the CCC. This replaced prior iterations of the University Safety Committee, which was charged with addressing mainly sexual assault. The CCC included staff and faculty from across campus. Multiple interviewees identified Marlowe as the leader behind applying for the federal grant and facilitating the CCC. Amy told me, "that [the grant] was really championed by Marlowe" (Interview 8). Ella, who had worked at a community organization and interfaced with Marlowe explained, "she really was the leader of that group" (Interview 3). The grant lent prestige and legitimacy to the group of SU professionals and students working on issues of sexual violence (in addition to monetary resources).

The processes of professionalizing and formalizing the CCC led to the creation of the Sexual and Relationship Violence Prevention Office at SU in 2014. This new office was tasked with (1) sexual violence prevention education and (2) advocacy and counseling for survivors. Previously, if victims/survivors wanted a confidential resource on campus, they could utilize SU

Health Services' counseling unit, which had several staff members; or the satellite RCC office on campus, which had one staff member. The momentum from the CCC that had operated under the federal grant that Marlowe spearheaded and the continual issuance of federal guidance starting in 2011 provided the opportunity for the Sexual and Relationship Violence Prevention Office to be established. This office consisted of three staff, including Marlowe.

Amy and Beth both described this momentum to expand resources survivors at SU as stemming from the professionalization process facilitated by the federal grant aligning with federal guidance. Amy explained, "it started with the [federal] grant. It was a three-year grant and Marlowe's leadership on that. I think it was the gentle prodding of the 2011 Dear Colleague letter that made us connect more throughout campus" (Interview 8). She attributed the expansion and connection of offices and resources across campus as a combination of Marlowe's leadership, the CCC, and federal guidance. Beth recounted that the CCC,

Had been like a longstanding approval body/work group as various tasks came up throughout the year. And then as the work really grew out, like a Coordinating Council is great, it's like a sounding board. But we need full-time people to be able to do this work (Interview 2).

Beth explained the issues in needing dedicated staff to do the work that the CCC had identified as important. In 2014, Beth and another staff member were hired to expand the Sexual and Relationship Violence Prevention Office, and Marlowe became their supervisor.

The CCC and the Sexual and Relationship Violence Prevention Office together gained more resources for professionals working on issues of sexual violence, largely due to the efforts of hybrid activists. By 2017, the victim advocacy/counseling branch of the Sexual and Relationship Violence Prevention Office was able to hire two additional counselors who worked with student survivors, for a total of three. The push for more counselors came from participating

in the AAU Campus Climate Survey in 2015.¹⁹ As Chris, a health prevention specialist in SU Health services, told me, the results of the climate survey “totally transformed the landscape of . . . [victim/survivor services] moving forward” (Interview 10). Chris attributed this to the then-director of Health Services and her working relationship with Marlowe: “I definitely know that [the director] and Marlowe were very tight. They had a strong working relationship” (Interview 10). I asked Chris, “so it sounds like this working relationship with [the Health Services director] connected a lot of this work to other campus leaders” and Chris responded, “Yeah, I would say that . . . I would also say that definitely the line from [the Health Services director] to the Chancellor, because there was a lot more direct involvement from the Chancellor with the campus climate survey” (Interview 10). Office expansion was a combined effect of participating in the national climate survey, investment of the SU Health Services director, and the trajectory of the CCC’s work under Marlowe’s leadership, from the 2009 through 2017. Marlowe drew on her working relationship with the Health Services director to advocate for campus changes regarding sexual violence; she also bolstered her proposed changes with the AAU 2015 survey. Marlowe dynamically toggled between her professional role and activism, achieving an expanded Sexual and Relationship Violence Prevention Office with staff in response roles (e.g., counselors) and staff in prevention roles (e.g., violence prevention specialists).

Expanding the single violence prevention coordinator position supported several of the larger movement goals: a holistic approach to sexual violence at SU, supporting victims/survivors, providing multiple educational opportunities on sexual violence to students, and implementing violence prevention initiatives. The overall strategy of changing SU’s approach to sexual violence took many years; indeed, the university was not aligned with the

¹⁹ State University. 2015. SU’s Climate Survey Report, September 21.

holistic approach, providing multiple educational opportunities on sexual violence to students, and implementing violence prevention initiatives until momentum had built from the local movement and changes in federal legislation. Hybrid activists' ongoing work positioned them to take advantage of the opportunity to establish and expand the Sexual and Relationship Violence Prevention Office.

DISCUSSION

I investigated the process by which the movement against campus sexual violence was institutionalized at one university, focusing on three institutionalization processes: ritualization, professionalization, and formalization. I identified a type of activist who yoked these three institutionalization processes together; I call them *hybrid activists*. Hybrid activists brought their activist stance into their professional work and their professional work into their activism, flowing between the two and allowing each to enrich the other. I draw on a single historical case study focused on the anti-sexual violence movement at SU, triangulating 1,807 student newspaper articles, archival materials, and 23 key actor interviews. I found that hybrid activists used their knowledge of the university and its resources to support student activism and ritual events. Eventually, they turned over facilitation of ritual events entirely to students. They also established the violence prevention coordinator position that advised student activists and an entire office dedicated to the problem.

The classic social movement story of institutionalization-as-cooptation has been a concern of those who study the movement against sexual violence in various institutional settings. These scholars have legitimate concerns over institutionalizing movements within mainstream institutions, like the criminal justice system. For instance, Richie (2012:66) argues that “we [in the anti-violence movement] won the mainstream, but lost aspects of the work that

characterize it as a social change movement.” Richie illustrates that the anti-violence movement has overlooked and continues to endanger Black women at the margins of society by supporting the carceral state and structural racism. Debates over carcerality and racism have also occurred within the national survivor-activist movement (approximately 2013 through the present), as well as in national debates over due process and sexual violence (Brodsky 2021).

Those who have studied the movement against sexual violence on campus have emphasized how professionalizing and formalizing the movement can take away its potential for social change; however, previous research has focused on specific job duties of violence prevention professionals, while I have focused on job duties, student mentorship, and activism. For example, in focusing on violence prevention programs, Messner and colleagues (2015) noted how these programs function as public relations, or as Markowitz and Tice (2002) call it, “paradoxes of professionalization.” While the authors have noted an important dynamic in the institutionalization of the campus anti-sexual violence movement, they overlook the other aspects of violence prevention professionals’ work and how these professionals can contribute to the future of the movement. In my research, I found that professional staff members who work in these areas, often hybrid activists, do indeed consider themselves activists within the movement against campus sexual violence. While prevention programs may not revolutionize campus, staff and faculty are mentoring future activists through the academic opportunity structure (Reger 2018) and building up their activist capacity (Han 2014). As one staff member explained, people would find their way to the violence prevention coordinator or approach the coordinator after an event on sexual violence, and that often would begin a student mentee relationship (Interview 12).

Baker and Bevacqua (2018) argue against scholars who claim the anti-sexual violence movement is in decline or has been coopted, citing college students who engage in revolutionary or forward-thinking activism. While my work confirms that the anti-campus sexual violence movement is ongoing, it also shows that student activism is supported by formalized and professionalized campus structures, as well as mentoring (Binder and Kidder 2022; Reger 2018). Activists cannot rely on the next generation of the movement to improve things without learning from prior generations' mistakes and experiences.

I build on the work of social scientists who have sought to fill out the dynamism of activists work within and around institutions (Banaszak 2010; DeJordy et al. 2020; Isaac et al. 2020; Katzenstein 1990, 1998) by contributing the concept of *hybrid activists*, those who flowed between activism and their professional work, using each to augment the other. Hybrid activists are consistent with Laube's (2021) work on feminist faculty; they use professional resources at their disposal (e.g., hiring committees, funding) and their knowledge of the university to pursue movement goals. Sandra is an example of a hybrid activist. She worked on sexual assault in various professional roles and on the University Safety Committee throughout the 1980s. She and a network of activists pushed for a campus center on sexual violence, but it was not funded. So, Sandra instead proposed a violence prevention coordinator position, which was funded by Health Services and staffed by her. Establishing the violence prevention coordinator position was crucial and Sandra also mentored students, which was a feature that remained part of the position for years after she left it and enabled ritualization.

In introducing the concept of hybrid activist, I show how hybrid activists mentor and collaborate with students on ritual events; this expands our understanding of how the anti-sexual violence movement can be institutionalized through organizing strategies (Han 2014). Hybrid

activists used organizing to further students' skills as activists in the movement against campus sexual violence, to foster future activism, and to grow the movement's community (Han 2014).

Prior research has not considered how ritual events can interact with other movement institutionalization process, like formalization and professionalization, to contribute to the larger process of institutionalizing the movement. I offer the concept of ritualization, meaning the process by which ritual events become regular features of organizational life. Campus women's centers, gender studies departments, and feminist centers are institutional abeyance structures that have institutionalized the broader feminist movement at many universities (Arthur 2009; Crossley 2017). Universities often provide material and mentoring resources to student groups that encourage groups to become formalized (Binder and Kidder 2022; Reger 2018). Gender and social movement scholars agree that Take Back the Night is one type of ritual event that has been widely institutionalized at colleges across the U.S. (Ferree and Hess 2002; Greenberg and Messner 2014; Reger 2012). University centers, Women's Studies Departments, grassroots movement groups, and student groups all have been shown to facilitate ritual events (Crossley 2017; Reger 2018; Staggenborg 1998). In this chapter, I highlight how ritualization, formalization, and professionalization complement one another through being bundled together by hybrid activists. Specifically, ritual events (e.g., Sexual Assault Awareness Month) associated with State University drastically increased during the 1990s and 2000s because of at least one student affairs professional (and hybrid activist) organizing such events and mentoring student groups through organizing ritual events. The main student anti-sexual violence group drew on university student government funding to sustain their groups' general efforts and ritual event organizing. So, professional staff and formalized student groups took on the responsibility of pre-existing ritual events and used professionalized and/or formalized resources to institutionalize

the ritual events. In turn, such rituals contributed to institutionalizing the anti-sexual violence movement on campus.

Some might critique these findings and argue that hybrid activists detract from students' agency and ability to engage in activism. However, in interviewing former students, I found that students engaged in their own self-driven activism and saw hybrid activists as crucial mentors. Such interviewees included Erin, who went from her student activism to working as an activist for survivors of campus sexual violence at the national level. Erin described her career as an activist "on the outside of an institution . . . creating the leverage" for those who worked within institutions to use to further institutional transformation. Erin described Marlowe as a "mentor" (a hybrid activist who worked as the sole violence prevention coordinator and then the manager of the Sexual and Relationship Violence Prevention Office). Emmie, a former president of SAVE, also described Marlowe as a mentor who helped student activists understand the university structure for the purpose of their activism. Students agentially engaged in activism and mentoring relationships with hybrid activists.

CONCLUSION

As I have shown, *hybrid activists* bundled together the three movement institutionalization processes of ritualization, formalization, and professionalization. Hybrid activists were instrumental for the movement against sexual violence to enter the university under study and, moreover, to sustain the process of institutionalizing the movement in the university.

In contributing the concept of hybrid activist and showing how they link professionalization, formalization, and ritualization, I illustrate the relationality between activists who occupy professional roles on campus (e.g., faculty and staff) and students who engage in

activism on campus. For example, Heather, a professor of Women's Studies who considered herself an activist, used her interest and influence to serve on committees and mentor students, knowing she was one of the few with expertise in domestic violence. Hybrid activists, like Sandra, Heather, and Marlowe, mentored student activists, who contributed to the institutionalization of ritual events, and some even went on to effect campus change. Other students founded organizations to address sexual violence after their time at SU. While work in the sociology of education and the broader field of education (Binder and Kidder 2022; Broadhurst and Martin 2019; Kezar 2010, 2018) recognizes the importance of staff and faculty mentoring and advising student activists, this insight has yet to be fully brought into the field of social movements analyzing university activism.

I contribute a new analytic perspective on the importance of ritualization to institutionalizing social movements. While these ritual events were started by grassroots activists and groups, professionalized staff took them over during the 1990s when the broader feminist movement experienced professionalization and formalization (Ferree and Martin 1995; Martin 2005). Individual staff (almost exclusively hybrid activists) advised the student anti-sexual violence group, which was formalized in becoming funded by the SU student government, in their organizing of ritual events. So, professionalization and formalization complemented and supported movement ritualization. These findings encourage scholars to consider how ritualization in other cases supports or hinders movement goals and contributes to institutionalization. Many movements have such ritual events, such as International Workers' Day/May Day, March For Our Lives, Pride, the March for Life, or the International Day to End Violence Against Sex Workers.

This study has implications for future campus-specific efforts to institutionalize social movements. Namely, activists in different structural positions within the university are crucial for advancing the movement's agenda. The hybrid activists in my study worked as student affairs professionals, staff in the health center, and faculty in academic departments. They leveraged their own activism and professional resources. Student activism, throughout my data, brought attention to the problem by gaining press through a variety of actions. As many who study student activism have noted (Baker and Bevacqua 2018; Ince, Finlay, and Rojas 2018), students graduate and the momentum they gain can fade. The network of staff and faculty (some of whom were hybrid activists) who were active on these issues over time were especially able to add to policy, practice, and institutional bureaucracy to reach certain movement goals, such as the Sexual and Relationship Violence Prevention Office, because they had more time at SU. Thus, these findings suggest that those who are active on their own campuses in movements would be well served to form groups that bridge campus membership and generational divides so that institutionalization may happen and perhaps the movement can gain the positive aspects of it (resources, influence, access etc.). Moreover, pursuing institutionalization may help campus movements endure past individual activists and activist groups' time at the university such that these movements continue to push the university to transform.

CHAPTER FOUR: LEGAL PERSPECTIVES

How Campus Sexual Violence became a Legalized Problem

In this chapter, I build on emerging scholarship that addresses the interactions between multiple laws on campus sexual violence.²⁰ Prior research in the context of campus sexual violence has often focused solely on Title IX. Such research has shown inadequacies in how universities comply with and implement Title IX (Bedera 2021; Cruz 2019, 2020; Khan et al. 2018), how mobilizations of Title IX vary (Reynolds 2018), and how Title IX came to pertain to sexual harassment and sexual assault (Reynolds 2022). One pitfall of some interdisciplinary work on campus sexual violence is that researchers treat such law as deterministic (DeMatteo et al. 2015; Heldman et al. 2018; Richards and Kafonek 2016). In contrast, many law and society scholars have shown how law is a source of uncertainty in organizational life, using the term legal indeterminacy, as well as a mercurial resource for social movements (Levitsky 2015; McCann 2006; Suchman and Edelman 2007). Emerging work on the multiple laws that address campus sexual violence has revealed shortcomings of mandatory reporting under Title IX and Clery (Holland et al. 2021; Holland and Cortina 2017b, 2017a) and the disconnect between Title IX and Clery compliance (Rondini 2021).

I build on emerging scholarship that addresses the interactions between multiple laws on campus sexual violence by studying legal mobilization and framing in the context of legal ambiguity and pluralism. In the case of campus sexual violence, universities are legally pluralistic environments, meaning legal systems and norms co-exist (e.g., federal and state law, as well as SU's code of conduct); the operations of those legal systems are impacted by local norms (e.g., SU's code of conduct) (Merry 1988; Suchman and Edelman 2007). Scholars can

²⁰ In Chapter Four, by sexual violence, I mean sexual harassment and sexual assault.

study the indeterminacy of individual laws in the organizational environment of the university. But, in this chapter, I study the legal ambiguity created by multiple linked laws on campus sexual violence in the legally pluralistic environment of the university. Studying multiple laws that pertain to campus sexual violence clarifies when and how such laws become salient to different actors (university or social movement), and also gives scholars a more comprehensive perspective on social change regarding campus sexual violence.

In this chapter, I also explore how sexual violence came to be understood as a problem that universities were legally required to address. I answer this question by focusing on a single university case from 1972 through 2017, tracking university and activist responses to and uses of laws against campus sexual violence at the state and federal levels, and by analyzing the related sexual misconduct policies at the university level. This research design captures the variations in campus sexual violence laws and policies over time at a single university, SU.

In analyzing those data, I find that, in the span of approximately 40 years, SU went from no laws governing sexual violence to being obligated to follow multiple laws at the state and federal levels (e.g., Title IX and the Clery Act). These state and federal laws plus the local policy regime of SU's student conduct code created a legally pluralistic and ambiguous environment for addressing sexual violence. This environment provided both universities and activists the opportunity to seize on specific laws as useful and to overlook other laws.

I delineate three overlapping layers²¹ according to when law and/or policy changed. With each law or policy change, another layer of legal understanding was added regarding campus sexual violence. In the Findings section, I analyze each of the three layers separately. Then, within each layer, the narrative proceeds chronologically. In the first layer, SU came to accept

²¹ I prefer the term "layer" due to how the trajectories overlap in time and interact with one another. "Layer" permits analytical differentiation.

campus sexual violence as a social and legal problem under SAESA²² and Clery. This was a struggle over diagnosing sexual violence as a problem. Then, in the second layer, students pushed to change the student code of conduct to include sexual assault as a form of misconduct. The Board of Regents was open to this, and the code was changed. At this point, sexual assault was understood as university misconduct and SU became explicitly responsible for addressing it. Finally, in the third layer, a decades-long diagnostic struggle ensued over whether sexual violence could be classified as gender discrimination under Title IX. This struggle included the very meaning of gender discrimination. Activists failed many times in their attempts to have SU accept that Title IX was meant to protect women from sexual violence—to protect women from men, the most common perpetrators of sexual violence. Instead, during the 1990s, SU adopted the interpretation that Title IX was meant to ensure men and women’s equal access to university services. The interpretation that Title IX applied to sexual violence as a form of gender discrimination (equal access, not necessarily protecting women) became part of SU’s operations during the 2010s and the crime and misconduct approach to sexual violence remained as an additional layer of legal diagnosis.

Given these findings, I show how the ambiguity created by the legally plural environment contributed to the varied trajectories of use of these laws, state law, Clery, and Title IX by the university and activists; that is, when and how they were mobilized and by whom. Activists used the legally plural, ambiguous environment as a repertoire of laws, useful in pressuring the organization to see how much change they could generate. Both activists and SU actors engaged

²²Sexual Assault in Education and Statistics Act (SAESA) is the pseudonym for the state law that governed SU and other colleges in the state. I use a pseudonym so I do not inadvertently reveal the identity of SU since I cannot name SU per my IRB agreement.

in legal framing, legal mobilization, and lobbying when appropriate. I show how the ambiguous legal environment hindered university compliance in some instances and eased it in others.

Moreover, this chapter contributes to the literature on campus sexual violence by bringing a pluralistic understanding of the law to analyze Title IX, Clery, and state law within one university context. The findings also suggest that scholars should further study impacts of state-level laws, especially those that mandate that institutions report statistics on campus sexual violence, or similar “watchdog” laws, as in this case, the state-level law prepared SU to comply with Clery’s requirements. Finally, this chapter offers a critical analysis of how organizations understand gender discrimination in civil rights law, illustrating how the university adopted the interpretation of gender discrimination as a lack of equal access, which reduced gender to solely identities, rather than a system of power and oppression.

FINDINGS

I show how sexual violence came to be understood as a problem that universities were explicitly required to address from 1972 through 2017. State and federal laws plus the local policy regime of the student code of conduct created an ambiguous and legally plural environment for addressing sexual violence with law. I argue that the ambiguity created by the legally plural environment contributed to the variation in laws’ trajectories of use by SU and activists. Each seized on certain laws as useful or not useful.

This occurred in three layers, which while overlapping in time can be analytically distinguished by rule changes where SU adopts a new interpretation or comes into compliance with law (see Table 5). Each change in law or policy provided an additional layer of legal understanding. During the first layer, SU adopted a crime framing of sexual assault under SAESA and Clery. Then, during the second layer, SU recognized sexual violence as misconduct

through their student code of conduct. Thus, in the early 1990s, SU became willing to recognize sexual assault as a problem it had to address as an organization (Layers One and Two).

Layer Three concerned legally framing sexual violence as gender discrimination under Title IX. This contestation was about both applying Title IX to sexual violence and defining gender discrimination. Initially, activists argued that Title IX was a tool to protect women from sexual harm. Yet, during the 1990s, SU adopted the framing that gender discrimination occurs when men and women do not have equal access to the organization. The contestation over the indeterminacy of Title IX resulted in SU accepting Title IX as applying to gender as an identity, not a system of power. Sociologists of gender, gender scholars, and feminist social scientists understand that gender is a social structure, meaning it gives order to social life and distributes privileges unequally (Connell 2006, 2009; Connell and Pearse 2014). When people understand gender to mean one's identity, they focus on the perceived differences between men and women and generally ignore gender's implications for power and inequality (Connell 2006, 2009; Connell and Pearse 2014). Title IX's application to sexual violence remained contested until the 2010s—it was a much longer and fraught road to be accepted by SU; despite activists' ongoing pushes to legally frame sexual violence as gender discrimination under Title IX. When Title IX became salient for addressing sexual violence, it did not push out the crime framing under SAESA and Clery. Rather, multiple, co-existing legal frames remained available for the university and activists. In what follows, I explain the three layers of legal change separately, before proceeding chronologically within each layer.

Table 5. Three Layers of Campus Sexual Violence Law at State University

	1970s	1980s	1990s	2000s	2010s
Layer 1: Sexual violence as social and legal problem		State law proposed	State law signed by governor in April, Clery Act signed by President Bush in November	State law, Clery Act	State law, Clery Act
Layer 2: Sexual violence as university misconduct	Graduate student women push for grievance policy and procedures	Affirmative Action Office exists but cannot determine sexual harassment sanctions; Progressive Student Network Open Letter	Sexual assault incorporated into State University student code of conduct via state administrative code	Sexual assault defined as student misconduct	Sexual assault defined as student misconduct
Layer 3: Sexual violence as gender discrimination	First-year women medical students attempt to file Title IX complaint with regional Office for Civil Rights; Women Stopping Campus Harassment legally frame library harassment as falling under Title IX	Regents draw on Title IX and other gender equality law; Sexual harassment activists attempt to engage Title IX with legal framing; “Reverse gender discrimination” and Women’s Area Cab	“Reverse gender discrimination” and Women’s Area Cab	Erin’s Title IX complaint	Multiple Title IX complaints filed; Local law lobbying inspired by Title IX

Layer 1: Sexual Violence as a Social and Legal Problem, 1989–1990

During the first layer, SU adopted a crime framing of sexual assault under state law and Clery. I argue that SAESA eased the acceptance of sexual violence as a social problem characterized as a matter of crime and security. Thus, the process of complying with the SAESA encouraged SU to follow Clery, which was passed in 1990. This legally pluralistic environment characterized by state law and federal law (i.e., Clery) required SU to address sexual violence as a university problem and as a crime.

Before 1989, the legal environment did address sexual assault, but not specifically in the college context. Title IX had passed in 1972, but it was not yet legally being applied to sexual violence in any educational organizations. Because of anti-rape activism, between 1970 and 1980, changes to sexual assault statutes were proposed or passed in all 50 states and the District of Columbia (Bevacqua 2000). SU's state legislature amended the criminal sexual assault statutes to be gender-neutral during the 1970s. Before rape law reforms, rape statutes often specified that women were the only people who could be raped. When statutes were reformed, they often changed to specify that rape was penetration of anyone's vagina, anus, or mouth with a sex organ or object without their consent. This new definition allowed men to legally be considered victims.²³

The state law SAESA was proposed in the late 1980s and went into effect in summer of 1990 (Article 426, February 1990; Article 432, April 1990; Article 436, April 1990; Article 1869, Summer 1990). The law required all universities in the state to provide education on sexual assault at orientation and collect annual statistics on sexual assaults reported by the student body to non-confidential offices, the SU police, Dean of Students, and any other bodies that were not

²³ These definitions now mean that being a cisgender or transgender or non-binary person does not limit a person's ability to be legally understood as a victim of rape.

confidential (Article 410, May 1989; Article 411, September 1989; Article 412, October 1989). According to a 1989 newspaper article, “The information would include a legal definition of sexual assault, examples of where to go for help, and a list of the penalties that would result from any type of sexual assault.” Further, “the information would not only be given to new students orally, but would also be sent to returning students every year” (Article 411, September 1989). The law required information on sexual assault to be shared annually with students, including a portion during student orientation. Moreover, it also required annual statistics on sexual assault reports to be published by universities (Article 412, October 1989). These statistics on sexual assault would be organized according to the statutory degrees of sexual assault in the state legal code (e.g., first-degree sexual assault).

The Student Congress, the state university system’s student government group, supported the legislation through its lobbying and legal framing (Article 411, September 1989; Article 412, October 1989; Article 426, February 1990; Article 432, April 1990). According to a 1989 newspaper article, the Student Congress “is encouraging students to attend the public hearing later this month” and its representative interviewed was paraphrased to say, “expects women from a variety of student organizations to attend the hearing” (Article 411, September 1989). Representatives of the Student Congress used legal framing to illustrate how the legislation would assist victims, future students, and parents of future students. One Student Congress’ representative was quoted, saying “We don’t expect this information to stop rape. But if one person is saved because of this information, all the work and political fighting in passing the bill was worth it” (Article 432, April 1990). The Student Congress President was quoted as stating, “By providing information on the epidemic of rape on campus to students and parents, people will be able to get a realistic picture of what the campus climate for women is before choosing a

school” (Article 432, April 1990). The Student Congress used the proposed law to illustrate the potential power of sharing information.

Signed by the governor in April of 1990, SAESA was the first law that required SU to track sexual assaults and to educate incoming students. SU leaders, including the Dean of Students, resisted the new law from when it was introduced in 1989 into 1990 when it was passed. SU and university system leaders framed the legislation as an overreach of state government mandating education within their universities (Article 411, September 1989; Article 412, October 1989; Article 426, February 1990; Article 429, March 1990; Article 443, August 1990; Article 436, April 1990; Article 1869, Summer 1990; Article 450, October 1990; Article 451, October 1990).

As one student journalist reported, “The only opposition [expected] is from the [state public university system], which she said usually opposes interference by the State Legislature in internal . . . matters” (Article 411, September 1989). This was indeed the case. SU’s Dean of Students was paraphrased in the article, saying, “she supports the goals of the bill, but feels it is inappropriate for the Legislature to determine what [SU] should include in student orientation programs or the classroom” (Article 429, March 1990). The Dean of Students, according to a student journalist, “added that [SU] already provides much information [on] sexual assaults to students. Information on sexual assaults will be provided to new students during [orientation]” (Article 432, April 1990). The Dean of Students asserted that SU was already teaching students about sexual assault, suggesting that she, as an SU leader, thought the law was unnecessary.

Leaders’ resistance bled into SU not complying with the new law, but this resistance ended quickly after the law passed. One student journalist reported on the “seven-day delay” in releasing sexual assault statistics after the law went into effect in summer of 1990 (Article 443,

August 1990; Article 451, October 1990). As one journalist reported, “earlier this summer, the university did not immediately comply with state law, and was criticized by legislators” (Article 443, August 1990). In the scheme of SU complying with a law, this was swift as the delay was apparently one week long.

SAESA eased the way for SU to later comply with Clery, as the federal law required similar offices and practices to the state law. Thus, Clery could be integrated with SU practices. The Clery Act was passed in 1990, signed into law by President Bush that November. The SU student newspaper coverage of Clery began in 1990 and the coverage of SU’s compliance with it began in 1991 when Clery went into effect. Clery requires universities to publicize crimes under specific federal definitions, including sexual assault. The then-new state law SAESA required universities publicize sexual assaults according to the definitions under the state sexual assault statute. SAESA mandated that universities publish the statistics on any sexual assault reported by a student, regardless of whether it occurred on campus. Clery only requires schools to publish statistics on reported sexual assaults that occur on campus. Student journalists reported on Clery when it passed Congress, went into effect, and when it was amended by the Campus Sexual Assault Victim Bill of Rights (Article 455, October 1990; Article 539, September 1991; Article 571, November 1991; Article 617, April 1992).²⁴ Given that Clery initially required universities to publicize sexual assault and other crime statistics and that it coincided with the SAESA’s requirement that universities publicize sexual assault statistics, it is possible that Clery compliance more easily fit into SU’s operations; it aligned with pre-existing practices and state

²⁴ In the Findings, I am including all the following under the umbrella of Clery because the act has changed names and been amended over the years: the Clery Act, the Jeanne Clery Act, the Student Right to Know Act, the Campus Security Act, the Crime Awareness and Campus Safety Act, and the Campus Sexual Assault Victim Bill of Rights. The multiple names of and amendments to Clery demonstrate legal ambiguity, increasing the number of laws interacting.

law. SU was already working to comply with state law, and the crime framing of Clery fit with having a police department and the criminal justice approach to issues of safety.

Thus, we see the start of the shift to diagnosing sexual violence as a problem that universities are legally required to recognize, though only as a matter of crime. Prior to SAESA, SU was not legally mandated to address sexual violence. For SU, the diagnosis of sexual violence as a problem they must recognize was explicitly indicated in then-new statutes at the state level and then the federal level. SAESA paved the way for Clery. These two laws pushed SU to recognize sexual violence as a problem and to apply a criminal frame to the problem, tracking the reported incidents and reporting them publicly. SAESA required SU to educate incoming students specifically on sexual assault. Next, the legally ambiguous and plural environment presented an opportunity to shift the student code of conduct.

Layer 2: Sexual Violence as University Misconduct, 1991

In the second layer, sexual assault was determined to be misconduct under the SU student code of conduct, thus implicating the university directly as responsible for dealing with sexual violence. Now, SU could sanction students for sexual assault. This progress occurred after about 18 years of activists noting the lack of policy, as well as the then-recent passage of SAESA and Clery. To use the language of legal pluralism, the student code of conduct was a local policy regime that intersected with and overlapped with both state and federal law. Before 1991, the student code of conduct did not address sexual assault, indicating that SU did not label sexual assault a problem that the organization had to address.

It took approximately 18 years of highlighting the lack of policy regarding what is legally defined as sexual harassment for the behavior of sexual assault to become an issue that could be sanctioned through the student code of conduct. From 1972 through 1989, student newspaper

articles included different campus community members, often activists, noting how sexual assault or sexual harassment were problems that could not be sufficiently addressed for students in university policy. These occurred in articles where SU's policies or procedures around sexual violence were coded or in articles with attached coder memos about the lack of policy.

Before the law addressed sexual harassment or sexual assault as workplace or academic problems, graduate student women organized for institutional recognition of the problems women faced, and for the institutionalization of offices, policies, and procedures to address these issues under the umbrella of affirmative action (what we now classify legally as sexual harassment was included here). Activists argued that addressing sexual violence fell under affirmative action as they defined sexual violence as a form of gender discrimination that kept women from pursuing their education or receiving specific educational opportunities. These activists portrayed the behaviors that constitute sexual violence as an issue of gendered power that SU needed to address as an organization. Student newspapers reported on graduate student women's organizing in 1972, when graduate student women's groups made demands of SU's Board of Regents and university leadership. These students' demands built upon others that a faculty women's group had been making related to hiring, promotion, and pay discrimination using the language of affirmative action (Oral History Interview with Former Assistant Professor, March 27, 2004; Oral History Interview with Professor Emerita, March 27, 2008; Interview 16).²⁵ The Graduate Student Union demanded meetings with the Chancellor and the Board of Regents as SU had not yet submitted an affirmative action program to Health, Education, and

²⁵ Professor Green Papers. n.d. "The Timeline of the Fight Against Sex Discrimination, 1970–1979." Box 1, Folder 4. State University Archives; Professor Green Papers. 1974. "A Report on the Failure of Affirmative Action for Women at SU," April. Box 2, Folder 2. State University Archives; Ms. Morton Papers. 1980. SU Institutional Committee's Report for the Regents Task Force on the Status of Women, May 1. Box 5, Folder 10. State University Archives.

Welfare (HEW) to comply with Revised Order 4 of Title 41, Chapter 60, Part 60-2.²⁶ Three women leaders from the Graduate Student Union and Graduate Women's Assembly interrupted the Board of Regents meeting, as they had been excluded from a meeting that would cover issues they faced as women and graduate students (Article 8, May 1972).²⁷ A student newspaper reported,

The usual decorum of a . . . Board of Regents meeting was broken last Friday when three young women disrupted the proceedings . . . they told the Board President . . . that they would not leave until the Board had heard them out. [The President] ruled them out of order and demanded that they leave. The trio refused so the [SU Police Chief] ushered the women out of the room. In a written statement distributed, [the Graduate Women's Assembly called] for a June meeting of the Regents to consider women's issues. The statement they released cited a case of a university professor who reportedly took academic reprisals against a graduate woman because she rejected his physical advances. [The Graduate Women's Assembly] wants a grievance committee for women students and teachers to be set up. They further want the Regents to set up an Office for Women on [state campuses] (Article 8, May 1972).

In a joint press release, the two organizations also included incidents of gender inequality they had learned of from surveying graduate women, including “women being offered Research Assistantships in exchange for sexual favors.”²⁸ So, without the language of sexual harassment, activists subsumed “sexual favors” and “physical advances” into the concept of “discrimination against women employees and students.”²⁹ Their concept of discrimination included what we now understand as sexual harassment. They also sought to build institutional recognition by pushing for mechanisms to address the unequal treatment of women and to protect women from

²⁶ Professor Green Papers. 1972. Letter from Graduate Student Union to SU Chancellor, April 24. Box 8, Folder 1. State University Archives; Professor Green Papers. 1972. Letter from Graduate Student Union to Board of Regents' President. Box 8, Folder 1. State University Archives.

²⁷ Professor Green Papers. 1972. Press Release, Graduate Student Union and Graduate Women's Assembly, May 5. Box 8, Folder 1. State University Archives; Professor Green Papers. 1972. Graduate Women's Assembly Notes on SU Committee on Graduate Student Women, May 8. Box 8, Folder 1. State University Archives; Professor Green Papers. 1972. Press Release, Professor Green, May 9. Box 8, Folder 1. State University Archives; Professor Green Papers. 1972. Letter from Professor Green to the SU Committee on Graduate Student Women, May 15. Box 8, Folder 1. State University Archives.

²⁸ Professor Green Papers. 1972. Press Release, Graduate Student Union and Graduate Women's Assembly.

²⁹ Professor Green Papers. 1972. Press Release, Graduate Student Union and Graduate Women's Assembly.

sexual harassment. Five years later (in two different 1977 newspaper articles), Professor Green would continue to bring up the Graduate Women's Assembly's disruption of the Regents meeting and their survey of graduate student women that revealed discrimination (Article 88, April 1977; Article 1805, Fall Registration 1977).

Absent policy, women at SU developed informal methods to support victims of sexual violence, one article from 1977 paraphrased a university staff member who explained that every department had someone who had become a "confidant" to students who experienced sexual harassment (Article 88, April 1977). The student journalist explained, "One reason that the problems remain hidden is that there is no real mechanism a student can rely on" (Article 88, April 1977). Like the graduate student women who protested in 1972, the student journalist emphasized the lack of an SU policy to address sexual harassment that persisted in 1977.

By the early 1980s, some mechanisms were in place to address sexual harassment, but the policy space was still open. For example, the Affirmative Action Office could not enact sanctions, only recommend them to the department where the harassment took place (Article 259, October 1983). In 1986, the SU chapter of the Progressive Student Network demanded a meeting with the Dean of Students due to the lack of policy on student-to-student sexual harassment (Article 335, December 1986). In 1988, a feature article recounted an anonymous student victim's experience with stalking and sexual harassment (Article 1823, Fall Registration 1988). She went to the Dean of Students Office for help, but without a policy in place, the Dean's office claimed there was little it could do and apparently took no further action.

Forced to turn elsewhere for support, she went to on to obtain a restraining order with the help of the local battered women's shelter. The Dean of Students claimed that her office's metaphorical hands were tied because the student disciplinary code did not cover stalking and

sexual harassment. The Dean went on to say that her office had “proposed amendments to the code,” which is the first mention of such changes in the newspaper data (Article 1823, Fall Registration 1988). However, the article does not specify what “the code” refers to; presumably, the Dean of Students meant the student disciplinary code. The lack of policy remained the same through 1989 (Article 423, November 1989). Individual victims, student groups, and faculty emphasized the lack of policy and resulting lack of recourse for victims for about 17 years before the public mention by the Dean of Students about the possibility of changing the code of student conduct in 1988.

In 1991, SU’s student government and the Student Congress lobbied the Regents about including sexual assault in the student code of conduct (Article 515, April 1991; Article 536, June 1991). So, Student Congress kept lobbying for university recognition of sexual assault outside of SAESA. The student government introduced the following amendment to the student disciplinary code: “A student would be in violation if he or she had sexual contact or sexual intercourse with another person without that person’s consent” (Article 536, June 1991). Notably, this was a gender-neutral definition. The gender-neutral framing of sexual assault went against what graduate student women activists asserted approximately 28 years earlier—sexual violence is about gendered power and inequality. While SAESA and Clery pushed SU to accept the diagnosis of sexual violence as a social and legal problem, now students were pushing for sexual assault to be diagnosed as a student misconduct problem the university had to address.

In 1991, SU began to formally recognize sexual assault as a problem SU had to address organizationally, beyond reporting crime statistics. The university now became the lead agent in combatting sexual violence on campus. The Regents adopted an emergency rule that rendered sexual assault a form of student misconduct in the student disciplinary code. As a public state

university, the student code of conduct could only be changed through a legislative process as the state's administrative code set policies for all schools in the state's public university system. Until this change, sexual violence was not defined as a form of student misconduct under SU's disciplinary code. Three articles published in 1991 explained how the Regents made an emergency rule for the Fall 1991 semester and then would go through the time-intensive process of amending state administrative code (Article 515, April 1991; Article 536, June 1991; Article 1782, Fall 1991).

Thus, the inclusion of sexual assault as a form of sanctionable student misconduct indicated the growing understanding that sexual assault was a problem that universities themselves had to address. A new legal framing of sexual assault in higher education was emerging. Moreover, using the lens of legal pluralism, the student code of conduct was an additional local policy on sexual violence. The early 1990s showed a willingness for SU to adopt a crime *and* misconduct framing of sexual assault in law and policy, which is different than and perhaps more easily incorporated than the gender discrimination framing activists had been using with Title IX since approximately 1973, which I analyze in Layer Three. Two counterfactuals emerge from analyzing Layers One and Two of how sexual violence became understood as a legalized problem that SU had to address. First, the university did not recognize sexual violence as a problem the organization had to address under law, as was the case before 1989. Second, SU exclusively recognized sexual violence as an issue of crime and misconduct and had not yet added the layer of framing it as gender discrimination.

Layer 3: Sexual violence as gender discrimination under Title IX, 1973–2017

It took decades for sexual violence as gender discrimination to be a legal frame under Title IX that SU adopted. Activists tried to push this legal frame and mobilize Title IX in the

1970s and 1980s, and again in the 2000s and 2010s. They failed to have it adopted during the 1970s, 1980s, and 2000s at SU. Moreover, SU officials and activists contested the meaning of gender discrimination itself. Activists during the 1970s and 1980s asserted that Title IX addressed sexual violence as a form of gender discrimination by protecting women. SU, however, adopted the interpretation that gender discrimination meant a lack of equal access for women and men to the university. While SU accepted that sexual violence was a form of gender discrimination under Title IX, the organization did not accept the definition of gender discrimination proposed by feminist activists. Even as Title IX became salient for addressing sexual violence as gender discrimination under SU's definition, it did not eliminate framing sexual violence as a matter of crime under Clery. Clery and Title IX co-existed as legal frames for the problem of campus sexual violence.

1973–1981: Early legal mobilization and legal framing of Title IX. My analysis of archival data revealed that activists attempted to frame Title IX as relevant to sexual violence from 1973 through 1981 at SU. Women activists hoped to mobilize Title IX to address their right to an education and to access to the university campus as an issue of gender inequality. The underlying idea was that Title IX existed to protect women. Their interpretation of Title IX as applicable to sexual violence failed to gain traction during their time and was not adopted by SU until much later. The interpretation of Title IX as a law that covered sexual violence was not widespread among universities and federal regulatory bodies. Indeed, the way activists attempted to mobilize Title IX to address education access and campus safety would not become the federal interpretation until the 1992 SCOTUS decision in *Franklin v. Gwinnett County Public Schools*. Title IX was not invoked by state university system leaders until 1981. The Regents drew on

Title IX as a symbol to support requiring all state universities to have sexual harassment policies in response to activists' drawing on Title IX in their committee report to the Regents.

The first mobilization of Title IX occurred in April 1973 when a group of anonymous "Concerned First Year Medical Students" sent a letter to file a sex discrimination complaint to the region's HEW OCR, arguing that their classroom environment was sexist and therefore discriminatory under Title IX. Detailing the sexual harassment and gender discrimination that female medical students had experienced from a male professor and students, they framed it as falling under Title IX. They wrote,

We believe that this situation constitutes a blatant violation of Title IX of the Education Amendments Act of 1972 which has been in effect since June 23, 1972 . . . The pervasive attitudinal milieu and more blatant sexist incidents that occur with appalling regular frequency are discriminatory and deny women medical students the benefits of professional education, in an atmosphere of dignity, respect, encouragement, equality, and recognition . . . Since the university is clearly lax in rectifying this situation, we believe HEW should take appropriate action to mobilize its enforcement procedures.³⁰

They argued that how a specific professor taught was a Title IX violation, citing how they as women were being denied access to the benefits of their medical education, and sought to have it addressed by HEW's OCR. They identified this professor's behavior as a form of sexism that constituted gender inequality in education.³¹ While this sounds like the contemporary "hostile environment" interpretation of Title IX, which was widely recognized at universities between 2011 and 2020 (Lave 2022), that interpretation did not yet exist in 1973 at the time of their complaint.

Ultimately, the Regional OCR determined that it could not address the female medical students' experiences. Upon receiving no response from HEW's regional OCR office, Professor

³⁰ Professor Green Papers. 1973. Letter from Concerned First Year Medical Students to Regional OCR Office, April 3. Box 1, Folder 2. State University Archives.

³¹ They did so without the language of sexual harassment. "Sexual harassment" became a term in 1974 thanks to Lin Farley, then spread rapidly in 1975 due to media coverage, and became popularized with the 1979 publication of Catherine MacKinnon's *Sexual Harassment of Working Women*.

Green wrote to the OCR later in 1973 on behalf of the women medical students. Professor Green had been organizing around women's employment issues for faculty and graduate students, including issues that today we would define as sexual harassment. The response from the OCR regional director informed Professor Green that the OCR could not proceed with the complaint with the evidence provided by the students since those examples were not "concretized in discriminatory acts."³² The hostile environment of harassment and sexism directed at the women medical student students was not yet part of Title IX interpretation.

Similar to the female medical students, Women Stopping Campus Harassment attempted to invoke Title IX to protect women from sexual violence at SU. In 1979, a woman was physically attacked in an SU library; Women Stopping Campus Harassment formed soon after to demand that the university address sexual violence in public campus spaces (Article 123, May 1979). The group framed these events as a matter of sexual harassment covered under Title IX. Later that summer, Women Stopping Campus Harassment met with SU's Chancellor to discuss their demands, which included discussion of Title IX. Women Stopping Campus Harassment drew on Title IX to argue that sexual harassment, like what women had experienced in campus libraries, violated state and federal law. In their notes on the meeting with the Chancellor, they wrote: "sexual harassment in employment is forbidden by both Federal and State law and, in education, is a violation of the intent of Title IX of the Education Amendments of 1972."³³ The group legally framed Title IX in a way that was not yet accepted by federal regulatory bodies or the university. They asked for SU to address issues of sexual harassment, but Title IX did not yet have the power behind it for enforcement.

³² Professor Green Papers. 1974. Letter from OCR Regional Director responding to Professor Green about Concerned First Year Medical Students' Letter, July 8. Box 2, Folder 3. State University Archives.

³³ Ms. Morton Papers. 1979. Women Stopping Campus Harassment's Notes and Handouts from Meeting with Chancellor, July 24. Box 4, Folder 3. State University Archives.

In their meeting with the Chancellor, the activists cited how Rutgers sent out a memo to its campus about issues of sexual harassment and cited Title IX. Women Stopping Campus Harassment provided a copy of the January 1979 memo the Rutgers President had sent to “all university personnel” on sexual harassment as an example of leadership taking a “strong position.”³⁴ They wanted the Chancellor to send a memo to campus to explain why sexual harassment and assault were problems, to remind campus community members of it, and to show that SU leadership would not tolerate it. Ultimately, the Chancellor did send a similar memo to the SU community. However, the Chancellor’s memo did not cite Title IX, so Women Stopping Campus Harassment failed in getting the legal frame of Title IX pertaining to sexual violence accepted by university leaders.

In response to activists’ work on a 1980 report, the Regents drew on Title IX as a legally indeterministic symbol to require all state schools to have sexual harassment policies and grievance procedures. In late 1980 and early 1981, citing both Title IX and Title VII, the Regents required that all state universities, including SU, establish sexual harassment policies and grievance procedures by May 1981 (Article 151, January 1981; Article 182, January 1981; Article 183, January 1981; Article 184, January 1981; Article 186, February 1981; Article 208, May 1981).³⁵ In the Regent’s Commission on the Status of Women report from December 1980, the SU committee members (which included women’s activists who were SU faculty and students) framed Title IX as applicable to sexual harassment in education. The committee noted that sexual harassment violated EEOC regulations on Title VII and “developing case law under

³⁴ Ms. Morton Papers. 1979. Women Stopping Campus Harassment’s Notes and Handouts from Meeting with Chancellor.

³⁵ Ms. Morton Papers. 1980. Memo from the President of the State University System to Board of Regents and Regents’ Education Committee, November 25. Box 5, Folder 10. State University Archives; Ms. Morton Papers. 1980. Memo from the Vice President of the State University System to Chancellors, December 9. Box 4, Folder 12. State University Archives.

Title IX . . . indicates that [schools] may have a comparable legal responsibility” to students.³⁶ The report cited the 1979 case of *Cannon v. University of Chicago*, saying “The Supreme Court has ruled that a student applicant may bring a private cause of action pursuant to Title IX against a university for sex discrimination in its admission practices.”³⁷ Here, the committee used the legal indeterminacy of Title IX as pressure for the Regents to address sexual harassment. The Regents then drew on the Commission on the Status of Women report to require SU and other state schools to have sexual harassment policies and procedures, a crucial, albeit incremental, victory for activists.

This period revealed a disjuncture between SU and activists’ interpretations and applications of Title IX. SU was not drawing on Title IX while activists were. Activists asserted that sexism and sexual harassment in the medical school classroom or women experiencing sexual harassment or unsafe situations in the libraries were forms of discrimination under Title IX, and that Title IX existed to safeguard women students. While Regents drew on Title IX when it was a convenient symbol, SU was not responsive to the framing of Title IX applying to sexual violence to help women specifically because of power being gendered.

1989–1993: “Reverse discrimination” under Title IX. The legal indeterminacy of Title IX as it pertained to sexual violence resulted in another conflict over how Title IX applied to gender discrimination in the late 1980s into the early 1990s. SU adopted the interpretation of Title IX that the law is about gender equality in access, meaning men and women should have equal access to SU opportunities. SU did not incorporate what activists had wanted: recognition that Title IX as protected women from men.

³⁶ Ms. Morton Papers. 1980. The Regents Task Force on the Status of Women Report: Recommendations on Sexual Harassment, December 5. Box 4, Folder 12. State University Archives.

³⁷ Ms. Morton Papers. 1980. The Regents Task Force on the Status of Women Report: Recommendations on Sexual Harassment.

The case of the Women's Area Cab (WAC) reveals how a male student mobilized Title IX as a legal threat against the university, claiming that the feminist ride service discriminated against men and, therefore, was in violation of Title IX. The legal indeterminacy of Title IX paired with the male student complaint was enough that SU withdrew financial and organizational support from the WAC in the early 1990s. The WAC's radical feminist stance held that men could not drive their cars as men overwhelmingly perpetrated sexual violence against women.³⁸ Ultimately, the WAC's radical feminist position and, indeed, the position of activists of the 1970s who drew on Title IX, was incompatible with how the university came to interpret Title IX and the meaning of gender discrimination.

The WAC was started by a women's coalition in the early 1970s in the wake of rapes being increasingly publicized in newspapers (Article 20, February 1973); the idea behind the WAC was to protect women at night from rape by giving women safe transportation. They described their mission as: "This is a service provided for women at night so you don't have to walk or hitchhike and risk assault" (Article 30, July 1973, newspaper ad for WAC). The WAC relied on volunteers to drive women at night and coordinate such rides. Only women could volunteer as drivers for the WAC. The WAC expressed a viewpoint particular to radical feminists of the 1970s, viewing rape as gendered violence where men inflicted sexual assault upon women. Their goal was to stop male strangers from sexually assaulting or harassing women at night. The anti-rape organizing in the early 1970s in the community surrounding SU included community members and students (Interview 16, Interview 19). The organization also openly included

³⁸ Indeed, contemporary prevalence statistics indicate the majority of those who perpetrate sexual harassment (Cortina and Areguin 2021; Ybarra and Petras 2021), sexual assault (Ybarra et al. 2022; Ybarra and Petras 2021), domestic violence (Breiding, Chen, and Black 2014; Pegram et al. 2018), and stalking (Smith, Basile, and Kresnow 2022) are cisgender men or adolescent cisgender boys.

lesbian volunteers, “many of our volunteers and staff are lesbian.”³⁹ WAC members did report that “the public image of the [WAC] is one of a stereotypical lesbian organization,” which WAC members thought was hurting the organization due to homophobia.⁴⁰ The WAC was focused on women in the community and at SU. According to Barbara, a social work professor, “[WAC] had a particular energy for women, especially on campus” (Interview 16). As of the early 1990s, the university had supported the WAC for approximately 20 years; this formalized relationship provided the WAC with funding, cars, and office space (Interview 16).⁴¹

³⁹ WAC Papers. 1989. Women’s Area Cab Newsletters, March. Box 8. State University Archives.

⁴⁰ WAC Papers. 1987. Graduate Student Study of Women’s Area Cab, May. Box 6. State University Archives.

⁴¹ Dean of Students’ Correspondence. 1986. Copy of Women’s Area Cab and SU Funding Agreement for 1986, May 14. Box 2, Folder 51. State University Archives; Dean of Students’ Correspondence. 1987. Women’s Area Cab and SU Funding Agreement for 1987, April 30. Box 2, Folder 50. State University Archives; Dean of Students’ Correspondence. 1989. Transactions for the calendar year 1988 by Women’s Area Cab Funded by SU, January. Box 2, Folder 50. State University Archives; Dean of Students’ Correspondence. 1989. Women’s Area Cab and SU Funding Agreement for 1989, January 12. Box 2, Folder 50. State University Archives; Dean of Students Office. n.d. SU Dean of Students Office Records of Funding Women’s Area Cab for calendar year 1975. Box 1, Folder 14. State University Archives; Dean of Students Office. n.d. SU Dean of Students Office Records of Funding Women’s Area Cab for calendar year 1977. Box 1, Folder 14. State University Archives; Dean of Students Office. n.d. SU Dean of Students Office Records of Funding Women’s Area Cab for calendar year 1977. Box 1, Folder 14. State University Archives; Dean of Students Office. 1977. Women’s Area Cab and SU Funding Agreement for 1978 through 1980, December 19. Box 1, Folder 14. State University Archives; Dean of Students Office. 1979. Transactions for the calendar year 1978 by Women’s Area Cab Funded by SU, April 5. Box 1, Folder 14. State University Archives; Dean of Students Office. 1980. Transactions for the calendar year 1979 by Women’s Area Cab Funded by SU, January 9. Box 1, Folder 14. State University Archives; Dean of Students Office. 1982. Transactions for the calendar year 1981 by Women’s Area Cab Funded by SU, January 18. Box 1, Folder 14. State University Archives; Dean of Students Office. 1982. SU Dean of Students Office Records of Funding Women’s Area Cab for calendar years 1983 and 1984, November 10. Box 1, Folder 14. State University Archives; Dean of Students Office. 1984. Transactions for the calendar year 1983 by Women’s Area Cab Funded by SU, January 11. Box 1, Folder 14. State University Archives; Dean of Students Office. 1985. Women’s Area Cab and SU Funding Agreement for 1985, January 11. Box 1, Folder 14. State University Archives; Dean of Students Office. 1988. Transactions for the calendar year 1987 by Women’s Area Cab Funded by SU, January. Box 1, Folder 14. State University Archives; Dean of Students Office. 1990. Transactions for the calendar year 1989 by Women’s Area Cab Funded by SU, January. Box 1, Folder 14. State University Archives; Dean of Students Office. 1991. Transactions for the calendar year 1990 by Women’s Area Cab Funded by SU, January. Box 1, Folder 14. State University Archives; WAC Papers. 1980. Women’s Area Cab and SU Funding Agreement for 1981, December 16. Box 1, Folder 3. State University Archives; WAC Papers. 1982, WAC Handbook. Box 1, Folder 1. State University Archives; WAC Papers. 1982. Women’s Area Cab and SU Funding Agreement for 1983 through 1984, December 17. Box 1, Folder 3. State University Archives; WAC Papers. 1992. SU Transit

Leveraging the legal indeterminacy of Title IX, in 1987, a male student made complaints to both the Dean of Students and the SU student government about the WAC using university funds. The power of his mobilization of Title IX lay in drawing on a logic that co-opted civil rights-like language, suggesting that SU could be found liable for not adhering to the law. He alleged that SU providing funding and other resources to the WAC was a form of gender discrimination prohibited by Title IX. He argued:

[Women's Area Cab] discriminates in its hiring practices against men. Men are not allowed to fill certain key positions . . . on the basis that they are men . . . The [University's] support of any organization which discriminates against any group on the basis of sex is in violation of Title IX (emphasis his).⁴²

This student drew on Title IX and a reverse gender discrimination logic to argue that SU's Dean of Students Office should not support the WAC with funds, cars, or other resources. This one complaint was enough to incite years of legal review from SU, despite what was, at that time, an approximately 15-year relationship with the WAC. The long legal review for what was a complaint to the Dean of Students Office not a lawsuit, illustrates that this intra-organizational complaint occurred "in the shadow of the law."

The lawyer who defended WAC drew on legal ambiguity around sex discrimination beyond Title IX; she drew on Title IX and Title VII to argue that SU should be able to support the WAC because the service supported a special group with a concern particular to that group. That is, SU should be able to provide the WAC with resources because giving women rides would help stop sexual assault. This legal frame was akin to using Title IX as a law to protect women from sexual violence. The Dean of Students Office, university counsel, and the WAC's

Department Agreement to Fund Six Months of Women's Area Cab, April 24. Box 4, Folder 7. State University Archives.

⁴² WAC Papers. 1987. Complaint Letter to Dean of Students from Male Student regarding Women's Area Cab, August 26. Box 1, Folder 7. State University Archives.

lawyers sent each other lengthy legal memos in which they argued about the legal meaning of sex discrimination in the male student's complaint against the WAC. In the correspondence between the Dean of Students Office and the WAC's lawyer, the WAC's lawyer disputed whether Title IX even applied to the complaint against the WAC. She wrote, "If necessary, we will make further arguments on the issue of whether a volunteer falls within the scope of a Title IX claim."⁴³ The WAC's lawyer went beyond Title IX in her arguments for why SU could continue supporting the WAC. Specifically, she argued to the Associate Dean of Students that empirical evidence supported WAC's practices, writing "the restriction on male volunteers is NOT based on a stereotype, but is based on empirical data."⁴⁴ The lawyer referred to studies on the large proportion of sexual assault and rape perpetrators that were men. Drawing on employment law, the WAC's lawyer argued that SU funding the WAC could be justified under a bona fide occupational qualification (BFOQ) argument. She wrote,

I understand full well the need to explore potential liabilities, but in this situation the net result of such caution would be to force a change in [WAC] or withdraw support from a program with a clear empirical basis for supporting a BFOQ-type defense.⁴⁵

The BFOQ defense was one under Title VII regarding gender specifications for employment.

The WAC's lawyer stretched the BFOQ defense to cover the WAC's volunteer drivers, asserting that only women should be able to volunteer as drivers, given the ride service's mission to protect women from sexual assault. Thus, the WAC's lawyer attempted to leverage legal ambiguity in employment law (Title VII) and education law (Title IX).

⁴³ WAC Papers. 1988. Attorney Letter on behalf of Women's Area Cab to Associate Dean of Students, May 17. Box 5, Folder 5. State University Archives.

⁴⁴ WAC Papers. 1988. Attorney Letter on behalf of Women's Area Cab to Associate Dean of Students, July 18. Box 5, Folder 5. State University Archives.

⁴⁵ WAC Papers. 1988. Attorney Letter on behalf of Women's Area Cab to Associate Dean of Students.

Ultimately, SU framed its decision to defund the WAC as complying with Title IX's requirements to treat men and women equally; SU interpreted sex discrimination differently. It took nearly five years for the Dean's office to make a decision, as it consulted with legal experts and university counsel and considered the WAC's lawyer's arguments, showing how this complaint occurred both "in the shadow of the law" and "in the shadow of the institution," meaning the university. By 1988, SU's student government decided that they would continue to support the WAC.⁴⁶ During the nearly five years of legal review and decision-making, according to Sharon, the Dean of Students:

We always supported [the WAC], got resources in it, and then we got a lawsuit. And [the Chancellor] connected us with a women's law and policy center in Washington. And eventually, the decision came back [from the law and policy center and university counsel] that we would lose that case in court. So, we had to back off . . . we were licked in that case (Interview 22).

In her recollection of the male student's complaint, Sharon characterized it incorrectly as a "lawsuit." Archival documents revealed it to be a complaint to the Dean of Students; the record does not indicate that the male student involved a lawyer or attempted to bring SU to court.⁴⁷ My interview with Sharon suggested that SU leaders and counsel were concerned that the complaint would *become* a lawsuit. While the Dean of Students Office and the Dean herself apparently wanted to support the WAC, SU's lawyers' prediction that the university would not win a court case led to the Dean's office defunding the WAC and withdrawing other key resources (including, cars, insurance, and office space). SU leaders and counsel were ultimately concerned about legal liability under Title IX and sex discrimination law.

⁴⁶ WAC Papers. 1988. SU Student Association Court Documents, September 15. Box 5, Folder 5. State University Archives.

⁴⁷ WAC Papers. 1987. Complaint Letter to Dean of Students from Male Student regarding Women's Area Cab; WAC Papers. 1988. Attorney Letter on behalf of Women's Area Cab to Associate Dean of Students; WAC Papers. 1988. Attorney Letter on behalf of Women's Area Cab to Associate Dean of Students; WAC Papers. 1988. SU Student Association Court Documents

The WAC's framing of its mission was similar to SU activists of the 1970s who drew on Title IX; they interpreted Title IX as a law to protect women from sexual violence. In contrast, SU interpreted gender as a categorical identity, not a system of power. SU interpreted Title IX differently "in the shadow of the law" as meaning men and women were entitled to equal opportunities at SU. Moreover, Title IX was not yet being used at SU to address sexual violence directly. From 1993 until the early 2000s, not much changed in how SU conceived of sexual violence.

2000–2010: Upheavals regarding Clery and Title IX. By 2000, the emerging consensus among activists was that universities were federally obligated by Clery and Title IX to address sexual violence among students. The mid-to-late 2000s illustrated the limitations of Clery, including that universities only had to report sexual assault that occurred on campus and national issues with universities complying with the law. This period also illuminated a transition where survivor-activists were starting to understand and mobilize multiple laws requiring universities to address sexual violence.

During this time, student newspapers reported on U.S. universities' noncompliance with Clery, and explored universities' motivations for not complying with Clery (Article 958, January 2002; Article 980, April 2002; Article 1873, Summer 2002; Article 1012, November 2002; Article 1075, February 2004). Given Clery's focus on crimes that occurred on campus, universities had a motive to publicize low crime statistics (including sexual assault), as higher statistics are typically interpreted as indicating crime problems on their specific campus. In late 2002, an SU student newspaper re-printed an article from another college's newspaper about issues with universities complying with Clery nationally. According to this article,

Congress passed the Student Right-to-Know and Campus Security Act in 1990 to require all Title IV-eligible schools to publicly disclose crime statistics and security policies and procedures on campus. Fewer than 40 percent of colleges and universities are in full compliance with the law that requires crime statistics on rapes and sexual assaults (Article 1012, November 2002).

This feature article revealed, based on a U.S. Department of Justice study, that many universities were not publishing accurate Clery statistics. Something similar was published two years later in 2004, where the student journalist wrote, “But many universities, fearing poor public relations, feel pressure to underreport crime on their campuses” and explained the history of Clery (Article 1075, February 2004). This reporting on Clery statistics anticipated the national survivor-activism on campus sexual violence that would arise in 2013, hinting at issues of sexual violence being “swept under the rug” due to Clery “campus geography” definitions or noncompliance with Clery. Moreover, the reporting on national indications of Clery noncompliance implied universities were concerned that such statistics marred their image and reputation.

Student journalists at SU also expressed skepticism regarding Clery statistics; they were concerned about SU inaccurately reporting them. For example, one journalist wrote, “[SU] officials recently drew fire for statistics on sexual assault and other campus crimes they are required to report under the federal Jeanne Clery Act” (Article 958, January 2002). In this newspaper article, the student journalist explored how sexual assaults are generally underreported to campus officials and how the statistics differed under SAESA and Clery. Another student journalist reported, “More recent sexual assault statistics at [SU] were criticized this year after allegations that numbers the university is required to report under the federal Jeanne Clery Act underreported incidents” (Article 1873, Summer 2002). So, student journalists repeatedly captured a campus concern that SU was not publicizing accurate statistics for sexual assault under Clery.

Gloria, an Assistant Dean responsible for reporting sexual assault statistics under SAESA and Clery, explained how she regularly confronted misunderstandings over sexual assault statistics as reported under SAESA versus Clery. Gloria brought up to me how she perceived the campus community's reaction to both the SAESA and Clery reports: "having these two reports caused some confusion to a lot of people because they would find out we would give one number and then we would have to give it different numbers for the federal one" (Interview 19). Gloria went on to describe the different criteria for sexual assault statistics under each law. First, sexual assault under SAESA was reported under the degrees in the state statutes (e.g., second-degree sexual assault). Second, Clery's statistics were limited to sexual assaults that occurred on the physical university campus. She explained to me that she found the SAESA report better described sexual assault at the university:

I liked . . . the state report better than I did the Clery report. And I'll tell you why . . . I felt that the state report was more inclusive for several reasons. One, the way that most of the assaults that were reported occurred off campus. And, then we define it by first, second, third, and fourth degree. So, I felt it was closer to being more transparent of what was happening (Interview 19).

Gloria hinted at the problems in how universities define their "Clery geography," or what counts as SU's campus for the purpose reporting Clery crime statistics. Most of SU's students lived off campus, and, thus, most sexual assaults occurred off campus. These sexual assaults would not show up in SU's Clery statistics.

One struggle over the interpretation of Title IX occurred in the mid-to-late 2000s when Erin mobilized Title IX to file a complaint with ED. This was an early mobilization of Title IX before such complaints rose in 2013. In the end, the federal investigators determined that SU did not violate Title IX's requirements and this shaped Erin's later activism. During the mid-2000s, Erin was sexually assaulted and learned about reporting sexual assault from one of her

professors; she would go on to file a Title IX complaint against SU, alleging that it mishandled her sexual assault case. Erin told me,

[the professor] stopped and talked about rape on campus, how common it was, and how she knew that it happened to students . . . And, that all you had to do was like go to the Dean's Office and they had a duty to help students with it. And she never said Title IX, but that's exactly what she was talking about. And I had no idea that this existed, this obligation for schools to do something (Interview 21).

At this time, Clery required universities to report their crime statistics and educate students on their policies, but it did not require universities to “help” students who had experienced sexual assault. By this time, due to SCOTUS’ top-down interpretation of Title IX, it had come to address sexual assault as gender discrimination and obligated universities to internally adjudicate sexual assault. As we discussed Erin’s experience reporting to the Dean of Students’ Office, I asked, “when you went through this process of reporting to the Dean’s office, was there any mention about Title IX or Clery?” She replied, “Oh, definitely not. I didn’t really know about Title IX until Daniel [Carter] reached out about filing a complaint” (Interview 21). Erin described multiple ways that she attempted to file a complaint with SU and pursue justice in the state court, but ultimately none of these succeeded. SU officials delayed the process long enough that the men who sexually assaulted Erin were able to graduate. Approximately three years later, she filed a Title IX complaint with ED’s OCR due to SU’s actions (Interview 21). ED ruled that SU did not violate Title IX in its handling of Erin’s case. The investigation was focused on procedures, not whether Title IX applied to sexual violence as gender discrimination, indicating that the understanding of Title IX as applying to gender discrimination had settled. Erin’s efforts represented relatively early legal activism on Title IX that targeted SU and early survivor-activism that drew on legal mobilization of federal Title IX complaints. More legal mobilizations of Title IX directed at SU would follow from 2015 through 2017 and were investigated by ED,

representing targeted legal mobilization by survivors (Article 1581, March 2015; Article 1617, January 2016; Article 1775, March 2017; Article 1778, March 2017).

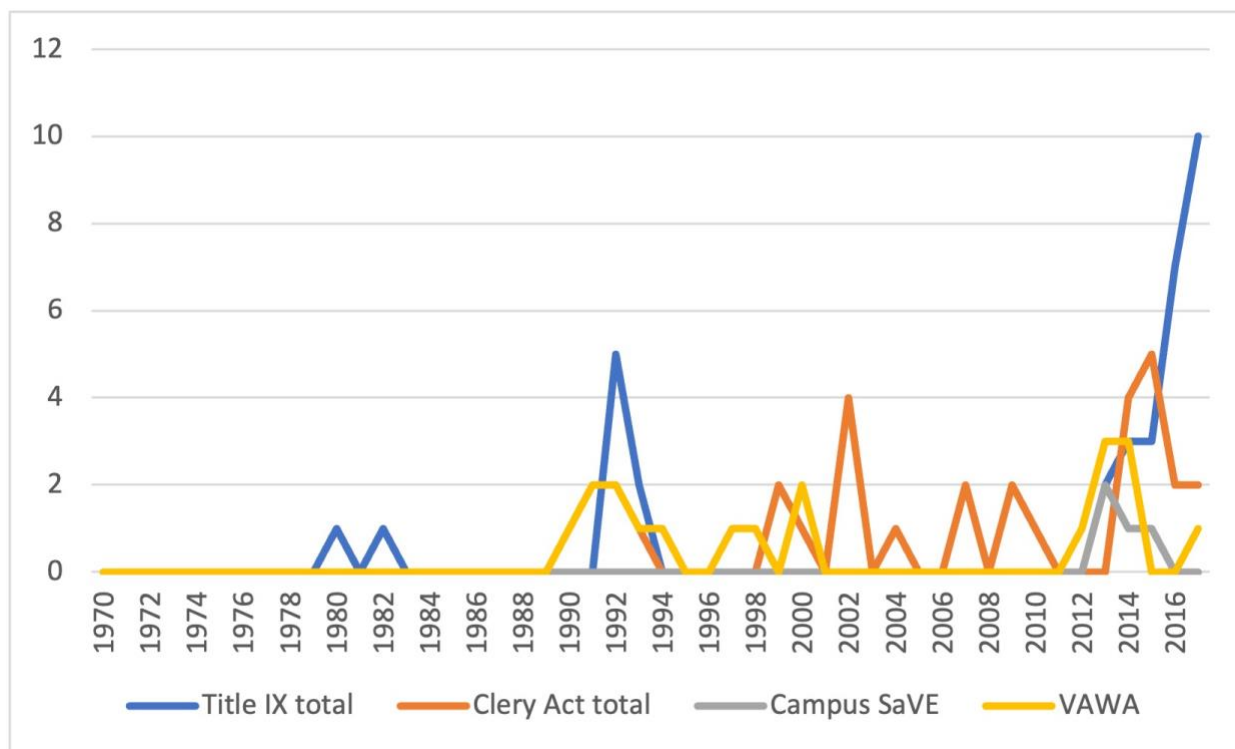
While Clery and SAESA continued to be followed through SU employees like Gloria tracking and publishing sexual assault statistics, national and local concerns over universities following Clery were slowly emerging. Meanwhile, Erin represented early legal mobilization of Title IX in filing a Title IX complaint with ED.

2011–2017: Sexual violence, a multi-layered legalized problem for universities. During this time, SU and local activists' attention was drawn to Title IX via federal enforcement and national survivor-activism, which continued to diagnose sexual violence as a legalized problem. So, in addition to state law, Clery, and the SU student code of conduct's framing of sexual violence as an issue of crime and misconduct, Title IX's framing of sexual violence as gender discrimination formed an additional layer. The meaning of gender discrimination under Title IX was no longer contested. Rather, activists and universities were focused on procedures under Title IX to address sexual violence.

One way to visualize the layering of these laws is through mentions in the student newspapers. Before 2014, very few newspaper articles written by student journalists mentioned Title IX (see Figure 4). There are scant mentions of Title IX in 1980, 1982, and 1992 regarding sexual violence. The most mentions occurred from about 2015 onwards. The various names of Clery over the years are included in the newspaper mentions in Figure 4. The Clery Act was mentioned in the newspaper data from 1990 through 2017 and is mentioned in approximately seven of the years prior to 2014 (see Figure 4), which makes it the most mentioned federal law in the newspaper data prior to 2014 as compared to VAWA, Title IX, and the Campus SaVE Act.

From 1990 through 2015, nineteen newspaper articles covered how SU complied with Clery. The Campus SaVE Act mentions are concentrated in 2013 onwards since the law passed that year.

Figure 4. Newspaper Mentions of Federal Laws against Campus Sexual Violence (1970–2017)



Survivor-activists used political activism and legal mobilization locally and nationally to draw the focus to Title IX's relevance to campus sexual violence and to encourage federal government enforcement of Title IX. SU experienced this in part because of Erin's political activism and Title IX complaints during the 2010s. Erin continued her activism at the national level, contributing to the 2011 DCL (Article 1527, April 2013, Interview 21). She told me that her experience going through the SU reporting process pushed her to work on the 2011 DCL:

which is why I contributed to the 2011 Dear Colleague Letter under the Obama era, which probably would have found them [SU] to have committed things wrong. But they were under the Bush era. There wasn't that much demand and attention and focus on enforcing Title IX. So, I helped change that to make sure that in the future survivors would have enforcement (Interview 21).

Erin understood that two factors that would encourage universities to adhere to Title IX. First, Title IX guidance needed to change, and second, the federal government had to enforce Title IX regarding campus sexual violence. That being said, Erin's focus on enforcement was different than prior generations of activists, such as Women Stopping Campus Harassment, who explicitly focused on Title IX protecting women from sexual violence. The issue for Erin was not whether Title IX applied to sexual violence but whether it was implemented appropriately at SU. A few years after the 2011 DCL, in 2014 and 2015, several more survivors filed Title IX complaints against SU, representing targeted legal mobilization (Article 1581, March 2015; Article 1617, January 2016; Article 1775, March 2017; Article 1778, March 2017).

In turn, the federal government revealed which colleges and universities were being investigated because of Title IX complaints. The federal government published a list of universities being investigated for alleged noncompliance with Title IX, "the U.S. Department of Education informed [SU] and several other schools recently that they were added to the list of campuses under investigation for potential Title IX violations" (Article 1581, March 2015). The public list functioned to put schools under investigation on notice and to shine a spotlight on them, appealing to universities' concern with their public image.

The revised Title IX guidelines and ED investigations also inspired local activism by members of SAVE, SU's student anti-sexual assault group; whose activism was not nationally focused but focused on state administrative law. Members of SAVE lobbied for a bill on underage drinking amnesty when reporting sexual assault, which coincided with federal level survivor-activism and legal changes. This bill proposed to amend state administrative law, which would in turn change the student code of conduct. A student journalist paraphrased the chair of SAVE, she "said members of [SAVE] lobbied and worked with legislators on the bill" (Article

1778, March 2017). The bill ultimately passed, ensuring that a student who reported their own sexual assault to SU would not be sanctioned for underage drinking. Here, activists were inspired by federal law to mobilize for local administrative law in the legally ambiguous, plural environment.

As SU's student disciplinary code is governed by state law and administrative code, SU administrators identified that amending the student disciplinary code was necessary to stay up to date in this legally pluralistic, ambiguous context. As one student journalist wrote, "The new policies proposed by the Dean of Students Office aim to bridge the gap between state and federal law in order to comply with . . . the [Campus] SaVE Act" (Article 1557, April 2014). The Dean of Students Office, which in 2014 was still responsible for handling investigations and adjudications, pushed to have the state administrative code amended so that it would follow the changes in federal law, notably those in the Campus SaVE Act. Ultimately, these changes were passed in state administrative law.

From 2014 through 2017, coinciding with survivor-activists mobilizing and federal changes in guidance and threatened enforcement of Title IX and Clery, SU leaders and staff engaged with Title IX to change university practices on sexual violence. SU engaged with Title IX in a way new to the university by hiring a Title IX coordinator whose entire job was focused on sexual violence. SU's leaders and staff spoke to student journalists about their work on Title IX compliance in 13 newspaper articles from 2014 through 2017 (Article 1557, April 2014; Article 1566, May 2014; Article Editorial 1586, April 2015; Article 1834, Orientation Issue 2016; Article 1637, October 2016; Article 1657, December 2016; Article 1700, March 2017; Article 1773, March 2017; Article 1772, March 2017; Article 1842, Spring 2017; Article 1679, October 2017; Article 1676, October 2017; Article 1685, November 2017). In a letter to the

editor of one of the student newspapers, a Dean of Students staff member and an SU leader in Title IX and Clery compliance wrote that SU “has taken dramatic steps in the past year to better address sexual assault” (Article Editorial 1586, April 2015). The authors go on to detail those steps as: “hiring and training additional investigators, providing training to hearing panel members, aligning its procedures with Title IX guidance, publishing information about reporting options and victim rights, providing confidential victim advocate services on campus” (Article Editorial 1586, April 2015).

All of the above steps were for the purpose of Title IX compliance, with national attention turned towards SU and other universities under ED investigation to Title IX complaints from students and alumni. The plausible threat of federal enforcement of Title IX likely encouraged such a rapid and expansive change. Interviewees confirmed that the first full-time Title IX coordinator was hired in 2015 (Interview 8, Interview 17). Two articles specified that SU hired a full-time Title IX coordinator for the first time: “the new full-time Title IX Coordinator” (Article 1834, Orientation Issue 2016) and “According to [an] assistant dean . . . actions such as hiring a full-time Title IX coordinator and requiring additional sexual assault education for students have made a difference” (Article 1700, March 2017). Indeed, allotting an entire full-time staff position for Title IX compliance indicated that SU was engaging with Title IX in a way new to the organization.

Clery remained important to how SU addressed sexual violence from a crime lens under the Layer One, where sexual violence was recognized as social and legal problem; Title IX obligations were another legal layer of responsibility. The most concentrated coverage of Clery occurred from 2014 through 2017, coinciding with national attention and activism on sexual violence. Ten of the 19 articles on Clery were published from 2014 through 2017 (Article 1554,

April 2014; Article 1572, October 2014; Article Editorial 1586, April 2015; Article 1588, April 2015; Article 1591, September 2015; Article 1592, September 2015; Article 1619, February 2016; Article 1625, September 2016; Article 1684, November 2017; Article 1842, Spring 2017). Nine of these articles reference crime warnings sent to SU campus' members' emails for the purpose of SU demonstrating compliance with Clery. For example, "In compliance with the Clery Act, the [SUPD] emailed a crime notice to students for the campus assault case Sunday" (Article 1592, September 2015). One 2017 feature article explored the process for the SU Police Department to send crime warnings to campus (Article 1684, November 2017). Another 2017 feature was specific to "sexual assault alerts" and the student journalist explained, "Crime warnings are issued under the Clery Act . . . The warnings are sent when one of the Clery crimes occurs in a timely manner in a Clery geography area" (Article 1842, Spring 2017). The article also explained how Title IX is involved after a Clery crime warning on sexual assault: "The Title IX coordinator as well as a Title IX consultation team review the case and reach out to the survivor to ensure they receive the support they need" (Article 1842, Spring 2017). This feature article captured the entwined nature of Title IX and Clery practices at SU at the time.

By the time the Campus SaVE Act passed in 2013, SU had accepted that multiple laws obligated the university to address sexual violence. When VAWA was up for renewal in 2013, Erin was a member of a coalition lobbying on behalf of the Campus SaVE Act (Article 1523, April 2013; Article 1527, April 2013). SU swiftly complied with the Campus SaVE Act, which mandated additional university requirements under Clery. Universities had two years to come into compliance with the new requirements. Staff in the Sexual and Relationship Violence Office had been working to implement a sexual violence prevention program for incoming students and pushing for it to be mandatory (Interview 2, Interview 3, Interview 7). As a student journalist

explained, “this year all incoming students were required to take the program” (Article 1541, November 2013). In a meeting with SU’s student government, which provided some of the funding to the SU Health Center, one violence prevention staff member explained, “that due to the Violence Against Women Act, other campuses are required to create prevention education programs” (Article 1541, November 2013). This staff member explained how the program complied with the VAWA renewal and passage of the Campus SaVE Act.

By 2017, SU and activists were not focused on defining the meaning of gender discrimination any longer. SU had multiple laws to attend to in the legally pluralistic environment. Campus sexual violence was understood as an issue of gender discrimination under Title IX, an issue of crime under Clery, an issue of education under Campus SaVE, and an issue of misconduct under state administrative law and the student conduct code

DISCUSSION AND CONCLUSION

This chapter explored how activists’ legal mobilizations and legal framings interacted with the legally plural, ambiguous environment in the context of SU and sexual violence. I investigated how SU and activists seized on some laws as useful in this same environment. Conducting a socio-historical case study of a single university from 1972 through 2017, I tracked organizational and activist responses to, and uses of, campus sexual violence laws at the state and federal levels, and analyzed the related sexual misconduct policies at SU. State and federal laws plus the local policy regime of the student conduct code constituted a legally plural, ambiguous environment for addressing sexual violence. This environment provided both universities and activists the opportunity to draw on specific laws as useful.

I found three overlapping layers of how sexual violence became understood as a legalized problem for SU. Each change in law or policy added another layer of legal understanding. In the

first layer, under SAESA and Clery, SU shifted to accept sexual violence as social and criminal problem for students. In the second layer, under the student code of conduct and state administrative law, SU understood sexual violence as university-redressable misconduct.

In the third layer, the ongoing diagnostic struggle focused on whether sexual violence could be considered gender discrimination under Title IX *and* the very meaning of gender discrimination. Activists from the 1970s into the 1990s argued that Title IX was meant to protect women from sexual violence as a form of gender discrimination. As such, activists argued that (1) Title IX applied to sexual violence as a form of gender discrimination and (2) gender discrimination was an issue of gendered power and inequality. Thus, the contestation was not only over the application of Title IX but also the very meaning of the statute, the indeterminacy of its words. During the process of legal review of the WAC, SU adopted the interpretation that to ameliorate gender discrimination Title IX should ensure men and women's equal access to the benefits of university life, not just formal education in classrooms. This interpretation eventually applied to SU's approach to Title IX and sexual violence in the 2010s.

While Title IX came to apply to sexual violence as a form of gender discrimination, this victory fell short. Despite activists and SU agreeing that sexual violence was gender discrimination, the groups held distinct definitions of gender discrimination. SU's preferred interpretation of gender discrimination detached the concept from critical, feminist understandings as sexual violence being about gendered power. Understanding sexual violence to be about gendered power means that Title IX should not only protect women from men, but also protect survivors in same sex relationships. Instead, SU understood Title IX as equal access by gender identity. By 2017, SU used multiple, co-existing layers of legal diagnosis to address campus sexual violence. These layers included the crime and misconduct approach under state

law, Clery, the student code of conduct and administrative law approach, as well as the gender discrimination approach under Title IX (meaning equal access according to gender identity).

Here, I argue that the legally plural, ambiguous environment contributed to the variation in laws' trajectories of use by SU and campus activists. Actors found strategic opportunities in this environment, not only choosing which laws they could use, but also creating interpretations across multiple legal texts, such as the disjuncture between activists' and SU's interpretation of gender discrimination, where SU's equal access interpretation won. Activists used the legal environment as a repertoire of laws, useful in pressuring the organization to attempt to generate change. They engaged in legal framing, legal mobilization, and lobbying when appropriate. Activists were not always successful; for example, SU adopted the interpretation of gender discrimination under Title IX as an issue of unequal access, diluting gender to identities rather than considering power relationships. In contrast, activists who had drawn on Title IX in the 1970s, 1980s, and 1990s argued that sexual violence was a form of gender discrimination and Title IX was specifically intended to safeguard women.

I showed that a certain kind of state law that required universities to share sexual assault statistics with the public, paved the way for SU's easier compliance with Clery. The interdisciplinary literature on state laws regarding campus sexual violence generally agrees that state laws are not considered best practice by practitioners in the violence prevention and victim advocacy fields (Brubaker and Mancini 2017; DeMatteo et al. 2015; Richards and Kafonek 2016). Most of the laws these studies have analyzed involve some combinations of formalized partnerships with the criminal justice system and/or mandatory reporting policies. Much research has shown shortcomings in how the criminal justice system handles sexual violence (Lonsway and Archambault 2012; Powell and Phelps 2021; Richie 2012; Spohn and Tellis 2012) and

proponents of the Title IX process at universities argue that the Title IX process has the possibility to evade these shortcomings (Cantalupo 2013, 2016). Mandatory reporting policies do not increase reports of sexual violence or encourage survivors to make reports (Holland et al. 2021, 2018). I analyzed a type of law that to date has been rarely studied, which requires a university to publish the number of annual reports of sexual assault. In analyzing the interaction between SAESA with the federal laws on campus sexual violence, I found an example of a state law aiding in university legal compliance with Clery. Granted, legal compliance is distinct from reducing or addressing sexual assault. SAESA and Clery may have heightened SU leaders' unwillingness to report sexual assaults, given the negative public image of having higher numbers of reports, which could be misinterpreted as the organizations having a higher rate of sexual violence. This legal compliance resulted in short term attention from students when these statistics were published regularly in a student newspaper, which I describe in Chapter Five. This kind of attention is relevant for universities' public relations and also for the pool of potential students applying to universities.

I offer three contributions. First, this chapter contributes an analysis of legal mobilization and legal framing in a legally pluralistic, ambiguous environment. The combination of legal ambiguity and legal pluralism meant that sexual violence was subject to multiple legal frames being adopted by SU as an organization. When Title IX became salient for addressing sexual violence as gender discrimination, it did not eliminate the crime and misconduct framing under Clery and administrative law. Rather, multiple layers of law co-existed for how SU regulated sexual violence and therefore these layers of law mattered for how the organization understood sexual violence as a problem with multiple overlapping interpretations.

In studying multiple laws in a specific university setting, I show that each laws' use follows a different trajectory because of the combination of the local norms and law (legal pluralism). In contrast to Rondini (2021) who found more readiness to comply with Title IX than Clery in her interviews with staff at other universities, I find that SU more readily followed Clery, as its compliance with the state law SAESA had eased the way for compliance with Clery during the early 1990s. This is an extension consistent with prior research showing that organizations are more likely to adopt a policy or practice if it is consistent with their internal logics and operations (Binder 2007). The practices that Clery required were like the practices SU had already adopted to track reported sexual assaults under SAESA.

Moreover, these findings suggest that an organization's legal compliance may be contingent upon laws linked to the issue at hand (e.g. Clery compliance was eased by the prior state law). Variability in readiness to comply may be associated with the institutional context and the legally plural, ambiguous environment. Moreover, the process of settling on the meaning of gender discrimination under Title IX likely contributed to SU enforcing Title IX more slowly than Clery.

My second contribution is that state laws requiring universities to release information about their sexual assault statistics might be a beneficial approach to campus sexual violence. The state law that mandated education on sexual assault and publishing statistics on sexual assault, SAESA, is unlike the laws under study in the interdisciplinary literature. SAESA is more of a "watchdog" law, or a law that shares information with the public with the implication that such information is for the public's benefit. Publishing sexual assault statistics reported by the student body, rather than the statistics bounded by the campus' Clery geography, provides a more accurate measure of reports to campus offices. While the interdisciplinary campus sexual

violence literature does not support the efficacy of state law in addressing campus sexual violence (Brubaker and Mancini 2017; DeMatteo et al. 2015; Richards and Kafonek 2016), state law on campus sexual violence is an area in which contemporary activists still are trying to generate change at the level of state law (Crabtree 2021). As such, future research on both the possibilities and limitations of state law would be useful for such activism. Moreover, research on the effects of watchdog laws pertaining to campus sexual violence could be fruitful for scholars of gender and law and society to show whether these laws actually provide opportunities for reducing sexual violence or for activism to change universities.

This chapter's third contribution is bringing pluralistic and indeterministic understandings of law to analyze Title IX, Clery, and state law within one university context. I build on emerging scholarship that considers the web of linked laws on campus sexual violence, such as Title IX and Clery (e.g., Holland 2017; Rondini 2021), and also considers Title IX to be indeterministic (e.g., Reynolds 2022). By analyzing law as indeterminate, I show differences in the legal framing of sexual violence as gender discrimination falling under Title IX. The contestation was not only about whether Title IX applied to sexual violence but the indeterminacy of Title IX's text and the legal indeterminacy of what constituted gender discrimination. Women who argued that Title IX should apply to different forms of sexual violence during the 1970s, 1980s, and 1990s portrayed Title IX as a law to protect women from violence and harassment. SU as an organization in the early 1990s, however, adopted the interpretation of Title IX as discrimination that took the form of unequal access to SU's services and programs for *any* student—that is, framing men's lack of access to the cab service as being as significant as women's exposure to violence on and off campus. In this way, SU reduced

gender to being about men and women having unequal access to particular resources, rather than a system structuring power and privilege.

CHAPTER FIVE: ORGANIZATIONAL PERSPECTIVES

Contestations in Constructing Perpetrators of Sexual Violence

In this chapter, I use an organizational lens to analyze the different constituencies within SU as they define and label sexual violence and its perpetrators. Martin (2016:39) encourages sociologists to use such an organizational lens to see universities as “formal organizations with many constituents and interests.” I define constituencies as groups of university actors that occupy specific organizational roles and have resources, statuses and responsibilities as occupants of these roles, both individually and collectively. Constituencies are not on equal footing, as they control differing resources and occupy distinct positions in the organizational hierarchy. I analyze student newspapers and archival documents as contemporaneous accounts of how SU actors from different constituencies perceived sexual violence and those who committed sexual harm.

I contribute by identifying student journalists as an important constituency at universities, who highlighted the ever-shifting definition of the problem of sexual violence, its perpetrators, and SU policies (or lack thereof). Rather than analyze the newspaper articles as solely records of events, I analyze how SU’s student journalists covered events and constructed narratives (Oliver et al. 2023). This chapter contributes to the study of social movements by showing the role of student journalists in keeping certain issues “on the agenda” and making demands of the university. Student journalists pursue their own goals as an organizational constituency; their interests are not the same as that of university staff, university leaders, or other students. Student

journalists consistently reported on perpetrators who were members of SU, including fellow students and male faculty.⁴⁸

This chapter aims to shed light on how university constituencies constructed perpetrators of sexual violence and the violence itself, as well as how these constructions interacted with local and national activism and SU constituencies.⁴⁹ I analyze the following key constituencies: student journalists and student newspaper staff, feminist faculty and graduate students, SU non-academic employees and offices, and SU leaders. I trace how each constituency defined the problem of sexual violence and who perpetrated it over time.

I found that their constructions of sexual violence perpetrators broadly focused on whether the offender was a member of SU (an insider) or not associated with SU (an outsider). Student journalists' work was aimed at their student readers, SU non-academic staff, and SU leaders. Student newspapers serve the student body by representing their interests and pushing the university administration to pay attention to what the student newspapers publish. Starting in the late 1970s, student journalists consistently brought attention to male professors offering improved grades for sexual favors from female students, which constituted sexual harassment and assault. In the 1990s, student journalists widened their focus to include fraternity brothers sexually assaulting women on Greek Row. Student journalists then continued to write about SU officials' shortcomings in holding perpetrators of sexual violence accountable. Feminist faculty and graduate students at SU articulated that sexual violence (sexual harassment and sexual assault specifically) was a problem that SU as a formal organization needed to address. SU

⁴⁸ I generally use "insider perpetrator" to refer to a perpetrator who is a member of SU and "outsider perpetrator" to refer to someone who did not have a known association with SU. "Insiders" as a constituency refers to SU students, faculty, staff, and leaders.

⁴⁹ By sexual violence, in Chapter Five, I generally refer to sexual harassment, sexualized hazing, and sexual assault.

officials, such as the Dean of Students Office or the SUPD, first addressed sexual violence as committed by perpetrators unknown to female victims, presumed to be SU outsiders (the frame of “stranger rape”). SU officials’ approach to perpetrators addressed students as potential perpetrators before they addressed faculty members as such. Mentions of SU insiders, mainly students, committing sexual harm (e.g., date rape) entered Student Handbooks long before SU leaders, like the Chancellor, publicly recognized sexual violence as a campus problem. Student Handbooks incorporated a focus on students committing sexual assault in the late 1980s. SU leaders’ public statements about sexual violence by the university insiders mainly followed participation in a national survey released in 2015 that showed disproportionate amounts of sexual assault in dorms and Greek houses. In response, SU leaders mainly offered statements about the gravity of sexual assault, unaccompanied by major organizational changes.

I argue that the enduring contestations within SU over the problem of sexual violence and its perpetrators shows how student journalists are crucial organizational actors. Sociologists and scholars of social movements have recognized biases in how newspapers cover events (Earl et al. 2004). My point is that how student newspapers cover events can be also viewed as student journalists’ meaningful social actions with their own agenda and interests. Student journalists’ continued coverage of sexual violence at SU revealed limited large-scale organizational changes as compared to leaders’ statements on the gravity of sexual violence during the 2000s and 2010s.

This chapter also contributes to the study of organizations, sexual harassment, and sexual assault by comparing discourses on both the behaviors of sexual harassment and sexual assault. As institutions of higher education as well as workplaces, universities as formal organizations must address sexual harassment and sexual assault as problematic behaviors, but these behaviors are governed by different trajectories of laws and policies in the U.S. (Dobbin 2009; Edelman

and Cabrera 2020; Zippel 2006). Analytically, I use a definition of sexual violence that encompasses the behaviors of sexual harassment and sexual assault. This definition allows me to show that student journalists shined a light on insider perpetrators who were male faculty and teaching assistants—that is, perpetrators who did not fit within the understandings of date rape and acquaintance rape. Thus, I highlight the breadth of sexual violence and its perpetrators that student journalists covered.

FINDINGS

I analyze the process of SU constituencies constructing the problem of sexual violence and its perpetrators and making demands for organizational accountability. Analytically, I divide the constructions of sexual violence and perpetrators according to the constituency proffering the construction and whether the construction is focused on perpetrators inside or outside of the university. I focus on the following four SU constituencies: student journalists, feminist faculty and graduate students, SU staff and their specific offices, and SU leadership (managers at the top of the hierarchy). To that end, I include analysis of local feminist activists' understanding of sexual violence to show when and how student journalists' and feminist faculty and graduate students' understandings contrasted with understandings by feminists who were not members of the university.

In this section, I describe each constituency and its construction of perpetrators separately. Within each constituency, I analyze chronologically. I start by tracing student journalists' attention to sexual violence and their understandings of perpetrators. Notably, student journalists brought attention to insider perpetrators comparatively early in the research period. Student journalists consistently demonstrated their interest in university change, pushing for policy change and accountability, rooted in their organizational positions as students and

journalists reporting on issues relevant to SU students. Early journalistic coverage of “sex for grades” in the late 1970s exposed sexual harassment committed by SU insiders (Table 6), which continued to be contested locally and nationally for decades. Their early actions by feminist faculty and graduate students regarding sexual violence and perpetrators shed light on a problem SU leadership did not consider to be an *organizational* problem (Table 6). As for SU constituencies addressing insider perpetrators of sexual violence, that started in handbook materials produced for students by non-academic staff. SU’s leadership did not address student perpetrators until the mid-2000s, and much more so from 2015 onwards (Table 7).

Student Journalists Focus on SU Insiders Perpetrating Sexual Violence, Late 1970s–2017

Student journalists constructed the problem facing SU as that of insider perpetrators whom university policies did not hold accountable. I will show that they focused on two main constructions of insider perpetrators. First, from the outset, student journalists emphasized sexual harm committed by men who were members of SU, using the frame “sex for grades.” Second, they focused their reporting on Greek life as a culture that normalized sexual violence, arguing that fraternities committed sexual violence, mostly sexual assault. Student journalists focused on insider perpetrators much earlier than did university staff or leaders. They saw their “beat” (or area of responsibility) as the university and the student experience of and in it. Their methods often took the journalistic form of exposé. From late 1970s through early 2010s they thus shined a light on both the ever-shifting definition of the problem and the policy issues in addressing these perpetrators inside the university. Over this time, they shifted from calling attention to insufficient policy to address sexual harm committed by male instructors to lack of sanctioning male instructors, supervisors, and students who perpetrated sexual harassment to Greek life facilitating sexual violence and SU offices not holding members of Greek organizations

accountable. And in the last two years of the time period (2016–2017) student journalists reported extensively on a serial perpetrator of sexual assault and dedicated two special issues to reporting on sexual violence.

Student journalists first covered the issue of “sex for grades,” following years of faculty and graduate student women’s activism on issues of gender discrimination, under which activists included “sex for grades.” The frame “sex for grades” asserted a direct quid pro quo, in which instructors were sexually coercing students by offering them improved grades, research opportunities, passing comprehensive exams etc. in return for sexual favors. Three articles around this time addressed the issue of sexual harassment via “sex for grades” (Article 88, April 1977; Article 1805, Fall Registration 1977; Article 114, November 1978). This frame took a student-centered perspective on male instructors (faculty and teaching assistants) who were perpetrating sexual harassment and sexual assault against female undergraduate and graduate students. Student journalists emphasized how the magnitude of “sex for grades” was unknown because women were afraid to come forward, and SU lacked a policy to address the problem. These articles on “sex for grades” included interviews with feminist faculty who had been organizing on gender discrimination and shared stories like that of a graduate student who did not pass her comprehensive exams because she did not “sleep with her major professor” (Article 88, April 1977). Student journalists also got the Dean of Students to confirm that such sexual harm was happening to both undergraduate and graduate students (Article 114, November 1978). Moreover, student journalists documented SU’s organizational failure to address coercion and sexual harassment, noting that SU had no established, public policy to address the problem of “sex for grades.” This meant that no SU office was responsible for tracking cases, and therefore, no SU office was sanctioning those men who sexually coerced students.

Issues of sexual harassment and sexual assault of graduate student women first arose in the early 1970s with Professor Green's advocacy on behalf of graduate women and the 1972 disruption of the Board of Regents' meeting (Article 8, May 1972).⁵⁰ While student journalists covered the graduate student activists' interrupting the meeting, they reported it as a story about the activism itself, not the problem of sexual violence. Professor Green's advocacy was not only alluded to in student newspaper articles but also in her files bequeathed to the SU archives (Article 88, April 1977; Article 1805, Fall Registration 1977; Article 114, November 1978). I also found archival documents from the graduate student women's groups who advocated against gender discrimination, under which they included what I define as sexual violence.⁵¹

Five years later, in 1977, student journalists began to write their own in-depth pieces about "sex for grades," likely because of growing attention to the problem of sexual harassment locally as well as nationally, especially the publicity around the 1977 filing of the *Alexander v. Yale* case. The term "sex for grades" does not show up in searching national U.S. newspapers from 1972 through 1990.⁵² However, the phrase "sexual harassment" grew in mentions in U.S. newspapers from during that time (see Figure 5). The first article chronologically listed in the *Nexis Uni* database was published in *The Christian Science Monitor* on January 16, 1980, "The

⁵⁰ Professor Green Papers. n.d. "The Timeline of the Fight Against Sex Discrimination, 1970–1979"; Professor Green Papers. 1974. "A Report on the Failure of Affirmative Action for Women at SU"; Professor Green Papers. 1972. Press Release, Professor Green, May 9. Box 8, Folder 1. State University Archives; Professor Green Papers. 1972. Letter from Professor Green to the SU Committee on Graduate Student Women, May 15. Box 8, Folder 1. State University Archives.

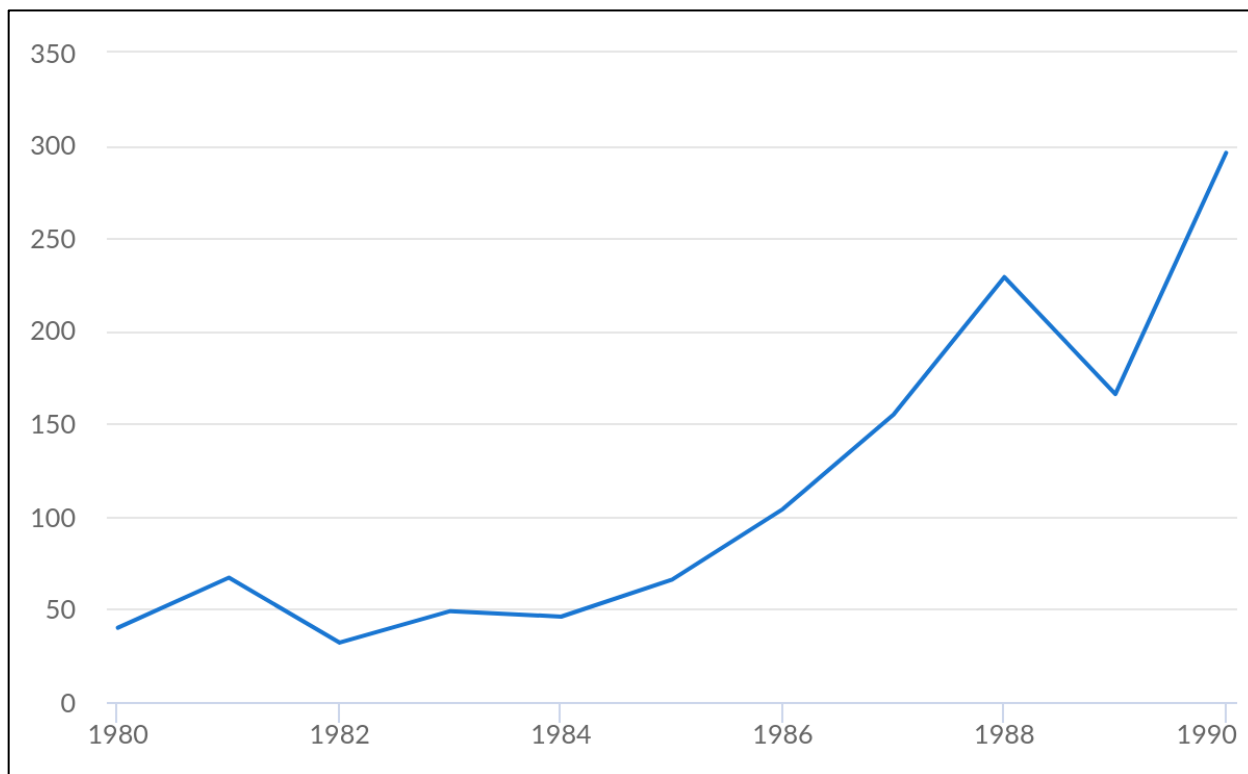
⁵¹ Professor Green Papers. 1972. Letter from Graduate Student Union to SU Chancellor; Professor Green Papers. 1972. Letter from Graduate Student Union to Board of Regents' President; Professor Green Papers. 1972. Press Release, Graduate Student Union and Graduate Women's Assembly; Professor Green Papers. 1972. Graduate Women's Assembly Notes on SU Committee on Graduate Student Women, May 8. Box 8, Folder 1. State University Archives.

⁵² I stopped the search at the end of 1990 because of the surge of national attention to sexual harassment in 1991 due to the Senate Confirmation Hearings of Justice Clarence Thomas where Anita Hill testified that Thomas sexually harassed her.

New Student Activism: From Marches to Memos.” The article details, “At the University of California at Berkeley, for example, campus attention has been focused on the alleged sexual harassment of women students by their male professors” (Terry 1980). A search for the term “sex for grades” does appear in *Newspapers.com World Collection*, but its scanned articles’ text recognition is not accurate enough to provide a reliable count. However, the search in *Newspapers.com World Collection* shows that college and local newspapers were already publishing on the issue of “sex for grades” as early as 1973. For example, *The Santa Cruz Sentinel* ran one such article on November 4, 1973, entitled, “Sex-For-Grades Charges Denied” about a case at Sacramento State University (Associated Press 1973). On February 12, 1979, *The Daily Utah Chronicle*, published an article entitled, “Yale ‘sex-for-grades’ decision still pending,” referring to the *Alexander v. Yale* case (College Press Service 1979). In my dataset, an SU student newspaper published an article in 1977 entitled, “Yale hit with lawsuit over sexual abuse in the classroom” (Article 1803, Fall Registration 1977). Published a few months after *Alexander* was filed, this article identified sexual harassment and rape occurring at Yale but did not use the language of “sex for grades,” nor did the author of the article mention whether they thought sexual abuse was an issue at SU. *Alexander* coincided with the shift from covering graduate student activism to reporting on “sex for grades.” The first article covering “sex for grades” at SU had been published in April 1977 and the next was published in that same Fall Registration 1977 issue that discussed *Alexander* (Article 88, April 1977; Article 1805, Fall Registration 1977). *Alexander v. Yale* was filed as attention to sexual harassment at universities was growing and likely also incited more student journalistic attention. Thus, attention to sexual harassment at universities was growing both locally and nationally, but “sex for grades” was

used as a frame at the local level, probably borrowing this student-centered definition from the campus press in their area.

Figure 5. U.S. Newspaper Articles Mentioning Sexual Harassment, 1980–1990 (n=1250).
Source: *Nexis Uni*.⁵³



Two student newspaper articles published in 1977 and one in 1978 detailed how student journalists, Professor Green, and activists (e.g., RCC advocates) saw “sex for grades” as an issue of male professors and teaching assistants acting badly while SU overlooked the problem (Article 88, April 1977; Article 1805, Fall Registration 1977; Article 114, November 1978). In the late 1970s, student journalists shifted from reporting on the activism of graduate students and Professor Green to reporting on campus sexual violence and the lack of policy as problems that students faced at SU. Student journalists defined two problems from their standpoint as students:

⁵³ There were no mentions of “sexual harassment” in the Nexis Uni database until 1980.

first, professors were using grades to coerce sexual activity from students; and second, SU had no policy for students to seek redress. In the first article, the student journalist wrote “There are professors on this campus who expect sexual favors in return for grades and who use their positions of power to try to coerce students into sexual relationships” (Article 88, April 1977).

Both 1977 articles emphasize that no campus policy or procedure addressed the problem of instructors using grades to sexually coerce students, “One reason that the problem remains hidden is that there is no real mechanism a student can rely on” (Article 1805, Fall Registration 1977). That same student journalist wrote in the first “sex for grades” article, “Despite the seriousness of the problem the University does virtually nothing to halt it” (Article 88, April 1977). All three articles quoted or paraphrased Professor Green, who explained graduate students’ and her own feminist activism on sexual violence in the terms of discrimination summarized in the next Findings’ section. Professor Green emphasized the response from SU leadership amounted to “non-recognition” (Article 88, April 1977). Similar reporting appeared through the early 1990s, as SU student journalists consistently reported on male instructors or supervisors sexually harassing female undergraduate and graduate students, as well as SU’s lack of a policy to address the problem of sexual harassment (40 articles, about 2.2 percent of the entire sample).⁵⁴

⁵⁴ Article Editorial 5, February 1972; Article 88, April 1977; Article 1803, Fall Registration 1977; Article 1805, Fall Registration 1977; Article 114, November 1978; Article 1847, Spring Registration 1979; Article 119, March 1979; Article 160, September 1980; Article 184, January 1981; Article 202, April 1981; Article 203, April 1981; Article 1852, Spring Registration 1982; Article 1815, Fall Registration 1982; Article 259, October 1983; Article 1816, Fall Registration 1984; Article 285, November 1984; Article 329, December 1986; Article 330, December 1986; Article 331, December 1986; Article 332, December 1986; Article 333, December 1986; Article 334, December 1986; Article 342, April 1987; Article 1823, Fall Registration 1988; Article Editorial 400, April 1989; Article 404, April 1989; Article 420, November 1989; Article 438, April 1990; Article 440, May 1990; Article 547, October 1991; Article 639, May 1992; Article 644, May 1992; Article 1867, Summer 1992; Article Editorial 669, November 1992; Article Editorial 678, January 1993; Article Letter to the Editor 1691, January 1993; Article 680, February 1993; Article Editorial 698, April 1993; Article 705, April 1993; Article 706, April 1993

The issue that SU student journalists called “sex for grades” was also gaining attention as a national issue, emerging through Bernice Sandler’s work with the Project on the Status and Education of Women. In 1978, the Project on the Status and Education of Women published a report entitled “Sexual Harassment: A Hidden Issue.” The publication mentions the *Alexander v. Yale* sex discrimination case, where one of the plaintiffs accused a male professor of offering “her an ‘A’ in exchange for sexual favors” (Project on the Status and Education of Women 1978:2). The report also uses an expansive definition of sexual harassment in line with the feminist activism at SU and the surrounding city, ranging from “verbal harassment or abuse” to “physical assault” (Project on the Status and Education of Women 1978:2). I found this publication in Professor Green’s files in the SU archives, one of many documents that suggest she paid attention to national activism and policy developments regarding sexual harassment at universities.⁵⁵ Moreover, in 1980, *The Chronicle of Higher Education* published an article entitled “Sexual Harassment by Professors: an ‘Increasingly Visible’ Problem” (Middleton 1980). The article’s title alone indicates that public attention to professors committing sexual harassment was growing.

Student journalists at SU took notice as well. A section of the *Chronicle* article was reprinted in one of SU’s student newspapers three days after it was published in the *Chronicle* (Article 160, September 1980). The article section makes an oblique reference to the Project on Status and Education of Women’s report, stating that the group “said sexual harassment was a widespread but ‘hidden’ issue on campuses” (Article 160, September 1980; Middleton 1980). The *Chronicle* article explained that ED was considering Title IX guidelines on sexual

⁵⁵ Professor Green Papers. 1978. “Sexual Harassment: A Hidden Issue” Report by 1978 Project on the Status and Education of Women. Box 1, Folder 1.

harassment in education. The article also explained, “Ms. Sandler and others said female students on many campuses still faced an uphill battle in convincing administrators and the courts to take action against faculty members” (Middleton 1980:4). This “uphill battle” illustrates that university leaders as a constituency had an interest in not finding solutions to the problem. Such national attention may have given student journalists a sense of legitimacy for covering sexual violence, especially that committed by male instructors.

Student newspapers continued to publicize issues of sexual harassment at SU throughout the 1980s and into the early 1990s, focusing on sexual harassment of graduate and undergraduate students by members of SU (faculty or fellow students) and inadequate SU responses to reports of sexual harassment, resulting from either not following through on existing policy or not having a policy to apply to the situation. Fourteen articles addressed sexual harassment committed by faculty, supervisors, or fellow students during this time.⁵⁶

For example, one student journalist wrote a six-article series published in 1986 that covered a constellation of issues with campus sexual harassment, explaining how students did not come forward, and illustrating that complaints to the Affirmative Action Office and Dean of Students Office were likely lower than the actual incidence of sexual harassment, given activist accounts and new research (Article 329, December 1986; Article 330, December 1986; Article 331, December 1986; Article 332, December 1986; Article 333, December 1986; Article 334, December 1986). This was not mere coverage of events but extensive research on policies, students reporting harassment at SU, and related activism. This series is one example of student

⁵⁶ These article include: Article 160, September 1980; Article 202, April 1981; Article 1816, Fall Registration 1983; Article 259, October 1983; Article 329, December 1986; Article 330, December 1986; Article 331, December 1986; Article 332, December 1986; Article 333, December 1986; Article 334, December 1986; Article Editorial 669, November 1992; Article Editorial 678, January 1993; Article Letter to the Editor 1691, January 1993; Article Editorial 698, April 1993.

journalists' intensive reporting on shortcomings in addressing sexual harassment during the 1980s, and they expressed their points of view as students and reporters who had the power to make their coverage salient to SU.

Student journalists used their position to critique how SU offices addressed sexual violence by publishing opinion pieces written by students who reported sexual harm to the relevant SU office. During the early 1990s, one of the student newspapers published a series of editorials and letters to the editor regarding how the Affirmative Action Office or Dean of Students Office handled sexual harassment with perpetrators who were employees or students at SU (Article Editorial 669, November 1992; Article Editorial 676, December 1992; Article Editorial 678, January 1993; Article Letter to the Editor 1691, January 1993; Article Editorial 688, March 1993). Students perceived that the offices did not adequately address their sexual harassment complaints, as one author wrote, "I reported the harassment, then this University's sexual harassment system [the Affirmative Action Office] basically ignored the problem—allowing the harassment to continue" (Article Editorial 669, November 1992). Several students wrote, we "filed a complaint as co-workers, [but] the people in the Dean of Students Office decided to handle it as a student-against-student complaint of verbal harassment. Since nothing in the student code of conduct prohibits such behavior, nothing was done" (Article Letter to the Editor 1691, January 1993). This approach from leadership allowed SU to minimize the issue and evade any further action that may have been required by state or federal employment law.

Student newspapers published firsthand victim accounts of sexual harassment by SU staff and students in the early 1990s. The student papers and journalists likely did not shy away from exposing SU-affiliated perpetrators of sexual harassment and policy problems, as SU has a lengthy history of student protest, and such reporting aligns well with that history. Moreover,

student newspapers continued to bring attention to SU insiders who facilitated sexual violence, including the historically white fraternities housed on Greek Row. They shifted from critiquing the lack of policy and the lack of holding male instructors accountable to calling for more oversight of the Greek system within SU. Student journalists focused more on peer-to-peer sexual violence and policy shortcomings in addressing such violence.

Beginning in the 1990s, student newspapers scrutinized Greek life, especially fraternities, as a site of sexual violence. From 1990 through 2017, 41 articles (approximately two percent of my newspaper article sample) consisted of student journalists reporting on allegations of sexual violence in Greek life; student journalists writing editorials critical of the Greek system; or students writing letters to the editor critiquing Greek organizations.⁵⁷ The articles, editorials, and letters to the editor on Greek organizations and sexual violence largely reported on cases where the victim came forward to either local or SU student news media in the years 1990–1992 (13 articles), 2007–2010 (12 articles), and 2015–2017 (13 articles). These articles and opinion pieces were also clustered around the publicity surrounding the release of the AAU survey, specifically the years 2015 through 2017.⁵⁸

⁵⁷ These articles include: Article 479, October 1990; Article 480, November 1990; Article 494, March 1991; Article 496, March 1991; Article 498, March 1991; Article 499, March 1991; Article 502, March 1991; Article 509, March 1991; Article Editorial 519, April 1991; Article Editorial 533, May 1991; Article 538, September 1991; Article Letter to the Editor 637, May 1992; Article Letter to the Editor 638, May 1992; Article 1231, February 2007; Article 1232, February 2007; Article Editorial 1233, February 2007; Article Letter to the Editor 1237, February 2007; Article 1240, March 2007; Article 1281, May 2007; Article 1351, March 2009; Article 1350, March 2009; Article Editorial 1355, March 2009; Article Editorial 1357, March 2009; Article Editorial 1358, March 2009; Article Letter to the Editor 1359, March 2009; Article 1360, March 2009; Article 1403, April 2010; Article Editorial 1413, April 2010; Article 1587, April 2015; Article 1600, September 2015; Article 1614, November 2015; Article 1621, February 2016; Article 1762, April 2016; Article 1631, May 2016; Article Editorial 1634, September 2016; Article 1699, March 2017; Article 1781, March 2017; Article Editorial 1771, March 2017; Article 1674, October 2017; Article 1751, November 2017; Article Editorial 1688, December 2017.

⁵⁸ More information on the 2015 AAU survey can be found at <https://www.aau.edu/key-issues/aau-climate-survey-sexual-assault-and-sexual-misconduct-2015>.

Once the Dean of Students Office began releasing statistics about sexual assault under the recently passed SAESA in Fall 1990 (see Chapter Four), student newspapers responded by publishing articles about sexual assaults that occurred at fraternity houses. Student journalists emphasize the lack of control that SU administration and Greek councils exerted over Greek organizations. Student journalists were covering the cases as events—these were not exposés. The Dean of Students Office shifted from releasing statistics monthly to releasing them annually to comply with SAESA.

After this change, the student newspapers published news articles, editorials, and letters to the editor that contemporaneously clustered around cases of sexual assault where student survivors sexually assaulted at fraternities went to local or campus news media. In a 1991 end-of-academic-year editorial, one newspaper editorial board clearly condemned the behavior at fraternity parties on Greek Row, writing,

The rash of sexual assaults this semester and the recent [local newspaper] investigation of the greek [sic] party scene are evidence of the fact that band-aid solutions are not working and that the Dean of Students Office and even the Inter-Fraternity Council have little control over what goes on [Greek Row] (Article Editorial 533, May 1991).

The board also called for those SU constituencies charged with addressing issues associated with the Greek system (then the Dean of Students Office and the Inter-Fraternity Council) to hold fraternities accountable, although it did not use the term “fraternity.” Still, the board clearly meant fraternities, as those are the Greek organizations that host parties with alcohol (see Chapter One).

Student journalists continued to write exposés during the 2000s regarding sexual violence in Greek life. Unlike “sex for grades” and the “hidden problem” of sexual harassment, student journalists framed the sexual violence on Greek Row as a problem with SU’s administration. In 2007, a local television news channel broke a story about a former SU female student who had been

raped at a fraternity house on Greek Row (Article 1231, February 2007; Article 1232, February 2007). One student journalist wrote, “it is not out of line to acknowledge that Greek communities across the country have historically had problems with sexual assault . . . it is a real concern, not unique to [SU]” (Article Editorial 1233, February 2007). This student journalist broadened their analysis to acknowledge that issues of sexual assault in the Greek system occur across many universities, but still emphasized that SU’s administration allowed sexual assault “in Greek communities” to continue. Student journalists’ analysis of the Greek system illustrate how the Greek system was (and continues to be) an additional competing organizational system of power.

In 2009 another exposé broke; one of the student newspapers published a feature article interviewing a female student who had been raped at a fraternity on Greek Row (Article 1352, March 2009). The female student went to a student newspaper approximately five months after the sexual assault occurred (Article 1351, March 2009). One of the newspapers’ editorial boards urged the Dean of Students to have an assistant dean “attend all Interfraternity Council meetings” and argued, “Clearly a governing body solely comprised of students is not effective, as years of allegations and crimes have not led to any reform” (Article Editorial 1357, March 2009). This editorial claimed that the problem of sexual assault at fraternities was well known and ongoing at SU. The authors also underscore that the SU staff and policies with oversight of the Greek system are part of the legacy of sexual assault on Greek Row. Student journalists were not blaming the individual perpetrators or victims but placed the blame on SU staff and leaders.

Student journalists shifted to emphasize fraternities’ specific role in sexual assault at SU after the 2015 AAU survey showed that sexual assaults disproportionately occurred in Greek housing. At this point, student journalists pointed to the subculture of Greek life as a source of sexual violence. Unlike many of the articles prior to the 2015 AAU survey’s results, student

journalists now explicitly named fraternities as a problematic group within SU. For instance, one journalist wrote, “fraternities breed an ideal environment for potential rapists” (Article Editorial 1634, September 2016). Another wrote in 2017, “There are still fraternities on probation, trying to shrug off years of sexual assault and drug-use allegations” (Article Editorial 1688, March 2017); this editorial emphasized the years of sexual assault allegations against fraternity members and actually argued that fraternities specifically *produced* perpetrators of sexual violence.

In addition to the impact of the 2015 AAU survey results, multiple female students reported the same male SU student for sexual assault in 2016. Eighteen articles in my sample mentioned or featured the serial sexual assault perpetrator over the course of 2016 and 2017, consisting of 15 percent of the 117 articles in the sample published over that time. According to the student journalists, at least four of the serial perpetrator’s victims were female SU undergraduate students (Article 1641, October 2016; Article 1659, December 2016). Both student newspapers published special issues in 2017, and both special issues mentioned the serial SU perpetrator from 2016.

The two 2017 special issues occurred in the wake of heightened national attention to campus sexual violence and the #MeToo movement. One special issue covered sexual assault at SU; the chief editors introduced the issue by writing, “One focus in this [special issue] is how SU handles sexual assault, including what constitutes evidence in university decisions, and resources survivors may not be aware of” (Article Editorial 1768, March 2017). Thus, by this point, student journalists did not have to demonstrate that sexual assault was a problem students faced. Instead, they could focus on the responsiveness and appropriateness of SU’s policies. Here, the student newspaper explained SU’s sexual misconduct policies, seemingly for the benefit of students, but the tone was far less critical of the policies than in prior years. The focus on

educating students about SU sexual misconduct policies suggests that student journalists were no longer constructing the policies as the problem.

The other special issue was published after the viral #MeToo in October of 2017. The chief editor introduced the issue as “dedicated to amplifying some of those voices. We are dedicating our cover story and expanding our opinion section to feature these voices in an effort to better understand the pathway to recovery for sexual assault survivors” (Article Editorial 1675, October 2017). In introducing this special issue, the chief editor expressed how student journalists serve fellow students and act as a conduit for student expression. This expanded coverage of sexual assault in the special issue suggests that there was significant uproar over campus sexual violence among the student body.

In sum, student journalists throughout this period wrote about what we now consider sexual harassment and sexual assault. Starting in the late 1970s, student journalists first focused on “sex for grades,” where male instructors committed sexual violence; and beginning in the 1980s, they expanded their analysis to include male supervisors and male student peers. In contrast with the constituencies of university staff and university leaders, student journalists focused on insider perpetrators much earlier. From the 1990s through 2017, as campus statistics and individual cases were reported, student journalists emphasized peer sexual assault as a byproduct of Greek life. Student journalists were less focused on the sexual harassment by instructors and supervisors. After the 2015 AAU Survey results were released, student journalists specifically highlighted fraternities’ role in sexual violence. Responding to a serial perpetrator case and #MeToo in the late 2010s, student journalists now covered sexual violence as a known problem, one endemic to the university, but they focused on policies and resources offered (or not) for those affected by sexual violence.

Feminist Activists' Actions and Perspectives: Organization versus Culture, 1970s–1980s

Feminist activists in the 1970s and 1980s brought attention to sexual violence as a social problem, but they were internally split between addressing SU's organizational responsibility and addressing culture systems of male power and violence. One group of feminist activists were graduate students and faculty who urged SU to address sexual violence as an organizational problem of gender discrimination.⁵⁹ I refer to this SU constituency as feminist faculty and graduate students. In this section, I will focus on the work of faculty activist Professor Green. The other prominent grouping of feminists were women focused on sexual violence as a cultural problem; these local feminists were not defining sexual violence as a problem specific to the college campus.

Feminist demands at SU in the 1970s into the 1980s focused on a continuum of sexual violence, which included behaviors that we now call sexual harassment and sexual assault.⁶⁰ The feminist activists at SU were faculty and graduate students who brought light to men in positions of power at SU discriminating against graduate student and faculty women. Graduate student and faculty women were naming discrimination against women at the university a problem falling under the umbrella of affirmative action, including issues we would call sexual harassment, but they also included issues of unequal pay and not hiring women as tenure-track faculty. For example, such issues were detailed in the 1974 document entitled, "A Statement Concerning the Failure of Affirmative Action for Women at SU" in Professor Green's files.⁶¹ The frame of "affirmative action" directed attention on SU's responsibility as an organization to change itself.

⁵⁹ Some of these demands were analyzed in Chapter Four, and some of these demands are germane to Chapter Five.

⁶⁰ In the early 1970s, "sexual harassment" was not yet a term, but it became widespread due to Lin Farley and Catherine MacKinnon's works and media coverage (Farley 1978; MacKinnon and Siegel 2004).

⁶¹ Professor Green Papers. 1974. "A Report on the Failure of Affirmative Action for Women at SU."

	1970s	1980s	1990s	2000s	2010s
Early Feminist Actions and Perspectives (Organization vs. Culture)	Blurred boundary between SU and community; Graduate student women and faculty describe sexual harassment and assault behaviors	Students, staff, and faculty activists make up subcommittees for the 1980 SU report to the Board of Regents, including a Sexual Harassment Subcommittee			
Journalists focus on SU Insiders Perpetrating Sexual Violence	Journalists covered “sex for grades”	Journalists covered sexual harassment by supervisors, faculty, and fellow students	Journalists covered sexual harassment by supervisors, faculty, and fellow students; Journalists highlighted Greek life as a site for sexual assault	Journalists highlighted Greek life as a site for sexual assault	Journalists highlighted Greek life as a site for sexual assault; Journalists highlighted serial student perpetrator of sexual assault and harassment; Special issues of student newspapers

Professor Green advocated for women’s equality at SU, including on issues of sexual harassment, and she was one of the founders of SU’s Women’s Studies Program. Professor Green wrote in a 1972 press release following graduate student women interrupting the Board of Regents’ meeting, “The students’ charges of sexual abuse come as no surprise to many faculty women since junior faculty women get the same kind of messages. Theirs are not empty

charges.”⁶² Here, “sexual abuse” was used to cover things like male faculty demanding sex from female graduate students or female graduate students being denied fieldwork placements because of the risk of sexual harassment. In comparison to student journalists writing about “sex for grades,” feminist graduate students and faculty had constructed a broader frame of sexual violence against graduate student women. The issues concerning graduate student women also included the sexual harassment that female medical students experienced and about which they attempted to file a complaint with the Regional OCR; Professor Green also mentored the female medical students in their legal activism (see Chapter Four). The Sexual Harassment Subcommittee for the 1980 SU report to the Board of Regents included several students, staff, and faculty who had organized around issues of sexual violence throughout the 1970s. In their section of the 1980 report, they defined sexual harassment expansively:

Sexual harassment is a spectrum of behaviors, verbal and physical, some more blatant and threatening than others. Common to all forms, however, is the intimidation that makes sexual harassment an expression of sex discrimination. It must not be viewed as an isolated event but as a reflection of the institutional and attitudinal forms of sexism permeating our society.⁶³

They defined sexual harassment *as* discrimination, and emphasized the threat of violence implied by “intimidation,” while leaving the spectrum open-ended enough to include explicitly violent behaviors like sexual assault. Thus, feminist activists who were SU students and faculty adopted a wide-ranging definition of what they called sexual harassment and urged SU to address it as an issue of institutionalized gender discrimination.

Regarding the second grouping, local feminists often did not separate the university and city conceptually when focusing their activism on sexual violence. Some of my interview respondents perceived little differentiation between the campus and city in feminist activism

⁶² 1972. Press Release, Professor Green.

⁶³ Ms. Morton Papers. 1980. SU Institutional Committee’s Report for the Regents Task Force on the Status of Women.

during the 1970s. I asked Barbara, a former professor of social work who studied local feminist activism, about how feminist activists addressed sexual violence as it pertained to the SU campus. She explained, “if you’re concerned about sexual violence . . . you wouldn’t say whether it was campus. You were just paying attention to the way women were treated and the policies and the police and the hospitals” (Interview 16). According to Georgia, a former Professor of Gender and Women’s Studies, “my recollections probably start with the kind of the rebirth of a feminist movement in the city . . . and on campus because they were quite related” (Interview 4). Georgia described the feminist movement as a single presence both on campus and in the community. Barbara confirmed this, “one main point I want to make is there were not the divisions between the community and the university for people who were being activists for feminist causes. There was a real blurring of lines, especially in the ‘70s” (Interview 16). Georgia and Barbara’s interviews illustrate how local feminist attention to sexual violence did not initially consider this phenomenon specific in any way to the university during the 1970s. This grouping of feminist activists had broad strategies to address sexual violence, unlike Professor Green and graduate students, who were focused on SU as an organization complicit in sexual violence.

Those feminists organizing against address gender discrimination at SU included sexual violence as one of the many inequalities they faced in employment and education institutionalized at SU. This constituency of feminist faculty and graduate students demanded that SU address sexual violence as an organization. Those local feminists who specifically addressed sexual violence rather than general gender discrimination did not differentiate between the university and surrounding community as sites of violence.

SU Focus on Perpetrators Outside the University, 1970s–2000s

In contrast to student journalists and, to some extent, feminist activists whose construction focused on insider perpetrators, SU non-academic staff first constructed the problem as sexual violence committed by outsiders, non-members of SU. The SUPD was the first SU constituency to support the WAC, so it could continue its community-wide, by-women-for-women nighttime ride service. The WAC was a radical feminist organization that was maintained by a combination of feminist activist volunteers and resources from SU. The WAC did not differentiate between serving female students and female members of the community. SUPD first assisted the WAC when “WAC accepted an offer of in-kind services from the University’s Department of Police in the fall of 1973.”⁶⁴ These services included “one to two cars, gas, insurance, two-way radios, office space, and phone,” which “amounted to an estimated \$6,000” (Archival Document 27). While the SUPD did not fund the WAC in the long term, other offices did. Financial records show that the Dean of Students’ Office and the SU Transit Department provided WAC with funding and resources from 1975 through 1990 and 1992.⁶⁵ A former executive director of the WAC confirmed this when I interviewed her (Interview 14).

⁶⁴ WAC Papers. 1983. Women’s Area Cab History, March. Box 1, Folder 3. State University Archives.

⁶⁵ Dean of Students’ Correspondence. 1986. Copy of Women’s Area Cab and SU Funding Agreement for 1986; Dean of Students’ Correspondence. 1987. Women’s Area Cab and SU Funding Agreement for 1987; Dean of Students’ Correspondence. 1989. Transactions for the calendar year 1988 by Women’s Area Cab Funded by SU; Dean of Students’ Correspondence. 1989. Women’s Area Cab and SU Funding Agreement for 1989; Dean of Students Office. n.d. SU Dean of Students Office Records of Funding Women’s Area Cab for calendar year 1975; Dean of Students Office. n.d. SU Dean of Students Office Records of Funding Women’s Area Cab for calendar year 1977; Dean of Students Office. n.d. SU Dean of Students Office Records of Funding Women’s Area Cab for calendar year 1977; Dean of Students Office. 1977. Women’s Area Cab and SU Funding Agreement for 1978 through 1980; Dean of Students Office. 1979. Transactions for the calendar year 1978 by Women’s Area Cab Funded by SU; Dean of Students Office. 1980. Transactions for the calendar year 1979 by Women’s Area Cab Funded by SU; Dean of Students Office. 1982. Transactions for the calendar year 1981 by Women’s Area Cab Funded by SU, January 18; Dean of Students Office. 1982. SU Dean of Students Office Records of Funding Women’s Area Cab for calendar years 1983 and 1984; Dean of Students Office. 1984. Transactions for the calendar year 1983 by Women’s Area Cab Funded by SU; Dean of Students Office. 1985. Women’s Area Cab and SU Funding Agreement for 1985; Dean of Students Office. 1988. Transactions for the calendar year 1987 by Women’s

SU supported the WAC's efforts to address sexual assault using the language of "protection" and later "women's safety," which implied that women were victims at risk of violence from unknown passersby, outsiders to SU. The discursive framing of the WAC as a remedy to sexual violence at the hands of strangers is apparent in Student Handbooks, which came out of the Campus Resource Office and the Dean of Students Office. The 1974–1975 and 1975–1976 Student Handbooks listed the WAC in the "Protection" section under the "Protecting Yourself" subsection (1974–1975 and 1975–1976 Student Handbooks).⁶⁶ Then, the 1976–1977 Handbook included the WAC in the "Protection" section under the "In case of rape" subsection (1976–1977 Student Handbook). The 1977–1978 Student Handbook included the WAC in the "Protection" section under the "Self-Defense" subsection (1977–1978 Student Handbook). The last handbook to have a "Protection" section was the 1978–1979 Student Handbook where the WAC was listed on its own in the "Protection" section (1978–1979 Student Handbook).

Starting in the 1979–1980 Student Handbook, the WAC was listed as a "prevention service" in the "Assault and Prevention: Self-Protection" section. This section began, "women need to take precautions when walking or traveling alone after dark . . . Many of these assaults take place in the campus-downtown area and not always at night" (1979–1989 Student Handbook:116). The implication of this statement is that dangerous strangers who sexually assaulted women could be anywhere. In the 1982 to 1983 Student Handbook,⁶⁷ the WAC was

Area Cab Funded by SU; Dean of Students Office. 1990. Transactions for the calendar year 1989 by Women's Area Cab Funded by SU; Dean of Students Office. 1991. Transactions for the calendar year 1990 by Women's Area Cab Funded by SU; WAC Papers. 1980. Women's Area Cab and SU Funding Agreement for 1981; WAC Papers. 1982, WAC Handbook; WAC Papers. 1982. Women's Area Cab and SU Funding Agreement for 1983 through 1984; WAC Papers. 1992. SU Transit Department Agreement to Fund Six Months of Women's Area Cab. The archival records did not include the 1991 funding agreement, but there were no meeting notes that indicated a lack of SU funding in those years.

⁶⁶ Student Handbooks prior to the 1974–1975 academic year were not available in the SU Archives.

⁶⁷ The 1980–1981 and 1981–1982 Student Handbooks were not saved in the SU Archives, so it is not clear how the WAC was categorized at that time.

listed in the “Women’s Safety” section, and this was the case throughout the 1980s (1983–1984, 1984–1985, 1985–1986, 1986–1987, 1987–1988, and 1988–1989 Student Handbooks).

Moreover, this same Women’s Safety section included prevention tips implying that women were in danger if they were alone. One such suggestion read, “carry a whistle attached to your keys to ward off assailants or help get police attention” (1979–1980 Student Handbook:116, 1982–1983 Student Handbook:57, 1983–1984 Student Handbook:61, 1984–1985 Student Handbook:35, 1985–1986 Student Handbook:34, 1986–1987 Student Handbook:35, 1987–1988 Student Handbook:36, 1988–1989 Student Handbook:34, 1989–1990 Student Handbook:33). Thus, the WAC was framed as a resource to keep women safe, and the Student Handbooks provided additional recommendations to keep women safe from sexual violence at night by SU outsiders. The Student Handbook discourse about the WAC put the focus on self-defense for women and on SU to address sexual assault as a crime to be policed.

In addition to including the WAC in the Student Handbooks, the longtime sole female member of the SUPD publicized the WAC’s free nighttime rides for women in her safety workshops at women’s dorms (Article 361, February 1988).⁶⁸ These workshops were about preventing and reporting property theft, “indecent exposure,” sexual assault, and “obscene phone calls.”⁶⁹ These kinds of crimes and wrongdoings were implied to be committed by strangers. The language in SU documents about sexual assault and the WAC frame the ride service as a safety measure to protect women from an ever-present risk of sexual assault from an unknown outsider who is found outdoors at night.

⁶⁸ Ms. Morton Papers. 1979. Security/Rape Prevention Meetings’ Materials, September 4. Box 4, Folder 3. State University Archives.

⁶⁹ Ms. Morton Papers. 1979. Security/Rape Prevention Meetings’ Materials.

A turning point in SU's policies to address sexual violence came in 1979. In response to student protests about an attack on a woman in an SU library, which students argued was emblematic of sexual violence in campus libraries, the Chancellor founded the University Safety Committee. The University Safety Committee was explicitly charged with implementing efforts to address women's safety at SU. According to a committee memo, "The letter of appointment noted that 'The Committee's highest and immediate priority will be to develop recommendations related directly to the safety and security for women and to make immediate recommendations that have budgetary and policy implications to the Chancellor.'" ⁷⁰ Student journalists did cover these events as a story, but they seemed to approve of the measures for the library itself (Article 1811, Fall Registration 1979; Article 128, September 1979; Article 131, September 1979). Additionally, the student papers did not publish editorials or letters to the editor about the committee. This was echoed in student handbooks and campus safety pamphlets that listed the University Safety Committee and stated, "Its primary mission is to make the campus as safe as possible for everyone with special focus on women's safety." ⁷¹ The first-ever recommendations from the University Safety Committee focused on efforts to protect SU's female students from strangers. These included additional funding to the WAC, additional campus lighting, additional SU police officers, and door security systems for academic buildings. These recommendations were security measures targeting danger presented from outside by strangers unknown to potential female victims. ⁷²

Student Handbooks continued to emphasize ways to stay safe from sexual assaults by strangers in public places, implied to be outsiders to SU. The Student Handbook eventually

⁷⁰ Ms. Morton Papers. 1979. Memo to Chancellor from University Safety Committee, November 21. Box 4, Folder 3.

⁷¹ Dean of Students' Correspondence. 1992–1993 Campus Safety Pamphlet. Box 2, Folder 19. State University Archives.

⁷² Ms. Morton Papers. 1979. Library Security Measures, University Safety Committee, September 20. Box 4, Folder 3. State University Archives.

included information not only about sexual assaults committed by strangers (the least common form of sexual assault) but also those committed by acquaintances (I will analyze this further in the next Findings' section). On the page following the date rape section of the 1988–1989 and 1989–1990 Student Handbooks, under the heading “Responding to a Sexual Assault,” the handbook included in bolded letters “If you are attacked” and then continued the paragraph in non-bolded font with ideas of how to respond to a sexual assault in the moment. Both handbooks end the paragraph by recommending the use of a whistle or yelling as “strong deterrents to an attack” (1989–1990 Student Handbook:35). By framing sexual assaults as an “attack” and emphasizing using a whistle, the handbooks imply the frame of outdoor stranger sexual assault. The 1992–1993 and 2000–2001 Student Handbooks included a “Precautions” section, which included subsections entitled, “At home the following recommendations can make you safer;” “When walking alone, be prepared and alert and consider these precautions;” “When using your car, follow this advice;” and “When using public transportation” (1992–1993 Student Handbook:19, 2000–2001 Student Handbook:45). The precautions listed in each subsection again implied that sexual assaults were committed by strangers, as they included locking all doors, being aware of one’s surroundings, parking in a well-lit parking lot, and waiting for the bus in a well-lit area. Notably, all of these recommendations place the onus on women to prevent sexual violence from being perpetrated against them.

In the early 1990s, the discourse focused on women’s safety continued when SU withdrew funding and resources from the WAC (see Chapter Four), and SU used this same discourse to justify its Safe Campus program. In the letter appointing members to the Committee for Nighttime Transit, the Dean of Students, Sharon, charged the committee to “review the night

time [sic] transportation needs of students with a special focus on the needs of women.”⁷³ In the editorial announcing the decision to remove SU funding and resources from the WAC, Sharon wrote that SU “will continue its strong commitment to offering safe transportation for women in a practical way to help reduce sexual assault and violence. The commitment is firm, but the mechanism must change” (Article Editorial 616, April 1992). Thus, the Dean of Students discursively framed replacing the WAC with the Safe Campus Transportation program as a way to continue offering women transportation at night for the purpose of their safety. Sharon continued to use the discursive frame of “women’s safety” when I interviewed her:

Led by several very talented students, we decided . . . that a student group that could provide nighttime transportation, particularly on foot, would be really good. And so we got that up and running and the [Transit Department] people were great . . . You know, the whole objective of this obviously is to get women, particularly women, a safe walk or safe ride home. So that program, and thanks to [Transit], began to flower and do well (Interview 22).

In her recollection, Sharon provided a glowing assessment of Safe Campus as a successful program that met a student need for women’s safe transportation home. Sharon framed the change as one of methods and not goals, consistent with projecting the image of SU as invested in women’s safety. The framing of Safe Campus as a gender-neutral replacement for the WAC was contested, even by members of the Committee for Nighttime Transit who urged SU leaders to consider an additional form of transportation for women.⁷⁴

To sum up, starting in 1973, SU supported efforts to keep women safe from sexual assault at the hands of outsiders, mostly at night. These 1973 initiatives were the first of any kind at SU to address any kind of sexual violence, more specifically tackling the popular threat of stranger rape that made women feel unsafe at night. These efforts focused on protecting only women and eventually became controversial because men were not allowed to volunteer as drivers for the

⁷³ WAC Papers. 1992. Letter from Dean of Students to newly appointed Nighttime Transit Committee, January 24. Box 4, Folder 7. State University Archives.

⁷⁴ WAC Papers. 1992. Letter from Dean of Students to newly appointed Nighttime Transit Committee.

WAC (see Chapter Four). Starting in the early 1970s, various SU constituencies supported the WAC with funding, cars, and other resources. In 1979, the Chancellor established the University Safety Committee in response to student activist demands. Student Handbooks reveal organizational discourse and framing of sexual violence as a problem caused by strangers, outsiders to SU. Even as SU reevaluated its support of the WAC in the wake of the reverse discrimination complaint (analyzed in Chapter Four), the Dean of Students continued to draw on women's safety discourse, implying danger at the hands of outsiders.

Table 7. SU Official Constituencies' Perspectives and Approaches to Perpetration

	1970s	1980s	1990s	2000s	2010s
Predators outside SU Perpetrating Sexual Assault (SU-supported measures)	Supporting the WAC; Founding the University Safety Committee	Student Handbook sections on stranger sexual assault; University Safety Committee; WAC	Safe Campus program; Student Handbook sections on stranger sexual assault	Student Handbook sections on stranger sexual assault	
"Insider" Perpetrators (SU organizational discourse)		Date Rape and Acquaintance Rape language in Student Handbooks	Date Rape and Acquaintance Rape language in Student Handbooks	Date Rape and Acquaintance Rape language in Student Handbooks	
SU Leaders' Public Analysis of Sexual Harassment and Assault Perpetration by Insiders			Statements that fraternities are not solely responsible for sexual assaults	Chancellor's Response to Marching Band Cases of sexual harassment/hazing and subsequent investigations	Dean of Students and other leaders acknowledge sexual assault disproportionately occurred in Greek housing

SU Discourse to Address Insider Perpetrators, 1980s–2017

In the late 1980s, some SU non-academic staff began discursively addressing insider perpetrators, specifically student perpetrators, even as other SU constituencies described above

were addressing outsider perpetrators (Table 7). Approximately 15 years after feminist activists urged SU to consider sexual harassment as an organizational problem, SU Student Handbooks included the frames of “date rape” and “acquaintance rape,” adopting language from the broader anti-rape movement and Mary Koss’ research findings. It seems unlikely that the terms date rape and acquaintance rape were added due to student journalism, as these terms only appeared in six newspaper articles in my data from 1985 through 1987, leading up to the first Student Handbook that included “date rape” and “acquaintance rape” (Article 288, February 1985; Article 299, September 1985; Article 310, March 1986; Article 325, October 1986; Article 349, September 1987; Article 353, October 1987). The frames of date rape and acquaintance rape implied that sexual violence perpetrators could be ordinary student members of SU.

The terms “date rape” and “acquaintance rape” were used in Student Handbooks from the late 1980s through early 2000s to highlight student-to-student sexual assault and insinuated that SU students could be rape perpetrators. Such language in the Student Handbooks suggests some SU staff were using those frames in their work on campus. Thus, it seems that SU non-academic staff were the leaders in bringing the frames of “date rape” and “acquaintance rape” to the organization, not student journalists. The academic year 1988–1989 constituted a turning point. The term “acquaintance rape” first appeared in public-facing SU documents in the 1988–1989 Student Handbook, with the heading “Traditional Roles and Acquaintance Rape” (1988–1989 Student Handbook:34). The next heading in this section reads “What One Woman Can do to Avoid Situations that Might Lead to Date Rape” (1988–1989 Student Handbook:34). Under this heading, the handbook says, “You can’t always avoid date rape. Nevertheless, there are some things you can do to minimize your chances of being raped” (1988–1989 Student Handbook:34). This same material appeared in the 1989–1990 Student Handbook. The sections “Traditional

Roles and Acquaintance Rape” and “What One Woman Can Do to Avoid Situations that Might Lead to Date Rape” appeared in the 1992–1993 and 2000–2001 Student Handbooks (1992–1993 Student Handbook:18, 2000–2001 Student Handbook:44).⁷⁵ Some of the language under each heading was modified, but the idea that women could take actions to decrease their chances of rape persisted. Even recognizing the frames of date rape and acquaintance rape, the language in the Student Handbooks focused on women being responsible for their own safety.

Men were also encouraged in these Student Handbooks to “Help Stop Rape” with tips from a local men’s anti-rape activist group listed below the heading (1988–1989 Student Handbook:34, 1989–1990 Student Handbook:34, 1992–1993 Student Handbook:18, 2001–2001 Student Handbook:44).⁷⁶ Such tips included “Accept ‘no’ as an answer,” “Stop telling sexist jokes,” and “Develop full relationships with both men and women” (1989–1990 Student Handbook:35). Importantly, these recommendations in the Student Handbooks did not have the force of policy behind them; they were presented as suggestions for students. Consequently, these recommendations were not focused on the university as an organization needing to change. Rather, the Student Handbooks stressed that date and acquaintance rape were problems for the women in the wider community and culture in which the university was embedded. The Student Handbooks advised women students to take their own precautions, making date and acquaintance rape problems of individual safety.

Accordingly, from the late 1980s into the 2000s, SU Student Handbooks included information on sexual violence committed by fellow students under the frames of date rape and

⁷⁵ The 1992–1993 and 2000–2001 Student Handbooks were the only two saved in the archives from the 1990s and 2000s.

⁷⁶ This anti-rape activist group for men was founded in 1983.

acquaintance rape. These frames were part of organizational discourse, but it took time for SU leaders to consistently and publicly recognize that SU students committed sexual violence.

SU Leaders' Public Analysis of Perpetration, 1990s–2017

With years of feminist activism and student newspapers' bringing attention to sexual violence, especially violence perpetrated by SU insiders, eventually in the mid-2000s SU officials publicly acknowledged that members of SU, specifically students, could be perpetrators. SU's leaders made statements about the seriousness of sexual violence, but an organizational response, such as firing personnel or restructuring systems of accountability, remained absent.

By the early 1990s, more public-facing discourse from SU leaders and offices acknowledged that students do perpetrate sexual assault against fellow students. These public statements resulted from student journalists' reporting on sexual assaults that occurred on Greek Row, discussed above. The publicity clustered around sexual harms committed by men in the Greek community and Marching Band members resulted in SU leaders publicly recognizing students in those communities as particular kinds of insider perpetrators. The 2015 AAU survey results were an important component of SU leaders' public discourse on sexual violence in Greek life (see Chapter One for more about the survey).

While early feminist activism by graduate student and women faculty emphasized male faculty's complicity in sexual harassment and student journalism shined a light on "sex for grades" and other forms of sexual harassment by supervisors, these issues were not part of SU leaders' public-facing statements. SU leaders and staff did speak with student journalists about Title IX compliance and organizational changes to comply with Title IX (as detailed in Chapter Four), but SU leaders never explicitly named university male students as a social category as the perpetrators of sexual violence. SU leaders almost euphemistically referred to the student

organizations, like the Marching Band. SU leaders made statements but refrained from taking action through organizational responses that might have alienated or offended students and alumni associated with Greek organizations or the Marching Band. In the following, I will first focus on Greek life and then the Marching Band.

Greek life and fraternities. Despite heightened attention to Greek life and sexual assault in the early 1990s into the 2010s, SU leaders and officials maintained that sexual assault was a campus problem, *not* a fraternity-specific problem. In the early 1990s with the release of sexual assault statistics under SAESA and Clery, more campus attention turned towards the Greek system as such. Comparatively many of the reported sexual assaults occurred at fraternity houses on Greek Row, but in statements to student journalists, SU leaders and staff resisted the implication that fraternities were inherently facilitating sexual assaults. Sexual assaults that occurred at fraternity houses were included in sexual assault statistics covered by SAESA, but not covered by Clery. For example, one newspaper article paraphrased and quoted the Dean of Students as “quick to mention fraternities are no more at fault than anyone else . . . ‘you can’t generalize that assaults occur in fraternities, they happen in all different places’” (Article 480, November 1990). This resistance was underscored a few months later, when another student newspaper article included, “A statement by [two Dean of Student’s Office staff] warned against singling out fraternities in fighting sexual assault” (Article 502, March 1991). In their public-facing interviews and statements, the Dean of Students and her staff actively resisted defining fraternities as particular facilitators of sexual assault.

The message that sexual assaults were not that different between Greek Row and other campus areas continued well into 2015. Before the AAU survey’s results were public, with one Associate Dean quoted as saying “We don’t see [sexual assaults] highly focused in one area or

another . . . Our reporting does not reflect that [incidents in] Greek life and fraternities are noticeable or significantly higher than other places” (Article 1587, April 2015). Such equivocating diminished after the publication of the SU-specific results from the 2015 AAU survey as those results clearly showed where sexual assault happened on and near campus.⁷⁷

When the 2015 AAU Survey results were published in Fall 2015,⁷⁸ SU leaders, mainly the Dean of Students, finally acknowledged that sexual assaults were disproportionately occurring in Greek housing. A student journalist reported, “The survey collected data on the most common locations where assault occur; on-campus housing and Greek housing were the two most frequently identified” (Article 1672, April 2016). Thus, sexual assaults were occurring in on-campus, non-Greek dormitories and at Greek organizations’ houses. Such findings are consistent with scholarly research on sexual assault. After SU leaders published the results of the 2015 AAU survey that were specific to SU, student journalists attended press conferences and interviewed leaders, such as the Chancellor and the Dean of Students. One journalist summarized part of their interview with the Dean of Students, as she “said there are plans to target Greek life and residence halls, where data showed sexual assaults occurred more frequently” (Article 1614, November 2015). Student journalists’ coverage of the AAU 2015 survey followed events related to its results.

Notably, the AAU survey instrument did not separate types of Greek housing, and the option was “Fraternity or Sorority house” on the survey itself (Association of American Universities 2015b). The survey instrument came from AAU through a contract with a survey research company, Westat (Association of American Universities 2015b). SU leaders and staff continued to form a committee to address the higher rates of sexual assault on Greek Row: “the

⁷⁷ State University. 2015. SU’s Climate Survey Report.

⁷⁸ State University. 2015. SU’s Climate Survey Report.

Greek Life Task Force was formed after the Chancellor challenged members of the Greek community to respond to the AAU survey (Article 1781, March 2017). This was a top-down directive, which violence prevention staff, like Beth, carried out with staff who oversaw Greek life and Greek-affiliated students. The Greek Life Committee included students in Greek life and SU staff, such as a violence prevention specialist. The Committee presented its recommendations for the Chancellor's approval in December 2015 (Article 1621, February 2016). Thus, SU leaders "going public" about sexual assault between students, especially in the Greek system, considerably lagged behind student journalists' reporting. Leaders pushed the work of modifying Greek system rules down to mid-level staff and Greek students in leadership positions.

Marching band. During the mid-to-late 2000s, cases of sexualized hazing committed among members of the SU Marching Band hit the local and campus news media. The local news media broke the 2006 and 2008 cases one day before student newspapers' articles in my dataset were published. In 2007, the local news media published their story three months before it appears in my dataset. The issues that surfaced were that of sexualized hazing (Article 1198, October 2006; Article 1224, December 2006; Article 1280, May 2007; Article 1331, October 2008; Article 1332, October 2008). The Marching Band case was described by the then-SU Chancellor as an issue of "its [the band's] 'ingrained' culture of sexualized hazing" (Article 1198, October 2006). One interviewee told me about the then-Chancellor, "he was the chancellor who would have thrown them [the band] off campus if he could have" (Interview 17), the implication being that the then-Chancellor did not have the power against the SU sports infrastructure and alumni to terminate the Marching Band organizationally for its culture and ongoing misconduct. According to student journalists, the Chancellor issued an ultimatum stating

that “he would consider ‘wholesale changes’ in the band’s leadership should another instance of inappropriate conduct arise” (Article 1224, December 2006).

Nonetheless, these problem behaviors proved to be ongoing and would be addressed again in 2013 and 2014 when, according to a Senior Special Assistant, Daniel,

a faculty member who actually approached me and said a student in one of the classes that this person was teaching had reported that there was a hymnal . . . that contained limericks and songs that were focused on, you know, misogyny, racism, homophobia (Interview 17).

This book that institutionally “belonged to” the Marching Band as an SU organization was a tradition passed down through the years. Daniel framed it as introducing new members to the Band’s problematic culture (Interview 17). The hazing incidents publicized in newspapers and the “hymnal” were both addressed by student affairs professionals who worked under Title IX. The Marching Band was assigned to a staff member who would provide training on these issues and could take reports of hazing and sexual violence (Interview 17). The Marching Band director was never fired and worked until he voluntarily retired. Chancellors did not conduct public press conferences or release statements about the Marching Band’s sexualized hazing or oppressive culture after 2006.

SU leaders offered public recognition that sexual violence was a problem within the Marching Band and the Greek system. For the Marching Band, this came from a Chancellor concerned about the issue. For Greek life, this occurred after the results from the 2015 AAU survey demonstrated that sexual assaults occurred more in SU housing and Greek housing. SU leaders did not initiate a systematic organizational response but were more inclined to make statements on the gravity of sexual violence, especially sexual assault.

DISCUSSION AND CONCLUSION

I argue that student journalists were critical organizational actors at SU in constructing sexual violence perpetrators and sexual violence as problems the university should address. Student journalists emphasized that sexual violence was committed by men who were members of SU, including but not limited to faculty, teaching assistants, fraternity brothers, and Marching Band members. During the 1970s and 1980s, feminist faculty and graduate students mobilized to demand that SU address sexual violence as an organizational problem. From the late 1970s through early 1990s, student journalists also argued in favor of revising university policies to address sexual violence. SU leaders were slower in publicly recognizing sexual violence as a problem internal to the organization as this started with the mid-2000s publicity around the Marching Band's sexualized hazing. Non-academic staff and offices—not SU leadership—addressing strangers as drivers of sexual violence required less organizational change and was the path of least resistance during the 1970s and 1980s. SU leaders' public statements in the mid-2000s and then in 2015 through 2017 about students committing sexual harm lagged far behind its other organizational efforts. Even then, SU leaders did not make many systemic changes to address sexual violence.

This chapter offers the following contributions. First, by following Martin's (2016) recommendation, this chapter contributes to the sociological study of sexual violence by analyzing universities with an organizational lens, paying attention to different organizational constituencies' constructions of perpetrators and sexual violence, how those constructions serve their interests, and how constituencies took or did not take action. By using an organizational lens, I reveal how official SU constituencies, like the SUPD and the Dean of Students Office, constructed sexual violence as a problem particular to women, vulnerable to dangerous strangers

who were outsiders to the university, a crime and safety frame. Using this framing, these non-academic offices and staff funded the WAC rather than implement a university program to give women nighttime transportation. They also included Student Handbook “safety tips” for women to keep themselves safe from sexual assault from strangers. Given the demands on university leaders from donors, alumni, and other powerful interests, it likely behooved non-academic units to identify perpetrators as external to SU. Then, many years later, and only after public attention, SU leaders shifted to define the problem of sexual violence as one with organizational dimensions, such as Greek Row and the Greek system. They formed committees but did not make many organizational changes beyond hiring a full-time Title IX coordinator, as described in Chapter Four.

Next, I show the efforts of student journalists, which are often overlooked, to hold SU accountable for its inaction on issues of campus sexual violence. Most universities have one student newspaper and some like SU even have two. Student newspapers can be an important for socializing student activists (Binder and Kidder 2022). Many social movement scholars consider newspapers to be a data source and do not analyze the journalists and newspapers as actors with their own interests and goals (Earl et al. 2004; Oliver et al. 2023). I trace how student journalists, despite student turnover through the university, consistently called for policy changes and brought attention to certain SU constituencies committing sexual harm, such as fraternities, the Marching Band, and faculty. They were not offering critiques to render sexual violence legible as an institutional problem, as early feminist actions did. However, student journalists kept sexual violence “on the agenda” and continued to demand that the university hold perpetrators accountable.

Using an expansive definition of sexual violence that includes the behaviors of sexual harassment and sexual assault sets apart this chapter from other work on sexual harassment or sexual assault. In the U.S., sexual harassment workplace law and policies have followed a different trajectory from university law and policy on sexual assault (Dobbin 2009; Edelman and Cabrera 2020; Zippel 2006). However, universities are not only places where students learn. They are also workplaces with many employees. In analyzing different SU constituencies' approaches to constructing sexual violence perpetrators, I show that student journalists were attuned to criticize insider perpetrators of sexual harassment, like workplace supervisors or male faculty employed by the university. They brought attention to male instructors' offers of sex for grades, which did not neatly fit into the university's operative frames of stranger rape and the later frames of date rape or acquaintance rape.

Finally, this chapter contributes historical documentation of institutional betrayal (Freyd 2018; Freyd and Smidt 2019; Rosenthal et al. 2016; Smith and Freyd 2014). Feminist faculty and graduate students denounced SU leaders, like the Board of Regents, for not addressing sexual violence (though these feminists used the frames of affirmative action and gender discrimination). Student journalists interviewed victims and student newspapers published editorials by students who found SU's responses to their reports of sexual harassment or sexual assault to be inadequate and ineffective. Using newspapers and files donated to the SU archives, faculty, instructors, and students left contemporaneous accounts of decades of sexual violence by insider perpetrators and of SU officials avoiding organizational accountability by failing to make structural changes, long after issues were raised to their attention.

CHAPTER SIX

Conclusion

In this dissertation, I asked how campus sexual violence law, activism, and university change have impacted each other. I examined why Title IX and other relevant laws have had limited success in addressing sexual violence at universities. I investigated these processes through a historical case study of one university I call SU in the more than 40 years since Title IX's passage (from 1972 through 2017). I triangulated content analysis of 1,807 campus newspaper articles with archival work, supplemented by 23 key actor interviews. In the three main empirical chapters, I focused on (1) how the anti-sexual violence movement became institutionalized at SU; (2) how activists and university actors used the ambiguity created by multiple laws on sexual violence; and (3) how university constituencies constructed sexual violence and its perpetrators as problems that should or should not be addressed as an organizational matter.

In the first empirical chapter (Chapter Three), I show how activists have sought to transform the university's approach to sexual violence through the broad process of institutionalizing the movement against sexual violence. I contributed a new analytic perspective on the importance of *hybrid activists* (those who flow between activism and their professional work), who linked the three complementary processes of ritualization (e.g., Take Back the Night and similar events become regular features of campus life), professionalization (e.g., gaining professional positions and university access), and formalization (e.g., gaining funding and other university resources). In yoking together these three processes, hybrid activists furthered the anti-sexual violence movement on campus. Hybrid activists transformed SU by routinizing student activism and mentoring student activists while hybrid activists pursued longer-term goals, such

as establishing an entire office dedicated to violence prevention and survivor support. I also analyzed and illustrated the importance of ritualization (meaning rendering ritual events part of organizational life) to institutionalizing social movements.

In the second empirical chapter (Chapter Four), I contributed an analysis of legal activism and framing in a legally pluralistic, ambiguous environment created by multiple linked laws on campus sexual violence. I illustrated how universities are now beholden to multiple layers of laws and legal understandings, not solely Title IX. I showed how legal compliance with an unusual state watchdog law prepared SU to more readily comply with Clery as both used similar organizational resources. Student activists and state legislators were able to define sexual assault as a form of educational misconduct at SU through administrative law. Feminist activists (faculty and graduate students) failed to get SU to accept that Title IX addressed gender discrimination as a matter of unequal power on campus. I revealed that the university's approach to using Title IX to address sexual violence treated gender as *only* an identity, not a system of power. Treating gender as a system of power would allow SU to not only fund organizations like WAC, but also implement substantive change regarding sexual violence, like providing campus spaces for sororities to host parties or expelling male graduate student instructors who sexually harassed their students. The interpretation of Title IX as a law for gender identity and access is one reason that Title IX has not successfully addressed campus sexual violence. SU's interpretation of Title IX is one that is now widespread. This diluted interpretation means that universities can make minimal changes to programs for hypothetical equal access by gender identity, rather than substantively restructuring units and policies with an eye for how gender is a relationship of power.

In the third empirical chapter (Chapter Five), I argued that student journalists are critical organizational actors. I illustrated how student journalists constructed narratives and pursued their own goals (Oliver et al. 2023). Indeed, student journalists were instrumental for documenting institutional betrayal and keeping sexual violence visible. While organizational leaders' messaging is important for getting organizational members to take sexual violence seriously (Hart et al. 2018), scholarship has overlooked how student journalists are important to universities as organizations.

As with all research, there are limitations. An obvious drawback of a historical case study is that some important actors had died and could not be interviewed. When possible, I obtained oral histories and archival documents by these actors. These data are well suited to analyzing processes that unfold over time. To strengthen the validity of my analysis, I triangulated three types of data: student newspaper articles, archival documents, and interviews. The newspaper articles and archival documents were contemporaneously produced with the events they described, and the interviews were retrospective. Each shed light on findings to help make a more complete and in-depth picture. Contemporaneous statements help to reveal what was contested and what was assumed as fact when such decisions were made.

Additionally, generalizability is a concern for single case studies. While my findings and conclusions are not well suited to private institutions or small colleges, analytic generalization to large public, flagship universities is possible (Yin 2013). A particular limitation of studying a predominantly white institution was that it was difficult to analyze issues of racial inequality. Many prominent actors were white, which could be a function of demographics as well as a function of racism preventing newspaper coverage or archival preservation of efforts by activists and staff of color. Future research would be well served to analyze how racism intersects with

efforts to institutionalize the movement against campus sexual violence by studying universities with a lower proportion of white students, staff, and faculty, such as Georgia State University or Rutgers University.

In much of the scholarship on social movements and law and, institutionalizing social movements in organizations has focused on a good/bad binary. In other words, institutionalization was indicative of movement success or deradicalization. More nuanced conceptualizations of institutionalization, which move beyond this binary, are being developed in gender, contentious politics, and social movements (Davidson 2018; García-Del Moral 2020; Masson 2015).

First, Masson (2015) encourages scholars to revisit and revise the concept of institutionalization, given her work on the relationships between enduring movements and the state. Masson (2015) shows how women's groups in Quebec have used dynamic tactics over time, using not only radical tactics but also conventional ones. The result has been sustained funding from the provincial government and an ongoing, energetic relationship between the state and these groups (Masson 2015). While this may sound very optimistic, Masson (2015) shows the intricacies of these relationships over time and how they have contributed to this unique relationship between feminist groups and the state.

Painting a less rosy picture, García del Moral (2020) shows how male legislators and other state actors resisted the passage of *feminicidio* legislation in Mexico. As laws were passed, the Mexican state then used institutional practices to prevent the state from sanctioning itself and other actors. She calls this the "simulation of accountability" (García del Moral 2020:846). Such simulations of accountability were also present at SU, especially in how leaders discussed the AAU survey result showing that sexual violence disproportionately occurred at fraternity houses.

Finally, somewhere between Masson (2015) and García del Moral's (2020) cases is that of Davidson (2019), who found that both the LGBTQ+ movement and the Dutch state had to make tradeoffs while making headway on their goals. The relationship between a prominent LGBTQ+ social movement organization and the state still was "steeped in imbalanced power relations" (Davidson 2019:214), such that the social movement organization had to change its form and make concessions to access policymakers. Nevertheless, over nine years, the social movement organization did achieve most of its goals through this institutionalized relationship.

In this dissertation, I showed the massive changes one university experienced in law, policy, practice, and social movement activity from 1972 through 2017. While universities have not successfully addressed campus sexual violence, much has changed since 1972. I urge fellow scholars to theorize how we can analyze institutional change beyond classifying change into binaries of effective/ineffective or good/bad. Rather, university change regarding sexual violence is mixed. On the uplifting side, hybrid activists persisted in their activism and professional work, bringing the movement against campus sexual violence into the university, mentoring the next generation of activists, and routinizing student activism. Student journalists not only reported on events, such as sexual assault statistics or protests, but also shined light on "sex for grades" and argued for policies to address sexual violence in Greek life. On the discouraging side, SU leaders caved to cries of reverse discrimination and stopped funding the WAC. And it was not until 2015 that SU hired a full-time Title IX coordinator. SU diminished gender to an identity in how the organization addressed sexual violence under Title IX.

While the insights reviewed in this conclusion are not a comprehensive account of the empirical chapters' findings, they indicate the usefulness of combining the literatures of campus sexual violence, sociology of gender, social movements and contentious politics, and law and

society to deepen sociological understanding of the changes in activist demands, government policy, and organizational strategies to address sexual violence. Campus sexual violence and the issue of sexual violence more broadly are problems facilitated by institutions and formal organizations in addition to the (mostly) men who participate in rape-prone systems. I urge sociologists to take sexual violence seriously as an object of empirical inquiry.

APPENDIX A

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APPENDIX B

Coding Manual

INTRODUCTION

As part of a larger project on gender politics and universities, you will be coding articles about sexual violence at State University. The goal is to code articles in order to construct 1) a timeline of events related to sexual assault at State University and 2) a directory of key individuals, organization, and offices involved with the issue of sexual assault at the university. The goal is that eventually some of the people you find and identify/code in the articles will be interviewed.

Coding an article means that you sort the information in the article into categories, which we call variables. You will code electronic text-searchable PDF files of newspaper articles. You will code the articles in a software called NVivo. Articles will be coded at two levels. The “article” level, meaning overall information about the article, and the “content” level, meaning the information within the article. Some information at the content level is not of interest and will not be coded. The article level has already been coded. You are only coding at the content level.

Useful NVivo Resources:

NVivo’s help page: <http://help-nv11.qsrinternational.com/desktop/welcome/welcome.htm>

Video demonstration of NVivo basics: <https://www.youtube.com/watch?v=Xe0NpJPLQ6k>

Part 1: Individual Coding Logistics

We all code our articles in one master file. The following section explains how we keep track of articles.

To track your article coding:

- Nona has compiled an Excel sheet on Box that has the bibliographic information associated with the articles you are coding
- You can search for the article title in the NVivo master file to find it to code
- Once you code the article, you will mark “Yes” in the column that says “Coded?”

Part 2: Article Content Level Variables

Maximum coded unit: 2 to 3 sentences. *Titles and photo or diagram captions are also codable units.*

Text selection vs. region selection: Use text selection when possible. When you cannot select the text you want in NVivo, use region selection. If you are able to select text but it selects across column, code each line individually within the column selection you are trying to code.

Selecting multiple nodes: To select multiple nodes, press down the “command” key as you select the nodes you want to code. You will need to do this when you code for people quoted or mentioned in the articles.

Creating a new node for an organization, club, office etc: When you create a new node for an organization, make sure you write out the full name and then put the abbreviation in parentheses.

Notes on coding: For coding to work, article level variables must be coded as one thing or another. Coding is exhaustive and all encompassing. If it’s unclear to you how to code, please contact Nona ASAP.

Not every article will contain all the codes listed.

When a university position, department, office, or policy is mentioned that is not a “child node” option under a code, you will need to create a new “child node” with the name of the policy, position, office, etc. as it appears in the article.

Article Content Variables will be coded as “Nodes” in NVivo. These are different from “case classifications.”

If you have an article with a table, email Nona so you can both decide how best to code the information in the table.

If you find something that seems important but does not “fit” a code, email Nona ASAP.

Codes with child nodes:

- Year Published
- Centrality to university
- Groups Named
- Regular Events
- University Policies, Procedures, and Programs
- City Laws
- State Laws
- Federal Laws
- People

Codes without child nodes:

- Reported Rapes
- Mobilization
- Diffusion
- Regulation Institutionalized

- Regulation De-institutionalized

Codes that are mutually exclusive to each other:

- *The following codes can't be used on the same piece of text:*
 - Mobilization and Regular Events
 - Mobilization and Regulation Institutionalized
 - City, State, and/or Federal Laws

Coding Steps:

1. Read through the entire article without coding anything.
2. Code the following next:
 - a. Year Published
 - b. Centrality to University
 - c. Groups Named
 - d. Reported rapes, sexual assault, or sexual harassment
 - e. Regular Events
 - f. University Policies, Procedures, and Programs
 - g. City Laws
 - h. State Laws
 - i. Federal Laws
 - j. People included in article
3. Code the following after steps 1 and 2:
 - a. Mobilization
 - b. Diffusion
 - c. Regulation Institutionalized
 - d. Regulation De-Institutionalized
4. If there are noteworthy features, type them up in an NVivo research memo and link it to the article.

Step 1: Read the article

Step 2 of coding content:

1. Year Nodes

- a. Look at the year published in the article's title and article log. *Make sure they match.*
 - i. Email Nona if they don't.
- b. The node will have the following child nodes:
 - i. 1970s
 - ii. 1980s
 - iii. 1990s
 - iv. 2000s
 - v. 2010s

- c. You will create a new node under the appropriate decade for the article. For example, if an article was published in 1982, you will create a 1982 node under the 1980s node and code the article in that node.
- d. Select the article's entry in the NVivo window when you code Year Published.

2. CENTRALITY TO UNIVERSITY

- a. Read through the article and determine the extent of the university's involvement. Select the article's entry in the NVivo window for this code.
 - i. **None** (the article does not mention the university or groups or people associated with the university)
 - ii. **Peripheral** (the article mentions groups or people associated with the university, such as students; it mentions a policy or law or something that affects the university in conjunction with the city or state, other)
 - iii. **Central** (the article addresses an issue at the university, it focuses on students or administrators or campus groups/departments, it describes an event at the university, other)

3. GROUPS NAMED in city or at university or in state or select federal groups

- a. Select the group(s) named in the article. The group should have an official name stated in the article. **Only select the group the first time it's named.**
 - i. If later in the article, the author explains what an acronym stands for, also select the explanation and code it as the group's name.
 - ii. Select the acronym and name, even if they're listed in different places.
- b. Group is a broad *category* that includes official university committees, Greek organizations, student clubs, and community organizations, and the police, among others.
- c. **If the group is not clearly named:** select the entire sentence and make a node that refers to the committee as the article does. *If it's confusing, this is what you bring up in your research memo and our weekly meetings.*
- d. If it's a group without a node, create a new child node under "Groups"
- e. It's important to create new nodes when groups change names (e.g. the "Campus Security Committee" changed to the "Campus Security and Personal Safety Committee") so that we can capture changes over time.
- f. **Make sure to code groups that are part of people's official positions.**
 - i. *How to code Alders or people on city council: highlight their position and code it under the "Common Council" node. When people are State Senators or Assembly Representatives, code the group for positions as "State Legislature."*
- g. *Exceptions:*
 - i. *the Big Ten or other universities. Code the Big Ten as a group. Regardless of where the university or college is, please code it under "Groups Named."*
 - ii. *Department of Justice, Department of Education, Office of Civil Rights, and other federal organizations that seem applicable*
 - iii. *Local or national news shows or platforms*

- iv. *Groups that seem cohesive or unified, even though they're not a formal organization. Examples:*
 - 1. Greek community
 - 2. Football team
 - 3. University officials
- v. *National associations that are defining or commenting on something, such as the American Psychological Association.*

h. Format for Groups with local chapters or offices:

- i. **Organization name, local chapter**
- i. **For example: National Organization for Women, City Chapter**
- j. Some examples of Groups are:
 - i. **Camus Security Committee**
 - ii. **Campus Women's Center**
 - iii. **District Attorney's Office**
 - iv. **University Police and Security (UPS)**

4. REPORTED rapes, sexual assault, or sexual harassment

- a. Select the entire sentence when instances of rape or sexual assault have been reported to newspaper, police, or university. Both national statistics (e.g. 1 in 4 women) and state-specific numbers count for this code. "Reported" here is meant in the colloquial sense, not in the "officially reporting to authorities" sense. *Select the sentence that best summarizes the report. When multiple cases are involved, the summary sentence (1 to 2 sentences), you only need to code that.*
- b. Examples:
 - i. An incident described in explicit detail
 - ii. Statistics specific to any university
 - iii. An arrest based on someone reporting to the police
 - iv. Someone reporting to an official body, like the police or university
 - v. Numbers of people who use a service (e.g. Rape Crisis Center)
 - vi. Numbers of rape kits untested or number of rape kits somewhere in the criminal justice system.
 - vii. Number of actual sexual assault or other gender-based violence incidents versus the number reported to authorities (e.g. underreporting)

5. REGULAR EVENTS on sexual violence

- a. Select entire sentence for the event that occurs annually or on a regular basis. **Do this only for the first mention of the event.**
- b. If you find additional events are held multiple year(s) or are held simultaneously with others across the USA, create a new child node under "Regular Events" and talk to Nona
 - i. **Take Back the Night** (the march or rally must be referred to as "Take Back the Night" or "TBN")
 - ii. **SlutWalk**
 - iii. **Denim Day**

- iv. **Walk A Mile In Her Shoes**
- v. **Vagina Monologues**
- vi. **Clothesline Project**
- vii. **Sexual Assault Awareness Week**
- viii. **Sexual Assault Awareness Month**
- ix. **Stalking Awareness Month**
- x. **Summit on Sexual Assault, Dating Violence and Stalking**
- xi. **National Student Conference on Campus Sexual Violence**
- xii. **National Victims' Rights Week**
- xiii. **Sexual Assault Prevention Week**
- xiv. **Campus Safety Awareness Week**
- xv. **No More Assaults Month**

6. **University POLICIES, PROCEDURES, AND PROGRAMS**

- a. Select when policies, procedures, or programs sponsored by the university are mentioned. Only code the first mention of the program.
- b. *For wishy-washy language, like "will attempt" or "might evaluate" etc., don't code the policy, procedure, or program here. Make a Noteworthy Features memo OR code it under another node, if applicable.*
- c. If it's a resolution, talk to Nona since it depends on the group passing it.
- d. Broader Options (select entire sentence; if two sentences better explains it, select two sentences maximum):
 - i. Simply code under "University Policies, Procedures and Programs." DON'T create a child node.
 - ii. *Exception:*
 - 1. **Campus survey** (You code any survey mentioned for the university under this child node)

7. **CITY LAWS, CITY/COUNTY POLICIES, PROCEDURES, AND PROGRAMS**

- a. Select the name of the law, when an article mentions laws that are related to sexual violence. These laws may be proposed, passed, or not passed.
 - i. Type the name of the law as it appears in the article and create a child node for the law, *when the law is specifically named*.
 - ii. Regarding bills, even if vetoed, code the name of the bill.
 - iii. If the bill or law is not specifically named, code the entire sentence in which it's mentioned the first time. Simply code under "City Laws." DON'T create a child node.
- b. Only code the first mention of the program.
 - i. *For wishy-washy language, like "will attempt" or "might evaluate" etc., don't code the policy, procedure, or program here. Make a Noteworthy Features memo OR code it under another node, if applicable.*
- c. Specific Options examples (select only the name):
 - i. **Sexual Assault Nurse Examiners (SANE)**
 - ii. **Rape whistle program**

- d. Broader Options (select entire sentence; if two sentences better explains it, select two sentences maximum):
 - i. Simply code under “CITY LAWS, CITY/COUNTY POLICIES, PROCEDURES, AND PROGRAMS” DON'T create a child node.

8. STATE LAWS

- a. Select the name of the law, when an article mentions laws that are related to sexual violence. These laws may be proposed, passed, or not passed.
- b. Type the name of the law as it appears in the article and create a child node for the law.
- c. Regarding bills, even if vetoed, code the name of the bill.
- d. If the bill or law is not specifically named, code the entire sentence in which it's mentioned the first time. Simply code under “State Laws.” DON'T create a child node.
- e. Some possibilities for specific laws:
 - i. **AB 431**
 - ii. **Rape Shield Law**

9. FEDERAL LAWS

- a. Select the name of the law when an article mentions the following federal laws:
 - i. **Title IX**
 - ii. **Campus SaVe Act**
 - iii. **Campus Sexual Assault Victims' Bill of Rights**
 - iv. **Clery Act**
 - v. **Violence Against Women Act (VAWA)**
- b. If the bill or law is not specifically named, code the entire sentence in which it's mentioned the first time. This includes federal memoranda, executive orders, and guidance (e.g. Dear Colleague Letters). Simply code under “Federal Laws.” DON'T create a child node.

10. PEOPLE:

- a. Select the nodes below when the information is available. Sometimes you may only be able to select one or two nodes, not all.
- b. **Regarding people quoted:**
 - i. **If the quote is not attached to a person who is “easy” to code, then do not code them.**
 - ii. **Only select the person's name and their official title or where it lists they're a student, not their quote.**
 - iii. For quotes that are from an internet discussion board or social media, if it's written about as if it were an-in person quote, code that person here. If you're unsure, that's perfect to bring up in your weekly memos and our meetings.
- c. **Regarding people mentioned:**
 - i. **Only code the first mention of the person.** Only select the person's name and their official title

- ii. Select the nodes below when the information is available. Sometimes you may only be able to select one or two nodes, not all.
 - iii. **For editorials, code relevant author information** (if they are NOT a newspaper staff writer) included in italics or bold before or after the article under these nodes. For example, if the author is a student government representative, you would code their name and student government position here.
- d. Select how they are included in the article:
 - i. Mentioned
 - ii. Quoted
 - 1. Note: if someone is quoted, they should be only coded under this node. They can't be double-coded under Quoted and Mentioned.
 - iii. Author
 - 1. Select this node if they are the author of an editorial or letter to the editor.
 - 2. If the author is a Group (e.g. SAVE), you will code the Group under People/Name and as Inclusion/Author.
- e. Create and select a child node of their name:
 - i. **Jane Smith** (just an example)
 - ii. **Unnamed** (article does not include their name)—select the entire sentence when you are dealing with unnamed people who are mentioned, quoted, or the author of a piece
 - 1. This tends to be unnamed “attackers” or victims
 - 2. If it's a case with a known pseudonym (e.g. “Sarah”), then code the person's name under that pseudonym.
 - 3. If it's a general pseudonym (e.g. Jane Doe, John Doe), code that person as Unnamed.
- f. **Sexual assault and harassment**
 - i. You use this code when the events of sexual assault or sexual harassment occur. You select the sentence with the person's name and how they are described.
 - ii. **Perpetrator** (code the person when they are described as the attacker, assailant, or perpetrator, even when it's an unconfirmed or alleged accusation)
 - iii. **Survivor** (code the person when they are described as the survivor or victim or the person who was sexually assaulted or harassed)

Step 3 of coding content:

11. MOBILIZATION

- a. A mobilization is a type of action intended to persuade decision-makers or garner their attention or the attention of people in general. It tends to be done by groups or people that have less power. It's the main event, not the “nested events.” Write a noteworthy features memo if the event includes other mobilizations within it.

- b. Regular events will not be coded as mobilizations.**
- c. Select the file name for letters to the editor or editorials and code those as “Editorials or letters to the editor,” which is the only subnode under Mobilization**
- d. Select the entire sentence for the mobilization(s) mentioned in the article.**
Examples of mobilizations are:
 - i. Letter to the editor, editorial
 - 1. Select the file name*
 - ii. Outreach or awareness campaign (e.g. the consent ads on buses, an effort to change how people think about sexual violence, sexual harassment, or consent)
 - iii. Petition
 - iv. Protest gathering (march, rally, speak out, protest, vigil, other)
 - v. Speech (event where someone speaks about sexual violence)
 - vi. Selling merchandise (to raise awareness, to help prevent sexual assault, other)
 - vii. Meeting (club meeting, conference, educational workshop, other)
 - viii. Public hearing (forum for public opinion or public discussion, other)
 - ix. Group established (first meeting of a student club, other)
 - x. Shuttle service (WTA starting shuttle service, other)
 - xi. Lawsuit filed against an official body or another legal motion against an official body (e.g. a legal brief)
 - xii. Documentary film

12. DIFFUSION

- a. Use this variable when an article mentions policies, programs, protests, laws etc. that came from another place, such as a university or city. **Select the entire sentence.****

13. REGULATION INSTITUTIONALIZED

- a. Institutionalizations occur when the university or another official body (e.g. the city government) takes action, implementing something (e.g. a policy, a program, a department, a job position) that addresses sexual assault or sexual harassment.**
- b. This applies at the federal, state, city, or university level.**
- c. You may select two sentences when the key facts about the institutionalization are not in one sentence.**
- d. *Regulations institutionalized can be used for things that will happen in the future (e.g. “plan to”).***
 - a. *For anything with wishy-washy or noncommittal language, make a note of it in your weekly memo and we will discuss it at our weekly meeting.***
- e. *The regulation institutionalized may be in the past (e.g. “2 years ago the Title IX office was created”).***

- f. Select the entire sentence when something (a policy, department, office, job position, or other) is institutionalized. Use your judgment for which sentence includes best summarizes what happened. Examples include:
- xiii. Collaboration between official bodies (several university and/or local government offices do a project together, other)
 - xiv. Bail being set or revoked
 - xv. Established (founded, becomes officially part of the university, other)
 - xvi. Expand existing program (program adds additional parts, targets wider audience, other)
 - xvii. Funded (given money by the university, given an outside grant for research or programs, adding a budget item to university or local government budget, other)
 - xviii. Investigation into allegations
 - xix. Meeting of official university body on a policy or program (meeting of an official university body, such as a committee, department, or taskforce) (This includes future meetings)
 - xx. Meeting of an official non-university body (e.g. the city council, the state legislature) (This includes future meetings)
 - xxi. Name changed
 - xxii. Passed a law or policy
 - xxiii. Report released (report on campus policies, report on sexual assault statistics on student body, other)
 - xxiv. Vote of an official body
 - xxv. Speaking event (keynote speaker, a presentation backed by an institution, other)

14. REGULATION DE-INSTITUTIONALIZED

- a. **This applies to those in city, university, state, or at the federal level.**
- b. You may select two sentences when the key facts about the de-institutionalization are not in one sentence.
- c. *Regulations de-institutionalized can be used for things that will happen in the future (e.g. “plan to”).*
 - a. *For anything with wishy-washy or noncommittal language, make a note of it in your weekly memo and we will discuss it at our weekly meeting.*
- d. Select the sentence where the article mentions something (a policy, department, office, job position, or club) is or might be de-institutionalized. Examples include:
 - xxvi. Terminated (university shuts it down, other)
 - xxvii. Oversight changes (becomes part of city government and not university, becomes independent of the university, other)
 - xxviii. Funding ends (university no longer funds it, other)

Step 4 of coding content:

15. NOTEWORTHY FEATURES

- e. This is not a variable per se but a way of tracking features of the article that seem important, based on the coder's judgment. These are features that seem important to the research that you don't want to be forgotten or lost.
- f. Not all articles will have noteworthy features. Noteworthy features are aspects of the article that seem important but are not captured by codes.
- g. To track noteworthy features:
 - a. While in the article you're coding, go to the "PDF" tab
 - b. Make sure you have the file name of the article selected
 - c. Select "Memo link"
 - d. Select "link to new memo"
 - i. Create a new memo, name the file using the following name format:
 - 1. "Article Title Coder Name"
 - 2. Example: "Men Should Be Aware of Women's Issues Nona Gronert"
- h. To double check that the memo is linked, close all your tabs in NVivo. Then, click on "Quick Access / Memos" and right click on the memo you created. Click on "open linked item" and the PDF you linked to the memo should open.
- i. When you write the memo:
 - ii. The length of the memo may be short or long, depending on what you have noticed. Longer, general observations will go in your weekly research memos. I imagine 1 sentence to 1 paragraph will be sufficient to track noteworthy features.
 - iii. Explain what you noticed and how it seems relevant.
 - iv. Examples:
 - 3. You can specify the "nested events" in the Regular Event.
 - 4. You can highlight that an official was not available for comment.
 - 5. You can summarize comments on the adequacy of funding.
 - 6. The letter to the editor has a mocking tone, which makes it seem like satire. The author might be a supporter of the policy who is playing devil's advocate to make a point about the policy's opponents.

VOCABULARY

Child node: NVivo's term for a sub-category under a node

Node: NVivo's term for the label that we call a code

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