



Working with Students with Disabilities during the Sexual Misconduct Process

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Learning Outcomes

- Examine the general statistics as it relates to sexual misconduct on campus.
- Identify the most common disabilities that exist on a college campus.
- Understand how different disabilities present different issues, including those who are deaf and hard-of-hearing, visually impaired, experience mobility issues, and those on the autism spectrum, and how to address these specific issues.
- Identify the barriers people with disabilities face regarding reporting and adjudication, and how to address those barriers.
- Reflect on suggested recommendations to improve outcomes for this population.

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Statistics

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Students with Disabilities

- In 2013-14, 13% of all public school students (6.5 million) receive special educational services.¹
- In 2011-12, 11% of students (around 16,000) in postsecondary institutions report having a disability.²
- From 1999-2009, there was a 69% increase in the number of undergraduates with disabilities enrolled at degree granting institutions.³

¹ Children and Youth with Disabilities. (2016). Retrieved January/February, 2019, from https://nces.ed.gov/ipeds/data/ipeds_indicators/indicator_CG_G006_c09_2016_05.pdf

² Students with Disabilities. (2015). Retrieved January 31, 2019, from <https://nces.ed.gov/fastfacts/display.asp?id=60>

³ LaVerne McCuller Williams. *Sexual Victimization of Deaf and Hard-of-Hearing College Students: Intersections of Identity and Sexual Violence on Campus, Centering Minoritized Students' Experiences*. Eds. Jessica C. Harris and Chris Linder. Virginia: Stylus, 2017. 140. Print

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College Students with Disabilities

11% of college students overall have a disability

- 21% of veteran students
- 16% of students 30 and over
- 9% of dependent undergraduates
- 13% of married undergraduates
- 5% of post baccalaureate⁴

⁴Students with Disabilities. (2015). Retrieved January 31, 2019, from <https://nces.ed.gov/fastfacts/display.asp?id=60>

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College Students with Disabilities

- 31% Specific Learning Disabilities (SLDs)
- 18% ADD or ADHD
- 15% Mental illness
- 11% Health impairments, including chronic conditions
- 7% Mobility issues
- 4% Difficulty hearing
- 3% Difficulty seeing
- 3% Cognitive difficulties
- 2% Traumatic brain injury
- 2% Autism Spectrum Disorders
- 1% Difficulty speaking or language impairment⁵

⁵Raue, K., & Lewis, L. (2011, June/July). Students With Disabilities at Degree-Granting Postsecondary Institutions. Retrieved January 31, 2019, from <https://nces.ed.gov/pubst2011/2011018.pdf>

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Sexual Violence and Disability



- 1.3 million violent crimes occur each year against people with disabilities.
- 3x more likely to experience rape, sexual assault, aggravated assault and robbery.
- 3x more likely to be sexually abused as children.⁶

⁶Vera Institute of Justice (2019). Violence Against People with Disabilities Occurs at Alarming Rates. Retrieved December 4, 18, from <https://www.endabusepwd.org/problem/alarming-rates/>

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Sexual Violence and Disability--IHE



- 31.6% of female undergraduates with disabilities reported nonconsensual sexual contact involving physical force or incapacitation compared to 18.4% of undergraduate females.⁷
- 1 out of every 3 students with a disability has been sexually assaulted during their time at college.⁸

^{7,8}Not on the Radar: Sexual Assault of College Students with Disabilities (p. 17, Rep.). (2018). Washington, DC: National Council on Disability. doi: https://ncd.gov/sites/default/files/NCD_Not_on_the_Radar_Accessible.pdf

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Sexual Violence and Disability--IHE



- Students with disabilities (physical, mental, or learning) are twice as likely to experience Intimate Partner Violence than those without disabilities.⁹
- 3.3% participants with disabilities experienced sexual abuse *in the past year* compared with 1.2% students without disabilities.¹⁰

^{9,10}Williams, 143.

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Sexual Violence Among College Students with Disabilities



- Limited data
- Not broken into categories

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Learning about Complainants



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Risk Factors



- Vulnerability
- Isolation
- Compliance
- Marginalized
- Lack of reporting¹¹

¹¹Vera Institute of Justice. (2019). Why are so many people with disabilities abused? Retrieved February 1, 2019, from <https://www.endabusepwd.org/problem/alarming-rates/why-are-so-many-people-with-disabilities-abused/>

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Barriers to Reporting - Invisible



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Barriers to Reporting – Accessibility

Accessibility of educational programs and info¹²:

- On-line training programs
- In-person programs
- Sexual assault information, policies, reporting options
- Printed materials
- Universal design

¹²Not on the Radar: Sexual Assault of College Students with Disabilities, p. 32-36.

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Barriers to Reporting - Access

■ Sexual Assault Trauma Support Service¹³:

- Physical access
- Lack of immediate auxiliary aides or disability-related supports
- Lack of policies and procedures detailing responses in crisis situations
- Accommodations during conduct process and communication with law enforcement
- Access to off-campus services

¹³Id. 36-46.

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Barriers to Reporting - Thoughts

- Mandatory reporting – how does the law work in your state regarding “disabled?”
- Mental health
- Stigma
- Reluctance to report

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Special Considerations

Hearing Impairment

Specific factors to consider¹⁴:

- Stereotypes
- Deaf culture
- Communication abuse
- Communication barriers when reporting

¹⁴Williams, 142-146.

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Hearing Impairment

- 50% in the Deaf community (not just college students) have experienced sexual violence in their lifetime¹⁵
- ¼ students* report having been forced to have sex against their wishes (unsure of age of occurrence)¹⁶

¹⁵ Id. 142
¹⁶ Id. 146.

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Hearing Impairment

- Students who were deaf were at twice the risk of sexual abuse and 2 ½ times the risk of physical and psychological abuse than hearing students¹⁷
- Deaf LGBTQ students were 6 times as likely for sexual abuse, 4 times as likely for physical abuse, and 3 times for psychological abuse than heterosexual students¹⁸

¹⁷⁻¹⁸ Id. at 147

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Autism Spectrum Disorders (ASD)

- 2% of college population?
- The Nexus of Autism and TIX

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Autism Spectrum Disorders (ASD)

- Presentation¹⁹:
 - “Typically male; physically clumsy or rigid; down or depressed; violate personal space by standing too close or talking too loud; vocal characteristics might be off; use of strange phrases; have a sing-song or monotone; poor eye contact or might fix you with a stare; dress and body habits might be off; appears bright but also seems lost and not totally understanding you”
 - Socially awkward and has limited use of social language, poor understanding of non-verbal cues

¹⁹ Wolf, L. E., Ph.D., Brown, J. T., Ed.D., & Kukiela Bork, G. R., M.Ed. (2009). *Students with Asperger Syndrome: A Guide for College Personnel*. Shawnee Mission, Kansas: AAPC Publishing, 9-10, 17.

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Thoughts from the Experts



Lee Burdette Williams

Director of Higher Education
Training and Development for
the College Autism Network

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Recommendations

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Recommendations

- More awareness and research
 - How do rates vary by disability type?
 - Who are respondents?
- Work with disability services
 - Inclusion and trainings (Power and Control Wheel)
- Increase visibility of those with disabilities
 - Hiring practices, conversations, committees,
- Inclusive trainings and programs
 - Universal design for learning²⁰⁻²¹

²⁰Not on the Radar: Sexual Assault of College Students with Disabilities", 47-47, 65-69
²¹National Council on Disability, (2018, January 30). Policy Briefing: January 30 release of NCD College Sexual Assault Report. Video posted to <https://nccd.gov/events/2018/january-30-release-sexual-assault-report>

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Recommendations

- Accessibility
- Provide accommodations
 - Accommodation language in policies and letters, accessible materials, interpreters
- Crisis policies and agreements with local agencies
 - MOUs to include protocols
- Safe-spaces for those with disabilities to have more nuanced conversations about sexual misconduct and disability²²

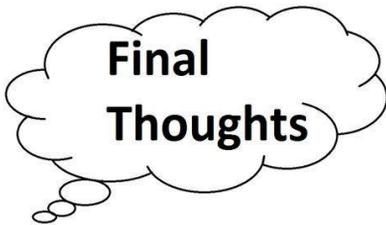
²²Id.

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Final Thoughts



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