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Empathy and Campus Sexual Assault (CSA) Communication
Protecting the Wellbeing and Social Equity of College Women

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Abstract

A review of empathy and campus sexual assault communication has implications for technical communication research. Campus sexual assault is a social problem, and consequently college campuses are legally required to publish and disseminate sexual assault communication (i.e. policies, procedures, and training) to eliminate the behavior. Empathy is significant to campus sexual assault communication, given not only the emotional nature of the topic, but also the technical information to be communicated effectively and appropriately. Given the dearth of research on empathy and campus sexual assault communication, this expansive review of the literature establishes the need for technical communication research on empathy and campus sexual assault communication and proposes criteria and directions for the exploration. This is achieved through an in-depth discussion of campus sexual assault as a social dilemma, legislative responses to the dilemma, conceptual and operational definitions of empathy, limitations of empathy, and failures of workplace sexual assault training communication.

“Empathy is a quality of character that can change the world” (Barack Obama, 2009).

INTRODUCTION

U.S. college and university campuses (referred to hereafter as “colleges” or “campuses”), are considered hostile and unsafe communities riddled with criminal behavior that perpetuates the sexual victimization and discrimination of young women and is therefore, subject to social and legislative responses to eliminate the behavior.

Addressing campus crime, a part of which sexual victimization of college women is a significantly large and alarming concern, Sloan & Fisher (2011) maintain, “No longer is the “ivory tower” of academe perceived as a place of retreat for scholarly inquiry. Nor is college perceived as a time for growth, where students “find themselves” and their place in the world” (p. 1). The 1986 on-campus rape and murder of Jeanne Clery, a Lehigh University, undergraduate female, and other high-profile cases of the sexual assault of college women led to the enactment and enforcement of federal laws that force campuses to take responsibility for the campus crime and the protection of college women. Under these laws, campuses must implement and publish policies, procedures, and instruction designed to remediate and prevent the unwanted behavior. To comply with the laws, campuses employ a variety of media to communicate the wealth of mandated technical information, making it accessible and useful to the user; these include websites, sexual assault training videos, printed literature, theatrical dramatizations, and classroom instruction.

Given the rhetorical aim of most communication—guiding action through information exchange—there is a place, if not a need, for empathy in campus sexual assault communication. As a subset of technical communication, the goal of CSA communication is to guide the behaviors of college students act in ways that eliminate the offense from college campuses. However, the role of empathy in technical communication is new and evolving, and so, data on empathy and campus sexual assault communication is lacking, requiring additional research to fill the gap. Prior to the debut of empathy in technical communication, such as user experience (UX) which uses empathic strategies to improve users' holistic experiences with computer products and other technologies, empathy and technical communication seemed disparate and unlikely bedfellows. How could empathy, an attribute of subjective, imprecise, emotional, and personal communication, be logically connected to that which is objective, exact, cognitive, and public? The expanding interdisciplinary reach of technical communication and subsequent changes in its communication contexts and rhetorical goals prompted the union. Evolving from its early origins in computer programming and engineering, where products and technologies were once design-centered, and designers once assumed users thought like designers, the expansion of technical communication into more humanistic domains (i.e. education, medicine, and social policy) required it to become more human-centered, recognizing and incorporating the unique differences in thoughts, feelings, needs, and challenges among designers and users.

To prompt investigation and discussion of empathy and sexual assault communication, this paper:

- 1) defines sexual assault terminology and the inconsistencies in definitions that affect its measurement;
- 2) explains the need for campus sexual assault communication vis-à-vis a discussion of sexual assault's negative impact on college women and campus communities;
 - a. explains its negative impact on victim's physical and psychosocial wellbeing and academic success;
 - b. explains how it has been socially constructed as a *new* social problem;
 - c. explains the social and institutional responses to it;
- 3) summarizes interdisciplinary definitions and research on empathy;
 - a. discusses communication contexts similar to sexual assault communication;
- 4) discusses the limitations of empathy;
- 5) explains the failure of communication related to sexual assault communication, such as workplace sexual harassment training communication;
- 6) describes some inconsistencies in website communication of sexual assault information; and
- 7) outlines directions for additional research on empathy and campus sexual assault communication.

Of note, although a variety of gender identities are impacted by campus sexual assault, in this paper, empathy and sexual assault communication are reviewed and discussed from a feminist perspective, recognizing women as a minority in terms of social equity and the majority in terms of gender-based discrimination, particularly sexual victimization.

Definition of Terms

As discussed in depth later in the paper, data regarding campus sexual assault varies due to inconsistencies in terminology among disciplines. However, despite and perhaps because of the inconsistencies, it is important to explore empathy and campus sexual assault in terms of how empathy can be further defined and implemented in the technical communication designed to remediate and prevent the behavior. Given the technical content of this paper, a definition of sexual assault terms is essential for understanding the literature and the connections among them, particularly conclusions drawn from them that provide insight and direction for additional research on empathy and campus sexual assault communication. The terms are directly quoted from both criminal justice and public health sources with citations provided at the end of each term. Due to the number of differences in sexual assault terminology and constraints of length for this paper, the terms presented may differ from other sources, but each was intentionally selected according to its ability to serve the goal of this paper—to initiate additional research and discourse on empathy and campus sexual assault communication, some of which may address consistent terminology.

Discrimination is treatment, in favor of or against, an individual or group based on categorical rather than individual merit or traits (What is, 2018, para. 1). **Gender (or sex) discrimination** occurs when a person is subjected to different or unequal treatment ("discrimination") in any number of situations, when that treatment is based on the person's gender (Gender (sex), 2018, para. 1).

Sexual harassment is a form of sexual discrimination prohibited by Title IX of the Education Amendments of 1972 (Title IX) (U.S. Department of Education, Office for

Civil Rights, 1997, p. 12038). With respect to campus sexual assault it includes **hostile environment sexual harassment**, one of the two types of sexual harassment prohibited by Title IX that involves:

conduct (which can include unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature) by an employee, by another student, or by a third party that is sufficiently severe, persistent, or pervasive to limit a student's ability to participate in or benefit from an education program or activity, or to create a hostile or abusive educational environment (U.S. Department of Education, Office for Civil Rights, 1997, p. 12034).

According to the Department of Justice (DOJ, 2017), **sexual violence** is

a type of sexual harassment, referring to any form of sexual contact or behavior that occurs without the explicit consent of the recipient and includes: forced sexual intercourse, forcible sodomy, child molestation, incest, fondling, and attempted rape (para. 2).

Researchers for the Centers for Disease Control (CDC) expand the definition of sexual violence to include

a sexual act that is committed or attempted by another person without freely given consent of the victim or against someone who is unable to consent or refuse. It includes: forced or alcohol/drug facilitated penetration of a victim; forced or alcohol/drug facilitated incidents in which the victim was made to penetrate a perpetrator or someone else; nonphysically pressured unwanted penetration; intentional sexual touching; or non-contact acts of a sexual

nature. Sexual violence can also occur when a perpetrator forces or coerces a victim to engage in sexual acts with a third party” (Basile et al., 2014, p. 11).

Domestic violence:

- is a pattern of abusive behavior in any relationship that is used by one partner to gain or maintain power and control over another intimate partner;
- involves physical, sexual, emotional, economic, or psychological actions or threats of actions that influence another person; and
- includes any behaviors that intimidate, manipulate, humiliate, isolate, frighten, terrorize, coerce, threaten, blame, hurt, injure, or wound someone (DOJ, OVM, 2017, para. 1).

Sexual abuse, a type of domestic violence, that involves coercing or attempting to coerce any sexual contact or behavior without consent (DOJ, OVM, 2017, para. 1)

Dating violence is similar to domestic violence in terms of violent behaviors, but it occurs specifically in “a social relationship of a romantic or intimate nature” (DOE, OVM, 2017, para. 3).

Stalking is a pattern of repeated and unwanted attention, harassment, contact, or any other course of conduct directed at a specific person that would cause a reasonable person to feel fear” (DOJ, OVM, 2017, para. 4).

Victim is the person on whom the sexual violence is inflicted; similarly, **survivor** is often used as a synonym for a victim who is not deceased (Basile et al., 2014, p. 13).

These terms will be used interchangeably throughout the paper to indicate a female college victim who is not deceased.

Perpetrator is the person who inflicts the sexual violence (Basile et al., 2014, p. 13).

Incident is a single act or series of acts of sexual assault that are perceived to be connected to one another and that may persist over a period of minutes, hours, or days; one perpetrator or multiple perpetrators may commit an incident (Basile et al., 2014, p. 13).

Incidence is a function of rate, indicating how often new incidents of sexual assault occur within a population over a specified period of time (CDC, 2012, see incidence proportion or risk)

Prevalence is a percentage, indicating how much of the population has experienced an event (old and new) over a specified period of time; it represents the “burden” of the event or condition upon the population (CDC, 2012, see prevalence).

SEXUAL ASSAULT OF COLLEGE WOMEN: A SOCIAL PROBLEM

As a prelude to a discussion of empathy and campus sexual assault communication, it's important to first understand the sexual assault of college women as a social problem based on empirical data and social construction. However, it is also important to note the difficulty of measuring campus sexual assault due to underreporting and statistical variances among studies. Fedina, Holmes & Backes (2018) found that “the prevalence of completed forcible rape, incapacitated rape, unwanted sexual contact, and sexual coercion measured on college campuses widely varies in the United States” due to:

- research design (longitudinal vs. cross-sectional studies, reporting time frame measured);
- differences in sampling strategies (i.e., small samples vs. larger samples, convenience vs. random sampling and nationally representative samples);

- different sample characteristics (i.e., underclassmen vs. upperclassmen); and
- measures used (SES and other behavior-based measures); and variability in the constructs and definitions for sexual victimization (p. 87).

Similarly, Catalano, Harmon, Beck & Canton (n.d.) list differences in public health and criminal justice approaches to measuring sexual assault: “context, populations surveyed, definitions of target events, reference periods, focus and structure of screeners, and identification and classification of events.” However, despite statistical inconsistencies, the available data on the sexual assault of college women and its negative impact on its victims demonstrates that it is a “widely acknowledged problem” (Gonzalez & Feder, 2014), and even rare or occasional occurrences warrant “campus-wide prevention and response policies” (Fedina et al., 2018, p. 91).

Prevalence and Incidence of Sexual Assault

Despite the difficulty to obtain precise and consistent measures of sexual assault, its prevalence and incidence are still a social concern and worthy of address. Krebs, Lindquist, Warner, Fisher & Martin (2007) found that “nineteen percent of undergraduate women [almost 1 in 5] reported experiencing completed or attempted sexual assault since entering college” (p. xiii). Of the total sample of women reporting, 5% experienced forced sexual assault, 4.7 % experienced rape, and 3.4 % experienced forced sexual battery (Krebs et al., 2007, xiii). Their research also indicates that freshman and sophomore women have a greater risk of experiencing sexual assault within the first two years of entering college (Krebs et al, 2007, p. xviii).

Additionally, data provided by Krebs, Lindquist, Berzofsky, Shook-Sa & Peterson (2016) provides insight into the rate of undergraduate women’s victimization, despite the

small sample size that prevents generalization of findings. The researchers analyzed the prevalence and incidence of sexual assault among undergraduate women from nine universities, for one academic year and found that 10.3% of the sample population experienced one or more instances of sexual assault (p. ES-6), and in terms of incidence, the “cross-school average victimization rate for completed sexual assault was 176 per 1,000 undergraduate females” with females “ages 18-22 experience[ing] higher victimization rates than those 23 and older,” similar to other research findings (Krebs et al., 2016, p. ES-7).

Impact of Campus Sexual Assault on College Women

Although sexual assault is difficult to measure, its presence and impact are obvious, as evidenced by the “harmful and lasting consequences...[it inflicts] for victims, families, and communities” (Centers for Disease Control [CDC], 2017, para. 1). For some college women, sexual assault compromises their physical and psychosocial wellbeing and academic success, reducing their ability to achieve social equity and necessitating effective preventive communication.

Campus Sexual Assault and Victim’s Physical Health

Some victims suffer from a variety of physical conditions that limit their ability to successfully participate in higher education and achieve the social equity that comes with it. Physical injuries such as “bruises, internal injuries, broken bones, gunshot wounds, or rape injuries” are immediate and recognizable (Planty, Berzofsky, Krebs, Langton & Smiley-McDonald, 2013, p. 6). Some victims experience chronic physical conditions with gradual onset such as:

- unplanned pregnancies—over 32,000 per year resulting from rape;

- sexually transmitted diseases;
- cervical cancer;
- gynecological complications; and
- migraines and other frequent headaches (CDC, 2017, para. 2).

Findings from internal medicine research also confirm the association between sexual assault and chronic, disabling conditions such as “gastrointestinal disorders, nonspecific chronic pain, and psychogenic seizures” (Paras et al., 2009, p. 52-53).

Campus Sexual Assault and Victims’ Psycho-social Health

In addition to physical disorders, some victims experience one or more psychological disorders as a result of sexual assault, varying in severity or duration according to individual differences, resources, and the length, severity, or number of assault events. According to the CDC (2017), some victims may immediately experience “shock, denial, fear, confusion, anxiety, withdrawal, and shame or guilt (para. 3). Depression, suicidal ideations or acts, and post-traumatic stress disorder are also psychological conditions associated with sexual assault (CDC, 2017, para. 3).

Given the psychological consequences of sexual assault, it is not surprising that victim’s social interactions, relationships, and health-risk behaviors are also negatively affected. Due to strains on personal relationships, and real or perceived loss of support or public ostracism, victims may withdraw from social interactions and relationships with family, friends, and intimate partners. Ironically, some victims also engage in behaviors that may result in additional risk to their health: substance abuse, high-risk sexual behaviors, such as unprotected sex and multiple sex partners, and behaviors associated

with eating disorders, such as fasting, vomiting, overeating, and abuse of diet pills (CDC, 2017, para. 4).

Campus Sexual Assault and Victims' Academic Progress

For victims of sexual assault, the physical and psycho-social effects are harsh and sometimes debilitating, preventing victims from achieving academic success. In fact, “in nearly every case, the victim cannot perform at their usual level” (Kirkland, 1994, para. 4). Decreased concentration, energy, and motivation caused by stress-induced sleeplessness and general physical and psycho-social unsoundness compromise a victim’s ability to participate, learn, and perform successfully. These effects, along with social withdrawal and avoidance of the perpetrator, cause some victims to reduce their class load, miss classes regularly, or both. Some sexual assault victims temporarily withdraw from the university, regaining composure and wellbeing through medical treatment or counseling before returning; while others transfer to another university or withdraw permanently (American Association of University Professors (AAUP), 2013, p. 94). In addition to the violence and violation of the act itself, the physical, psycho-social, and academic consequences of campus sexual assault are discriminatory, barring women from equal participation in and access to higher education and social equity.

Campus Sexual Assault and Campus Integrity

In addition to the harm and discrimination of victims, sexual assault negatively impacts college and university campuses, limiting their ability to provide sexual assault victims the education and socioeconomic opportunities associated with higher education. Because of campus sexual assault, the learning environment is no longer safe, hospitable, and conducive to learning (Kirkland, 1994, para. 6), and unsafe learning environments

cause victims and other students to distrust their college's mission statement and leaders (AAUP, 2013, p. 4). Media coverage and scandal associated with cases of campus sexual assault diminishes the reputation, fundraising efforts, and enrollment of colleges that host it (AAUP, 2013, p. 4). Without funding, colleges cannot provide the education students need to increase or maintain social equity.

Campus Sexual Assault: A Matter of Gender Equity and Social Justice

Campus sexual assault is a matter of gender equity and social justice. Alone, the violence and violation of sexual assault is the epitome of gender-based discrimination, with women comprising the majority of on-campus victims. Unfortunately, as previously described, victims of campus sexual assault face consequences that reach farther and last longer than the isolated act—consequences that perpetuate and compound the victimization and discrimination of young college women. Physical and psychosocial disorders and academic challenges are the result of abusive and hostile academic environments created by severe, persistent, or pervasive levels of sexual harassment or violence. Additionally, in general, women are a minority with respect to socio-economic power, social privilege, and gender-based autonomy, and so victims of sexual assault find themselves particularly powerless and without the same rights and protections afforded to others. As the saying goes, “Information is power,” and institutional responses to campus sexual assault emphasize the need for communication that protects college women from the behavior, empowering them through prevention and resources to manage its effects.

THE INSTITUTIONALIZATION OF CAMPUS SEXUAL ASSAULT

Sexual Victimization of College Women: A Social Construction

Recognizing the gender inequity and social injustice of campus sexual assault, social responses have demanded communication to remediate and prevent the behavior.

“Violence, vice, and victimization” have been a part of collegiate life for many years, in addition to murders, lynchings, vandalism and riots, from the 17th century through 20th, rapes and violent assaults...were not uncommon on college campuses,” posing a clear threat to college women (Sloan & Fisher, 2011, p. vii). However, only recently has campus sexual assault been recognized and addressed as a social threat. In the late 1980s, feminists socially constructed the sexual victimization of college women as a “new social problem” to spearhead and influence policy to eliminate the behavior. Rather than address sexual assault of college women as a persistent, “objective threat” with long-established, historical origin (Sloan & Fisher, 2011, p. ix), feminists, angered by perceived “epidemic levels” of sexual victimization of college women and destruction of college women’s educational and economic equality, feminists socially constructed the sexual victimization of college women as a “new social problem” by:

- 1) redefining “rape” with respect to perpetrators—expanding the prevailing concept of rape from “stranger danger” (i.e. rape perpetrated by strangers) to date or acquaintance rape (i.e. rape perpetrated by romantic partners, dates, roommates, dormmates, or classmates etc.);
- 2) identifying campus administrations as the “new villains” of campus sexual assault due to inaction resulting from negligence, indifference, or coverup and their failure to respond to the needs of victims; and

- 3) raising public awareness and concern to public outrage and demands upon policy makers to take measures to protect college women from violent and sexual victimization and to adequately respond to victims' needs (Sloan & Fisher, 2011, pp. 81-110),

Two primary legislative acts address the feminists' call-to-action, requiring campuses to implement programs that protect college women from violence and sexual victimization and appropriately and adequately meet victims' needs:

- *Title IX of the Education Amendments of 1972 (Title IX)*
- *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act of 1990 (Clery Act)*

Although *Title IX* was enacted prior to feminists' initiatives to reduce sexual violence, the "current effort to combat [campus] sexual violence [and thus the sexual victimization of college women] is derived from *Title IX's* prohibition against sexual harassment"—policy influenced by the Feminist and Civil Rights Movements of the 1960s and 1970s (Gonzalez & Feder, 2016, p. 14). As a civil rights law modeled on *Title VII of the Civil Rights Act of 1964 (Title VII)*, which prohibits sex discrimination in the workplace, *Title IX* is brief and broad in its prohibition of sex discrimination in education: "No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance" (20 U.S.C. §1681). Yet, case law and guidance issued by federal agencies concerned with sexual harassment and enforcement of *Title VII* and *Title IX*—the U.S. Equal Employment Opportunity Commission (EEOC) and U.S. Department of Education (ED), respectively—further define sexual harassment as a form

of gender-based discrimination, particularly when the harassment is “sufficiently severe, persistent, or pervasive that...it creates a hostile or abusive...environment,” barring one sex from gender equity (*Meritor Savings Bank v Vinson*, 1986, Department of Education, 1997, p. 12034). Consequently, under *Title IX*, as it is interpreted and enforced by ED, campus sexual violence is a criminal form of sexual harassment that “interferes with students’ right to receive an education free from discrimination” and is therefore prohibited on college campuses receiving federal financial assistance, subjecting the campuses to possible suspension or loss of federal assistance (Russlynn, 2011, p. 1).

Concerned only with student-on-student sexual violence, ED’s *Title IX* guidance directs college campuses to publish information that should, theoretically, with prevention and remediation in mind, protect college women from sexual victimization: a campus nondiscrimination policy, grievance procedures for sexual violence complaints, and student sexual violence training (Russlynn, 2011, p. 2, 34 C.F.R §106). As dictated by ED, the policy and grievance procedures should be clear regarding the “nature of sexual harassment,” the school’s intolerance of the behavior, and “age-appropriate classroom information...[to help students] understand what types of conduct can cause sexual harassment and...how to respond” (U.S. Department of Education, 2001, p. 19).

Ultimately, under *Title IX*, as enforced by ED, communication is a requirement to eliminating and preventing campus sexual assault and empowering college women with options for recourse and prevention of sexual assault.

In its inclusion of all forms of campus crimes, the *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act of 1998 (Clery Act)* protects college women from sexual assault by providing information that increases their awareness, and

potential avoidance, of the types and locations of campus sexual violence. As a consumer protection law, the *Clery Act* mandates transparency in the reporting of campus crime statistics and policy (Clery Center, 2018, para. 1). Specifically, the law requires campuses who participate in federal student financial aid programs to report to current and prospective students, employees, and the U.S. Department of Education (ED), campus statistics and policy on sexual violence, via each institution's Annual Security Report (ASR). Sexual violence statistics include sexual assault crimes—rape, fondling, incest, and statutory rape—as well as crimes associated with sexual assault—domestic violence, dating violence, stalking, aggravated assault, liquor-law and drug abuse violations and weapons possessions. Under the *Clery Act*, the locations of reported crimes must also be disclosed in the ASR. As defined by the act, reportable locations include on-campus areas, “certain non-campus (*sic*) buildings” and some “public places” (i.e. those located reasonably close to the campus)—essentially locations include buildings or property located on the campus proper or reasonably close, that are owned, controlled, and/or used by the campus for the purpose of education and associated business, events, and activities (Gonzalez & Feder, 2016, p. 10, Sloan & Fisher, 2011, p. 76).

The ASR must also include a “wide variety of safety- and security-related policies established by the campus/institution” and statements on these policies. According to federal code (20 U.S.C. §1092), the ASR must include:

- statements that explain the role and authority of campus law enforcement and their working relationship with State and local law enforcement agencies and statements “which encourage accurate and prompt reporting of all crimes to the campus police

and the appropriate law enforcement agencies, when the victim of such crime elects or is unable to make such a report”;

- statements regarding “the possession, use, and sale of alcoholic beverages and enforcement of State underage drinking laws, the possession, use, and sale of illegal drugs, the enforcement of Federal and State drug laws”;
- statements where information “concerning registered sex offenders may be obtained”;
- “a statement of current campus policies...[to]...immediately notify the campus community upon the confirmation of a significant emergency or dangerous situation [such as sexual violence] involving an immediate threat to the health or safety of students”;
- statements about the campus’ “programs to prevent domestic violence, dating violence, sexual assault, and stalking” and procedures it will follow once an incident of these offenses has been reported;
- statements describing the campus’ “primary prevention and awareness programs for all incoming students,” as well as “on going campaigns;” statements that:
 - prohibit the offenses of domestic violence, dating violence, sexual assault, and stalking;
 - define domestic violence, dating violence, sexual assault, and stalking in the applicable jurisdiction;
 - define consent, in reference to sexual activity, in the applicable jurisdiction;
 - provide safe and positive options for bystander intervention

- provide “information on risk reduction to recognize warning signs of abusive behavior and how to avoid potential attacks.”
- possible sanctions or protective measures that such institution may impose following a final determination of an institutional disciplinary procedure regarding rape, acquaintance rape, domestic violence, dating violence, sexual assault, or stalking.

As Sloan & Fisher (2011) explain, the intent and potency of the *Clery Act* is based on underlying assumptions made by activists and decision makers responsible for the legislation:

- 1) to “avoid civil penalties of \$27, 500 per infraction” and loss of federal financial aid campuses will comply with the mandate (p. 75);
- 2) knowledge and awareness of campus sexual violence statistics and policy, will empower current female students to “take appropriate steps to help reduce their risk of becoming victims while on campus (p. 75); and
- 3) prospective female students will safeguard their wellbeing by first selecting safe campuses (p. 75).

For college women, information provided by the mandated ASR empowers them to prevent or reduce their risk of victimization and take action in the event of an incident. Ultimately, this increases the power and protection of college women, minimizing their potential for sexual assault victimization and increasing their opportunities to achieve and maintain social equity. However, to be effective, empathy must be an element of this type of communication.

EMPATHY

It is logical to expect a positive relationship between empathy and campus sexual assault communication. Empathy is a desirable, human characteristic of communication. It is a “main ingredient in any successful information transaction,” (Miller & Wallis, 2011, p. 122) yielding positive outcomes in a variety of communication contexts, particularly social justice. However, as previously stated, there is a dearth of research regarding empathy and technical communication, not to mention the subset category of campus sexual assault communication. Therefore, for insight and guidance toward filling the knowledge gap in these areas, we must consider data on empathy from a variety of disciplines.

Interdisciplinary Concepts and Operations of Empathy

While empathy is a fundamental component of human communication, with far-reaching implications for society, “the concepts, dimensions, and applications of empathy are context-specific” and therefore vary among disciplines where degrees of objectivity and boundaries between communication partners differ as well (Halpern, 2014, 302). Although some definitions are more implicit than others, together they “set the stage” for research on empathy and campus sexual assault communication designed and published for *Title IX* compliance and the protection of young college women.

Empathy as a Matter of Affect and Cognition

Given their unique communication contexts, some disciplines conceptualize and operationalize empathy as a synergistic combination of affective and cognitive domains or as solely cognitive. With a shared goal of improving the quality of life of individuals and communities, healthcare and human services communications, for instance, rely on the

tandem effects of cognition and affect as a sole source of empathy. Past eras of medicine excluded empathy in patient care, viewing it as solely affective, and therefore subjective and likely to obfuscate diagnoses and treatment. Yet, for twenty-first century healthcare, empathy is “responsible for high quality care,” (Miller, 2007, p. 239) because empathic patient-provider communication “helps to empower patients to address their medical problems,” improves diagnoses, and “may play a direct role in healing,” positively affecting selfcare and immune response (Halpern, 2014, p. 303). In this healthcare context, empathy is both cognitive and affective, taking the form of “engaged curiosity,” a combination of “perspective taking” (cognition) and “emotion” (affect) (Halpern, 2014, p. 302). Similarly, in developing the Empathic Communication Coding System (ECCS) to measure empathy in physician-patient interactions, Bylund et al. (2002) define empathy as “understanding and relating to” what another has to say (p. 210).

Human service professionals also rely on the synergism of cognition and affect, utilizing “compassionate communication”—the endeavor of “noticing, connecting, and responding”— as a form of empathic communication. As Miller (2007) explains, to address a client’s needs from a perspective of prevention, remediation, or accessibility to supportive services, human service professionals communicate by first “noticing details of clients’ lives” [through listening and observation] and then connecting with the client through “emotional processes (empathy) and cognitive processes (perspective taking)” (p. 223). As healthcare and human services demonstrate, empathy in human-centered communication contexts—contexts that rely on human connection to improve the wellbeing, quality of life, and social status of individuals—is both holistic and dualistic,

achieving a comprehensive and complete understanding of an individual's emotions and thoughts, circumstances, and needs through both affect and cognition.

While healthcare and human services communicate empathy through affect and cognition, some disciplines conceptualize and operationalize empathy as purely cognitive.

For organizational and workplace communication:

Empathy is a noun—a thing. It is an understanding you develop about another person. Empathizing is the use of that understanding—an action. Empathy is built through the willingness to take time to discover the deep-down thoughts and reactions that make another person tick. It is purposely setting out to comprehend another person's cognitive and emotional states. Empathy, the result of listening with a neutral frame of mind then gives you the ability to try on that person's perspective—to think and react as she might in a given scenario (Young, 2015, p. 18).

In this context, empathy does not employ emotion but instead recognizes it in another individual through cognitive strategies that maintain objectivity and neutrality. It excludes “warmth and kindness,” “walking in someone else's shoes,” “embrac[ing] or excus[ing]...behavior,” or adopting or agreeing with another's perspective (Young, 2015, pp. 18-23). For business and organizational communication, empathy is mostly cognitive.

Contextually similar to organizational and workplace communication, interface design and user experience (UX) define empathy as primarily cognitive, allowing for emotion *only* as a response to empathy rather than an attribute of it. For UX, empathy means “user-centeredness” resulting in design that is:

- 1) simple—obvious, unobtrusive and leaves room for self-expression;

- 2) minimalistic—void of “ornamentation,” “simple,” and “clean”;
- 3) timeless—adapts to future technological change; and
- 4) aesthetic—creates a rapid stimulus upon looking at the product that “yields a positive emotion or response (Adhithya, 2015, para. 5-8).

This type of cognitive empathy is a product of a [purposeful discovery of] the underlying thoughts and emotions that guide [a user’s] decision making” (Young, 2015, 25); it withholds assumptions or guesses about people’s reasoning and makes the “intentions of the product or service lucid” (Adhithya, 2015, para 5-8). Empathy and UX shed light on empathy and sexual assault communication. Given the legislative origin, educational context, and technical content of campus sexual assault communication, its development requires methodology—a cognitive element of empathy—but the subject matter, steeped in emotion, requires a complete recognition and understanding of users’ (i.e. young college women’s) emotional responses to it—the affective element of empathy.

Clearly, empathy is a product of each discipline’s need for objectivity and boundary state (i.e. fixed or fluid). This has implications for campus sexual assault communication, given the emotion surrounding the topic and the need to communicate technical information clearly, concisely, and appropriately to confirmed and potential survivors and perpetrators.

Empathy as a Matter of Ethos, Expertise, and Social Justice

Some disciplines conceptualize and operationalize empathy from the perspective of ethos. Yoshimura & Campbell (2016) touch lightly on empathy in sexual assault communication, implying that it is a function of ethos. Using the “trauma-informed” framework of psychotherapy and communication accommodation theory, the authors

imply that empathy in “affiliation-building”—a process essential to trauma-informed communication—is achieved both explicitly and implicitly: explicitly through outward expressions of empathy and through respect gained via accommodations such as adjustments to the speaking patterns of the communication partner; implicitly via elements of ethos such as “likability” and the “perceived competence” of the communication partner (pp. 301-304). Although the authors view empathy as an attribute of “affiliation-building,” they do not define empathy, and despite acknowledging that communication as a two-way transaction, their focus is limited to one-way, counselor-to-client communication, emphasizing primarily the clinician’s use of ethos (and expertise) as empathic strategies to prompt a response from the client. This is relevant to empathy and campus sexual assault communication because “affiliation-building”—the connection vital to achieving a complete understanding of the audience or user (i.e. young college women), relies on ethos or a “likable” persona. Like most individuals, young college women, particularly victims of sexual assault are not likely to connect with, trust, or try to understand the communication if the technical communicator does not demonstrate ethos or “likability.”

In contrast, other authors view empathy and sexual assault communication as a matter of expertise and social justice, a function of a multi-directional, equal exchange of information, underscoring the essential inclusion and participation of laypeople such as sexual assault survivors. This is embodied in Callon’s (1990) theory of the co-production of knowledge that promotes “actively involving lay people in the creation of knowledge concerning them” (p. 89). Likewise, Kirkner, Lorenz & Ullman (2017) suggest that empathy in sexual assault therapy should be “survivor informed,” as opposed to “trauma-

informed,” as they recognize the unquestionable authority of sexual assault survivors (p. 3), which sadly, is warranted by their experience with the violence, discrimination, victimization, and inadequate responses from support providers. In other words, echoing Grundmann (2016) who asserts that the crucial role of empathy is guiding action (p. 25), these authors support the balance of power (i.e. social equity) that comes from inclusive, equal, two-way communication, and they validate the contributory expertise of lay knowledge for improving support providers’ responses to survivors.

Reflecting the dynamics of the contemporary knowledge society, Preece (2004), speaks to empathy in the context of online communication, where he too underscores empathy as a matter of expertise and social justice. With respect to online communities of practice (OCoPs)—unique and discrete knowledge societies—Preece (2004) maintains that empathy, as a form of collaborative learning, vis-à-vis the equal exchange of both tacit, experiential, and formal knowledge, weakens suppressive “hierarchical structures” and consequently increases social capital for the community and its members (pp. 295-296). This is relevant to empathy and campus sexual assault communication because survivor-informed campus sexual assault communication requires the use of cognitive empathy similar to that of UX, where inviting (i.e. researching) the knowledge, emotions, and opinions of survivors helps technical communicators achieve a complete understanding of those who may not only contribute to the content but may also use the communication produced and therefore provide additional information from that perspective.

Through the field of social work, human service again adds to the discourse on empathy but this time from the perspective of social justice where ‘social empathy’—a combination of expertise and “practices, services, programs, and policies—is essential (Segal, 2007, p. 76). In this context, instead of “compassionate communication” between the human services professional and client, empathy is “the ability to understand people by perceiving or experiencing their life situations” (Segal, 2007, p. 75) and the “structural inequalities and disparities” that create them (Segal, 2011, pp. 266-267). Social empathy is relevant to campus sexual assault communication, combining expertise and the use of affect—similar to that of UX—to achieve a thorough understanding of the emotions, opinions, and needs of survivors and other users.

As discussed previously, connecting through shared experience or a deep perception resulting from immersion or intentional, in-depth research and reflection provides insight into empathy and campus sexual assault communication. Likewise, drawing upon the concept of “social empathy” established by the field of social work, Adelman, Rosenberg & Hobart (2016) explore the *potential* role of “social empathy” in sexual assault training communication, suggesting that “social empathy” incorporated in the structure, content, and processes unique to sexual assault instruction vis-à-vis simulation and “gaming tools” *may* increase perception or shared experience with others and consequently “help students gain knowledge of and empathy for the constrained choices facing battered women, understand the frequent disjuncture between leaving and safety, and close the gap between cultural perceptions and lived realities” (p. 1451).

The concept of shared experience or “walking in another person’s shoes” is vital to achieve and communicate empathy in campus sexual assault communication, particularly

for technical communicators who have not experienced sexual assault or related event that would help establish “common ground.” As explained in the next section, social distance is important to establishing “common ground,” and so it also serves as one limitation of empathy.

Limitations of Empathy

Even though it is an innate, human characteristic essential to communication, often yielding positive outcomes for individuals and communities, empathy has limitations which must be considered to adequately explore it in the context of campus sexual assault communication.

Although its cognitive and affective attributes are innate, empathy is not simple or natural. It is complex due to ambiguous attributes and conflicting definitions perpetuated by opposing theoretical frameworks. It is affected by the “social distance” between socially dissimilar participants in the communication exchange, and subject to resistance by the sender or receiver of the empathic response; whether they occur in isolation or combination, these limitations squelch the effectiveness of empathy (Zaki & Cikara, 2015; Debes, 2009; Cikara, Bruneau & Saxe, 2011).

The social distance between the sender and receiver limits the effectiveness of empathy, sometimes creating or contributing to conflict. As explained by Cikara, Bruneau & Saxe (2011), social distance limits the ability to perceive, recognize, notice, connect, and respond emotionally or cognitively, particularly between members of different social or cultural groups (p. 149). When “we fail to detect outgroup members’ emotional experiences or perceive them in substantially distorted ways...we are only weakly, if at all, motivated to reduce their suffering” or act in a prosocial way. In fact, because of social

distance, we risk antipathy, taking pleasure in someone else's misfortune, which perpetuates conflict between members of the ingroup and outgroup (Cikara et al, 2011, p. 149). Social factors—gender, race, politics, and culture—determine the definition, use, and value of empathy to individuals, particularly when the provider and receiver differ in socioeconomic status and power which may create social distance. Perspective taking among certain groups is not reciprocal: for “high-power” individuals it improves the empathy toward individuals of “low-power,” but not conversely (Zaki & Cikara, 2015, p. 474) because those with “high-power” are concerned with restoring or maintaining their morality, but those with “low-power” perspective taking does not help them restore or protect their sense of power (Zaki & Cikara, 2015, p. 474). Because users of campus sexual assault communication are diverse, possessing unique knowledge, emotions, opinions, and levels of social power due to gender, race, politics, and culture

, technical communicators must use empathic strategies to reduce the social distance and increase “common ground” between them and the users of the communication.

Although the capacity for empathy is innate, it is not solely or entirely an autonomic or “visceral” response (Buie, 1981, pp. 304-305). This is due in part to its reliance on higher-order, cognitively-mediated considerations” or processes to achieve a “rich understanding,” such as “the contextual features a person identifies as relevant to her emotion, or her subjective impression of such features” (Debes, 2010, p. 221). In other words, empathy—the “rich understanding”—is the justification or vindication of an individual's emotion or action—a higher-order cognitive process—although it may not condone or recommend the emotion or action (Debes, 2010, p. 225). Because it requires a “legitimizing understanding,” empathy is a voluntary and thoughtful response (Debes,

2010, p. 223). To establish empathy in campus sexual assault communication, the technical communicator must choose to gain a thorough understanding of the user and implement strategies to “get at” the user’s feelings, thoughts, and needs prior to and during the interaction.

The context-specific nature of empathy is limiting. The ambiguous relationship of cognition and affect among communication contexts creates inconsistencies in definitions and applications of empathy. The ambiguity and inconsistency are due to disagreement among theoretical frameworks—some view affect as both the way to empathy and empathy itself; yet, others argue for empathy as a matter of cognition and challenge that emotion cannot be both an attribute of empathy and empathy itself, just as a person’s eye color is only an attribute, neither defining nor comprising the whole person. Since empathy varies across contexts—*affect vs. cognition*—producers of campus sexual assault communication must conceptualize and operationalize empathy according to the unique and specific contextual factors and the rhetorical purpose of the communication. In doing so, the producers must use cognition and affect to fully understand victims’ perspectives but solely rely upon cognition in the development of the communication.

Empathy is not automatic. As a function of cognition, empathy is dependent, and at the same time, limited, by choice. Just because the provider and receiver have the capacity for empathic communication does not guarantee their participation. Contextual factors, perceived vulnerability, antipathy, and struggle to achieve or maintain social and economic power and status, may prevent providers and receivers from engaging in empathic communication. Potential remedies include providing opportunities for perspective taking, when appropriate; “promoting equitable goals and norms” (Zaki &

Cikara, 2015, p. 473), in addition to achieving a “rich understanding” of another; and presenting empathy as “flexible” to encourage listening and engagement in empathy (Cikara et al., 2011, p. 152). These strategies encourage disparate parties to better understand each other’s perspectives and experiences, to feel concern, and choose to engage in empathic communication (Zaki & Cikara, 2015, p. 152). Although the capacity for empathy is natural and innate, complexity and definitional ambiguity and controversy, social factors, and choice can limit its potential for prosocial behavior and other positive outcomes. These are important considerations for exploration of empathy and campus sexual assault communication.

WHY SEXUAL HARASSMENT TRAINING COMMUNICATION

FAILS

An exploration of empathy and campus sexual assault communication will benefit by a discussion of the limitations and failures of workplace sexual harassment training communication as they are viewed through the lenses of content, authenticity, and current relevance. As previously discussed, under *Title IX*, sexual violence is a form of sexual harassment, and according to sexual harassment trainers and EEOC lawyers, the trainings fail because managers and employees view it as a “pro forma” only exercise to hold legal liability in abeyance. In other words, it is not taken seriously for several reasons. “Stilted” and non-engaging quality of online training is to blame, and although face-to-face role play is a more effective option, it is time- and cost-prohibitive for companies to employ (Noguchi, 2017, para. 4). Hogle (2018) describes additional failures of sexual harassment training communication, citing the expertise of Elizabeth Tippet: “predictability and lack of innovation; presentation of contrived rather than authentic scenarios; and lack of

research to identify weaknesses and inform updates and improvement” contribute to its failure (para. 6-9).

As Tippett (2018) adds, sexual harassment training communication fails because the content is outdated and “trainings tend to gloss over the discrimination-based origins and purpose of harassment law, which might otherwise serve as a moral anchor for the trainings” (p. 1). Current trainings “suggest that harassment is not bad because it’s morally wrong or a form of discrimination, but because it’s bad for business” (Tippett, 2018, p. 7). This underscores Zaki’s & Cikara’s (2015) suggestion (discussed earlier) for empathy to include the “promot[ion] of equitable goals and norms” to improve perspective taking (p. 473). Also, “the sheer quantity of legal and quasi-concepts explored in the training send an implicit message that harassment is too complex for a layperson to understand” (Tippett, 2018, p. 33). The imitations and failures suggest specific improvements for sexual assault training communication, informing the role and implementation of empathy in campus sexual assault communication.

Based on the weaknesses of sexual harassment training communication, Tippett (2018) recommends improvements for future trainings.

1. Sexual harassment training communication should “account for individual differences” of trainees, particularly differences in background knowledge, “attitudes, beliefs, or self-reported behavior” (p. 42). In other words, borrowing from best practices in education, differentiated instruction informed by pre- and post-testing as well as “employee choice” may improve employee learning, “engagement and buy-in during the trainings” (p. 43).

2. Sexual harassment training communication should contain “more persuasive messaging,” (p. 43) “persuad[ing] viewers that [harassment trainings] are legitimate conduits of legal rules and employer policies, that the legal rules and policies are themselves legitimate, and that employees should conform their behavior to those rules and policies” (p. 43). This relies upon careful selection of appropriate and persuasive arguments which may also be bolstered by “illustrations and analogies based on familiar social norms” (p. 43).
3. Sexual harassment training communication content should be more authentic, excluding contrived scenarios and rigid scripts and including interviews, testimonials, realistic case studies that reflect personal “voice and experience” (p. 45).

Given previous definitions of empathy, the failures of sexual harassment training can be linked to the absence of empathy. Given its shared context with campus sexual assault communication, these failures provide direction for research in campus sexual assault communication.

DIRECTION FOR FUTURE RESEARCH

As legally mandated, the purpose of campus sexual assault communication is to remediate and prevent the problem through information and instruction. Findings regarding the strengths and limitations of empathy in communication and relevant limitations and failures of workplace sexual harassment training communication provide insight and direction for technical communicators to explore the role and implementation of empathy in campus sexual assault communication

Before discussing possible directions for research, it is important to understand why the topic is significant to technical communication. Campus sexual assault communication is a subset of technical communication. It communicates complex information regarding a specific topic—campus sexual assault—to a specific audience—young college women and other gender identities, and therefore, is specifically, and intentionally instructional and informative. The mandated policies, procedures, and training are communicated through a variety of media: webpages, sexual assault training videos, printed literature, theatrical dramatizations, and classroom instruction. But to be effective, campus sexual assault communication must be appropriate for and accessible to its audience. As an instructional tool to influence decision making and prosocial student behavior regarding sexual assault, it employs rhetorical devices such as ethos, logos, and pathos—attributes of empathy.

Empathy is important to technical communication, and UX, a related subset, suggests possible directions and offers guidance for research on empathy and campus sexual assault communication. To be effective, technical communication, particularly that which is charged with remediating and preventing the sexual assault of young college women, must attend to the sensitive subject matter and associated human thoughts and feelings of survivors, as well as those who could be victimized. It must be user-centered. A summary of findings by Adhithya (2015, para. 5-8) and Tippet (2018) (previously discussed), provide a checklist of possible ways to explore the role and implementation of empathy in campus sexual assault communication. We can explore these criteria using the elements of content, design, and style which must be:

- 1) simple—obvious, unobtrusive and leaves room for self-expression;

- 2) minimalistic—void of “ornamentation,” “simple,” and “clean”;
- 3) timeless—adapts to future technological change; includes current rules and norms
- 4) aesthetic—creates a rapid stimulus upon looking at the product that “yields a positive emotion or response;
- 5) accessible—accounts for individual differences, recognizing the unique attitudes, beliefs, and background knowledge of users; avoids bias
- 6) persuasive—uses ethos, logos, and pathos; and
- 7) authentic—contains accurate and reliable information from credible sources; includes real-life examples or “voice” from those with experience, rather than contrived scenarios.

To comply with *Title IX* and the *Clery Act*, colleges maintain Title IX websites to communicate campus policies, procedures, and training to students. Analyzing the *Title IX* homepage of The Ohio State University (OSU) through the lens of ethos (a combination of criteria #6 and #7) offers one way of exploring empathy in this type of campus sexual assault communication.

As the page where first impressions determine further engagement with the communication, OSU’s *Title IX* homepage can be explored as a rhetorical analysis—empathy as ethos. Citation and prominent display of *Title IX of the Education Amendment Act of 1972*’s position on gender-based discrimination speaks to the authority of the page, as do the titles, credentials, and job descriptions of the *Title IX* coordinator and deputy coordinators. Although the use of blue and white color and pictures of students from different genders and races promote credibility, trust, and “likability,” there is no evidence of testimonials from survivors of campus sexual assault on this page or elsewhere in the

website. The webpage also asserts its ethos and expertise through links to “The Law” and the “Office for Civil Rights,” guaranteeing accurate information from legal authorities on discrimination and campus sexual assault.

The exploration of empathy as ethos in OSU’s *Title IX* homepage is just one of many ways to explore empathy and campus sexual assault communication. Through exploration of training videos, printed communication, dramatization, and classroom instruction, additional criteria may be discovered and added to the list. Yet, the checklist provides a place to begin exploration. Any one or more of the checklist criteria can be applied to explore and evaluate empathy in content, design, and style.

Given the charge of college campuses to inform and instruct college women and other gender identities regarding sexual assault and thus remediate and prevent the behavior, it is practical to explore the ways in which technical communicators can implement empathy in campus sexual assault communication, protecting college women from further victimization and improving their social equity.

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