Working with Students with Disabilities during the Sexual Misconduct Process

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.

Statistics

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

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

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

---

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.\(^6\)

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.\(^8\)

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 \textit{in the past year} compared with 1.2% students without disabilities.\(^10\)

Sexual Violence Among College Students with Disabilities

- Limited data
- Not broken into categories

Learning about Complainants

- Vulnerability
- Isolation
- Compliance
- Marginalized
- Lack of reporting\(^11\)


\(^9\) Williams, 143.


Bars to Reporting – Invisible

Bars to Reporting – Accessibility

Accessibility of educational programs and info:
- On-line training programs
- In-person programs
- Sexual assault information, policies, reporting options
- Printed materials
- Universal design

Bars to Reporting – Access

Sexual Assault Trauma Support Service:
- Physical access
- Lack of immediate auxiliary aids 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

Bars to Reporting – Thoughts

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

Special Considerations

Hearing Impairment

Specific factors to consider:
- Stereotypes
- Deaf culture
- Communication abuse
- Communication barriers when reporting
**Hearing Impairment**

- 50% in the Deaf community (not just college students) have experienced sexual violence in their lifetime\(^{15}\)
- ¼ students* report having been forced to have sex against their wishes (unsure of age of occurrence)\(^{16}\)

**Autism Spectrum Disorders (ASD)**

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

**Recommendations**

Lee Burdette Williams

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

---

\(^{15}\) Id. 142
\(^{16}\) Id. 146.

---

\(^{17}\) Id. at 147

---

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 learning

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 disability

Final Thoughts

Final Thoughts