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US presses 55 colleges on response to assaults

By **Evan Allen** and **Marcella Bombardieri** | GLOBE STAFF MAY 02, 2014

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In an unprecedented move, the US Department of Education released a [list Thursday of 55 colleges](#) across the country — including six in Massachusetts — facing federal investigations into their handling of sexual assault and harassment complaints.

Harvard College, Harvard Law School, Boston University, Emerson College, Amherst College, and the University of Massachusetts Amherst are among the schools under scrutiny for compliance with Title IX, a federal law that prohibits gender discrimination. Also on the list are two other New England schools, the University of Connecticut and Dartmouth College.

The publication of the list, tied to a White House push to hold colleges more accountable for how they handle sexual assault cases, was praised by students who want to increase attention on the problem.

“I think if people know and understand what’s going on, and they know what’s happening, they can demand change for their schools,” said Sarita Nadkarni, 22, who was among several Emerson students who signed a complaint against the school last year accusing officials of failing to properly respond to their reports of sexual assaults. Emerson has pledged to improve its response to allegations of such attacks.

Meanwhile Thursday, more than 100 Tufts University students rallied on the Medford campus in the wake of a ruling earlier this week by the Department of Education’s Office for Civil Rights that the school is violating Title IX and not doing enough to ensure the safety of students. The protesters staged a rally then planted themselves on the academic green, holding signs and wearing T-shirts that read



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“I stand with survivors.”

Students were demanding Tufts improve both prevention efforts and its investigations and discipline in assault cases. Equally important, according to Leah Muskin-Pierret, 19, a sophomore who helped organize the rally, is pressing the university to admit assaults are a problem on campus.

“That’s what’s most disgusting,” she said. “Tufts is basically saying, ‘Sorry, federal government, you’re wrong.’ ”

Yet by the end of the day, student organizers released a joint statement with the university pledging to work together on the issue. The university said it expects to be able to work out its differences with the Office for Civil Rights, and pledged a series of actions including a promise to review this summer the university’s guidelines for disciplinary sanctions.

The Obama administration this week drew national attention to the problem of campus sexual assaults, saying one in five college women are victims of assault or attempted assault. A White House task force released a series of new guidelines for how schools should address the problem, including conducting surveys about the prevalence of sexual assault on their campuses, better training for administrators on how to work with victims, and making sure victims have the option to maintain confidentiality.

Making more information available to students was also a major focus, and the White House unveiled a new website, notalone.gov, offering resources for victims and information about prevention.

Even before Obama appointed the task force in January, his administration had made the issue more of a priority than it had been in previous years. Guidelines released in 2011 encouraged more students to file



JESSICA RINALDI/GLOBE STAFF

Miles Grover was among 100 students who rallied at Tufts University to demand the school do more to keep students safe.

complaints against their institutions for not handling their cases properly, which helps explain the large number of colleges being investigated today.

Many university officials, however, believe the administration's move to announce the schools under investigation is singling them out when they have not been found to have done anything wrong.

“There is a view that it’s unfair to the institutions because they can’t really try to explain it away in any fashion or answer it,” said Ada Meloy, general counsel of the American Council on Education. “They need to be protecting the confidentiality of the student who may have complained.”

According to a Globe review of Boston-area campuses in February, the number of reported forcible sex offenses rose by nearly 40 percent between 2008 and 2012.

For most of the universities in Massachusetts that are on the federal list, the probes had been previously reported in the media, but that was not the case for BU or UMass Amherst.

The Department of Education does not release any information about ongoing inquiries beyond the name of the institution and the date the investigation began. Some alleged victims publicize their allegations, while others choose not to.

UMass Amherst said it is on the list not because of a specific complaint but because of a compliance review that began in 2011. In a statement, the university pledged its dedication to preventing sexual assault, for example, by training students on how bystanders can prevent violence.

According to Dorie Nolt, press secretary at the Department of Education, compliance reviews are “not random audits of schools,” but launched based on data, news reports, or information from parents and advocacy groups “in order to remedy possible violations of students’ rights.”

In 2010, the Globe published a report from the New England Center for Investigative Reporting that a UMass student who confessed to raping a friend was allowed to remain enrolled and avoid significant discipline. The school acknowledged the error and said it led to changes in the disciplinary process.

A spokesman for Boston University said Thursday that its inclusion on the list stems from a complaint filed last October.

“While we believe the University provided the student with a prompt and equitable resolution of the complaint in full accordance with the requirements of Title IX, we are cooperating fully with OCR in its investigation and are always open to improving the manner in which we respond to any complaint of sexual misconduct,” spokesman Colin Riley said.

The investigation into Harvard College was launched only last week, after a group of students filed a

complaint asserting that Harvard has created a hostile environment for assault victims.

The Harvard Law School investigation has been open since December 2010. In 2011, attorney Wendy J. Murphy said she filed the complaint because the law school had policies that violated federal regulations, including waiting to address complaints until police and prosecutors had finished investigating, a practice she called “running out the clock,” since the alleged victim might graduate in that time frame.

A Harvard spokesman, Jeff Neal, reiterated a number of recent steps the university has taken, including submitting new policies to the Office of Civil Rights for review.

“After any OCR feedback is received, Harvard will move quickly to announce and implement them,” Neal said.

Correspondent Matt Rocheleau contributed to this report. Evan Allen can be reached at evan.allen@globe.com. Follow her on Twitter [@evanmallen](https://twitter.com/evanmallen).

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