

Re: ED-2018-OCR-0064

To Whom it May Concern:

Thank you for the opportunity to comment on Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance. The undersigned _____ students from the University of Denver's Undergraduate Student Government are writing to you today regarding three main concerns in the proposed new rules to Title IX Policy.

In particular we are concerned with the new definition of sexual harassment, the lack of investigations of sexual violence that occur off-campus, and the introduction of live cross-examination.

The proposed new definition of sexual harassment includes, "...so severe, pervasive, and objectively offensive." This definition is contrasted to our University's current definition, "...conduct is sufficiently serious, pervasive, or persistent." If enacted this rule would only require our university to investigate the most extreme cases of sexual violence. With this new definition [33% of violence](#) experienced by students on our campus would not meet this new definition (University of Denver Human Resources, 2017).

A second concern to our community is the dismissal of sexual violence that occurs off-campus. 72.6% of undergraduate students at the University of Denver go abroad within their four years at the university. If violence is experienced by students abroad, our Title IX Office under federal guidance would not be able to assist them. Not only does this harm our University, but on a national level, 87% of students live off-campus. If enacted, this would automatically disproportionately disqualify students from seeking assistance from Title IX.

Our final concern as individuals from the Undergraduate Student Government is the introduction of cross-examination in an investigation. The practice of cross-examination can be retraumatizing for survivors. It is often rooted in gender stereotypes and rape myths that contribute to a victim-blaming narrative (Zydervelt, 2016). It does not produce a safe environment for student survivors to seek justice within their school.

As representatives from the Undergraduate Student Government we are responsible for representing 5,765 students who all deserve a violence-free education. As of [2017](#), 42% of students agreed sexual harassment was a problem on our campus, and 36% of students said sexual violence is a problem on our campus. We want to build a community that supports

survivors and does not make them fear reporting or make it more difficult for them to seek justice within their education system. For the foregoing reasons, these sections of the rule should be struck.

Sincerely,

Kendall Fowler, Secretary of Collegiate Gender Violence Topics

Grace Glaser, Off-Campus Senator

Matthew Walter, President Pro Tempore

Elizabeth Brawn, On-Campus Senator

Tom Dattilo, Secretary of Fraternity and Sorority Life

Kirby Montsinger, Freshman Senator

Stella Brown, On-Campus Senator

Natasha Crawford, Fritz Knoebel School of Hospitality Management Senator

Maisie Karlin, Secretary of Communications

Marshall Marrs, Freshman Senator

Bryce Armijo, Student Body President

Owin Orr, Daniels College of Business Senator

Laura Nierengarten, Secretary of Campus Traditions

Daniel Volin, Transfer & Exchange Student Senator

Savanna Morrison, Secretary of Fraternity and Sorority Life

Halle Brown, Natural Sciences & Mathematics Senator

Sophia Gonzalez-Mayagoitia, Junior Senator

JJ Khan, Senior Senator

Holden Fitzgerald, Study Body Vice President

Kate Patterson, Natural Sciences & Mathematics Senator

Quinn Merrell, Sophomore Senator