AGGIE BY CHOICE; CAMPUS INNOVATOR BY NECESSITY

An Undergraduate Research Scholars Thesis

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ABSTRACT

Aggie by Choice; Campus Innovator by Necessity. (May 2015)

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This thesis will be used to create curricular reform of at Texas A&M. Specifically, the established existence of a rape culture in both Texas and the United States that will be described in this thesis necessitates the implementation of an educational course that help students learn factual reproductive health information and about the prevention and remediation of rape culture. The author supports a pilot run of this course, which was created using empirical evidence from U.S. and Texas legislation, current health education programs available in the United States, and programs currently available at Texas A&M. The explicit purpose of this new curriculum is to assist Aggies in leading healthy adult lives by giving them the tools to be aware of and combat rape culture, build healthy long and short-term relationships, and actively build their self-esteem and leadership skills. Aggies will learn to be active bystanders and take charge of their own education to better embody the Aggie core values. This type of reform is intended to be desirable for both Aggies of any age and major and the university as a whole.

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DEDICATION

This thesis is dedicated to Brittany, my first philosophy mentor. Walking through the doors you helped me open changed everything.

This thesis is also dedicated to Aggies for Reproductive Justice (Pro-Choice Aggies). We do exist, and we're not going away anytime soon!

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PART I

INTRODUCTION

Overview and Statement of Purpose

Rape and sexual assault are public health crises that must be addressed by law by all public schools in America, including institutions of higher learning. National legislation related to sexual violence on all campuses includes Title IX of the Education Amendment of 1972 (or Title IX)¹ and its amendment, the Dear Colleague Letter (DCL) of 2010;² the Campus Sexual Violence Elimination (SaVE) Act of 2012 (or Jeanne Clery Act);³ the Violence Against Women Act of 2013 (VAWA);⁴ and the Higher Education Act (HEA) of 1965.⁵ According to the DCL of 2010, "a single instance of rape is sufficiently severe to create a hostile environment," and under Title IX, all types of schools, including universities, are subject to losing federal funding if they do not respond to and remedy hostile environments.

^{1. 20} U.S.C. §§ 1681 et seq., and its implementing regulations, 34 C.F.R. Part 106, accessed from https://www.law.cornell.edu/uscode/text/20/1681. This law states, "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."

^{2.} Office of the Assistant Secretary. *Dear Colleague Letter: Sexual Violence*. By Russlynn Ali. Washington D.C.: U.S. Department of Education-Office for Civil Rights. April 4, 2011,

http://www2.ed.gov/about/offices/list/ocr/letters/colleague-201010.html. It is important to note "the sexual harassment of students, including sexual violence, interferes with students' right to receive education free from discrimination and, in the case of sexual violence, is a crime" (1). In addition, "the more severe the conduct, the less need there is to show a repetitive series of incidents to prove a hostile environment, particularly if the harassment is physical... For instance, a single instance of rape is sufficiently severe to create a hostile environment" (3).

^{3.} Jeanne Clery Disclosure of Campus Security and Campus Crime Statistics Act, 20 U.S.C. Sec. 1092(f), accessed from https://www.law.cornell.edu/uscode/text/20/1092.

^{4.} U.S.C. sections 13701 through 14040 or Title IV, sec. 40001-40703 of the Violent Crime Control and Law Enforcement Act of 1994, H.R. 3355, accessed from https://www.govtrack.us/congress/bills/113/s47/text. Also known as the Violence Against Women Act (VAWA) of 1994 and Violence Against Women Reauthorization Act of 2013.

^{5. 20} U.S.C. § 1001, accessed from https://www.law.cornell.edu/uscode/text/20/1001.

Just as with any public health crisis, methods for prevention and treatment should both be established, because one without the other is pedagogically insufficient. Texas A&M University has already recognized that addressing a problem with education is necessary, which is made evident through its published update of its student handbook— particularly its rules relating to sexual harassment— in December 2014.⁶ The purpose of my thesis is to describe how Texas A&M University can better contribute to the reduction and prevention of rape and rape culture.

Defining Rape, Rape Culture, and Affirmative Consent

To allow the reader to better understand how Texas A&M University can contribute to the reduction of rape and rape culture, this thesis has summarized definitions for these words based on characterizations from national crime prevention agencies, international health organizations, and scholarly definitions from other universities.

Rape is any type of oral, vaginal, or anal penetration of a person's body by one or more people to which the person being penetrated does not give affirmative consent.^{7 8 9}

^{6.} Texas A&M University, "47. Sexual Harassment and Related Retaliation," Texas A&M University, last modified 2013, http://student-rules.tamu.edu/rule47. The current version was published on the TAMU website December 2014. The previous version published by Texas A&M was Texas A&M University. Texas A&M University Student Rules. College Station: Texas, 2011.

^{7.} U.S. Federal Bureau of Investigation, *Frequently Asked Questions about the Change in the UCR Definition of Rape* (Washington D.C.: U.S. Federal Bureau of Investigation, 2014). Since 2013, the FBI defines rape as the "[p]enetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim" (1).

^{8.} World Health Organization, *World Report on Violence and Health* ed. Etienne G. Krug, Linda L. Dahlberg, James A. Mercy, Anthony B. Zwi and Rafael Lozano (Geneva: World Health Organization, 2002), 149-164. The WHO states "[s]exual violence is defined as: any sexual act, attempt to obtain a sexual act, unwanted sexual comments or advances, or acts to traffic, or otherwise directed, against a person's sexuality using coercion, by any person regardless of their relationship to the victim, in any setting, including but not limited to home and work" (149).

^{9.} U.S. Center for Disease Control. "Sexual Violence: Definitions." Injury Prevention & Control: Division of Violence Prevention. Last modified February 10, 2015.

http://www.cdc.gov/violenceprevention/sexualviolence/definitions.html. According to the CDC "[s]exual violence is defined as a sexual act committed against someone without that person's freely given consent."

Affirmative consent is defined as follows:

affirmative, conscious, and voluntary [uncoerced] agreement to engage in sexual activity. It is the responsibility of each person involved in the sexual activity to ensure that [they have] the affirmative consent of the other or others to engage in the sexual activity. Lack of protest or resistance does not mean consent, nor does silence mean consent. Affirmative consent must be ongoing throughout a sexual activity and can be revoked at any time. The existence of a dating relationship between the persons involved, or the fact of past sexual relations between them, should never by itself be assumed to be an indicator of consent. ¹⁰

A person's job or career, such as sex work, or a person's living conditions, such as being homeless or being an inmate in a prison, do not waive or negate that individual's need to give affirmative consent. "Affirmative consent cannot be given by someone who is unconscious, asleep, incapacitated due to drugs or alcohol, or has a mental or physical disability that interferes with the ability to give consent." Affirmative consent also requires that all parties recognize and respect the other's or others' requirements for consent: for example, if someone says that they will not have sex without a condom, the other party/parties must wear a condom to meet that individual's requirements for affirmative consent. If someone does not meet someone else's criteria for consent, they are committing rape by deception. 11

^{10.} California SB 967 §67386, accessed from

https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201320140SB967. This law is intended to make universities safer, but this is not yet taught in health courses in California. However, it creates a strong definition that can be used in a potential course.

¹¹ Sherry F. Colb, "Rape by Deception, Rape by Impersonation, and a New California Bill," Justia, May 1, 2013.

Based on this extensive definition of rape, *rape culture* is defined as a culture that allows for the systematic dehumanization and over-sexualization of any and all people by using sexual violence (including rape) as a methodical weapon that reinforces misogynistic, racist, anti-LGBT (lesbian, gay, bisexual, and transgender), and overall binary cultural values. "Rape culture creates and maintains a hostile environment for survivors. It creates victim blaming and rape myths, which together encourage rapists to rape and discourage survivors from getting help." 12

Examples of binary cultural values include American Victorian era values or anti-civil rights values. These include the beliefs that women must abstain from sex until marriage but men must be sexually skilled, and that heterosexuality is normal, homosexuality is deviant, and bisexuality does not exist. Another example is the stigma that 'colored' Americans are dangerous criminals or lazy, while 'white' Americans are considered good, hardworking people.

Additionally, this thesis relies on a definition of rape culture provided by author Dr. Emilie Buchwald in the book *Transforming a Rape Culture*. This source defines *rape culture* as:

a complex of beliefs that encourages male sexual aggression and supports violence against women [and other minorities]. It is a society where violence is seen as sexy and sexuality as violent. In a rape culture, women perceive a continuum of threatened violence that ranges from sexual remarks to sexual touching to rape itself. A rape culture condones physical and emotional terrorism against women as the norm... In a rape culture, [all people] assume that sexual violence is a fact of life, inevitable as death or

^{12.} Orange County Rape Crisis Center, "Living in a Rape Culture," *Orange County Rape Crisis Center*, last modified August 27, 2013, http://ocrcc.org/living-in-a-rape-culture-a-primer/.

taxes. This violence, however, is neither biologically nor divinely ordained. Much of what we accept as inevitable is in fact the expression of values and attitudes that can change.¹³

So how can we know that America is a rape culture? While the answer may be complex, examples are not difficult to come by.

"Women perceiv[ing] a continuum of threatened violence" is women changing their routes to work or home to try to avoid street harassment like consistent and aggressive catcalling recorded in the video "10 Hours of Walking in NYC as a Woman." It keeps women from "stand[ing] up to verbal harassment in the street for fear of exacerbating the situation. This is no idle concern: [in October 2014] a 27-year-old woman in Detroit was shot and killed after refusing to give a stranger her phone number. More recently, in Queens, a man slashed a woman's throat with a blade when she rejected his request for a date." Marshall University's Women's Center adds,

Rape Culture affects every woman. The rape of one woman is a degradation, terror, and limitation to all women. Most women and girls limit their behavior because of the existence of rape. Most women and girls live in fear of rape. Men, in general, do not. That's how rape functions as a powerful means by which the whole female population is held in a subordinate position to the whole male population, even though many men don't rape, and many women are never victims of rape. This cycle of fear is the legacy of Rape Culture.¹⁵

^{13.} Emilie Buchwald, et al., Transforming a Rape Culture (Minneapolis: Milkweed Editions, 2005).

^{14. &}quot;Catcalls and Street Harassment: Can Decency Be Regulated?" *The Economist*, November 7, 2014, http://www.economist.com/blogs/democracyinamerica/2014/11/catcalls-and-street-harassment.

^{15.} Marshall University, "Rape Culture," http://www.marshall.edu/wcenter/sexual-assault/rape-culture/.

"Supporting violence against women" and "condon[ing] physical and emotional terrorism against women" is commonly using violent language like "banged," "smashed," and "killed" to describe supposedly consensual sex. It is allowing batterers (generally men) to keep weapons after authorities are called to domestic violence scenes in 23 states, ¹⁶ despite the fact that over fifty percent of intimate partner fatalities involve the use of a gun. ¹⁷ There is an increased risk of fatality in violent homes where the perpetrator has access to a weapon. ¹⁸ Texas is among the states where "research did not reveal any laws that explicitly grant law enforcement officers the authority to remove a firearm from a domestic violence scene." ¹⁶

"Much of what we accept as inevitable is in fact the expression of values and attitudes that can change" can relate to using victim blaming to perpetuate rape culture. This occurs when the public is concerned about teenage rapists' lives being 'ruined' instead of caring about the gang rape of an unconscious teenage girl and when the school district and football team temper with and try to destroy evidence. ¹⁹ It also occurs when an older male teacher receives only a 30-day sentence for raping his 14-year old student because she "seemed older than her chronological"

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^{16.} Shannon Frattaroli, *Removing Guns from Domestic Violence Offenders: An Analysis of State Level Policies to Prevent Future Abuse*, (Baltimore: The Johns Hopkins Center for Gun Policy and Research, 2009), 19-28.

17. U.S. Department of Justice, *Homicide Trends in the United States* (Washington D.C.: U.S. Bureau of Justice Statistics, 2007).

^{18.} J. C. Campbell, et al., "Risk Factors for Femicide in Abusive Relationships: Results from a Multisite Case Study," *American Journal of Public Health* 93 (2003): 1089-97, accessed April 7, 2015, http://www.ncbi.nlm.nih.gov/pubmed/12835191.

^{19.} David Moye, "Steubenville Rapist Ma'lik Richmond Back To Playing High School Football," *The Huffington Post*, August 11, 2014. The article explains, "[n]umerous educators and officials have been accused of trying to cover up the original rape. In May, Steubenville superintendent Michael McVey, 51, was charged with felony counts of tampering with evidence and obstructing justice, and misdemeanor counts of falsification and obstructing official business in relation to the case. In April, volunteer football coach Matt Belardine was sentenced to 10 days in jail for one count of making a false statement... Also in April, wrestling coach Seth Fluharty was ordered to perform 20 hours of community as punishment for failing to report the rape."

age." An important step in dismantling a rape culture is actively working at removing victimblaming language as a cultural norm. To do that, America needs to take rape culture seriously.

In a state like Texas where both its U.S. Senators voted against the Violence Against Women Reauthorization Act of 2013,²¹ it is clear that something must be done for our culture to take rape culture and its resulting sexual violence seriously. Currently, an estimated 10,993²² of the 55,810²³ Aggies currently attending Texas A&M will experience attempted or completed rape in their lifetime. Furthermore, every two minutes, someone in America is sexually assaulted, and 98% of rapists will never serve jail time."²⁴ However, rape is notoriously underreported²⁵ and this may also be true at Texas A&M based on its "Texas A&M University 2014 Annual Security Report." In the report, the university discloses 7 total forcible and 0 non-forcible sex offenses in 2011, 9 total forcible and 0 non-forcible sex offenses in 2012 on page I-26, and 10 total rapes

^{20.} Karen Smith, "Montana Appeals Former Teacher's One-Month Sentence for Rape of Teen," *CNN*, last modified November 30, 2013.

^{21. &}quot;S. 47: Violence Against Women Reauthorization Act of 2013," *GovTrack*, accessed March 29, 2015, https://www.govtrack.us/congress/votes/113-2013/s19.

^{22. &}quot;Who Are the Victims?" *Rape, Abuse, & Incest National Network*, 2009, https://www.rainn.org/get-information/statistics/sexual-assault-victims. The organization Rape, Abuse & Incest National Network states 1 in 6 women and 1 in 33 men will experience attempted or completed rape in their lifetime. This statistic was provided by the Center for Disease Control. The organization Rape Response Services (part of Maine Coalition Against Sexual Assault) also cites that 50 percent of transgender individuals experience sexual violence in their lifetime.

23. Texas A&M University Data and Research Services. *Texas A&M University Enrollment Profile Fall 2014*. College Station: Texas A&M University, 2014, 146. Accessed from: http://dars.tamu.edu/dars/files/d3/d3ba10d4-67c2-41eb-a627-90498097e2e7.pdf. For the Fall 2014 semester, there were 9,825 Texas residents who were in college for the first time 2,108 who were first time transfers. 386 who were readmitted, and 30,186 who were

^{6/}c2-41eb-a62/-9049809/e2e/.pdf. For the Fall 2014 semester, there were 9,825 Texas residents who were in college for the first time, 2,108 who were first-time transfers, 386 who were readmitted, and 30,186 who were continuing students, adding up to a total of 42,505 undergraduates who were Texas residents. There were also 1,462 native students who are not from Texas and 714 international students, adding up to a final total of 44,681 undergraduate students (146).

^{24. &}quot;Reporting Rates," *Rape, Abuse, & Incest National Network*, 2009, https://www.rainn.org/get-information/statistics/reporting-rates.

^{25.} U.S. Department of Justice, *Special Report: Rape and Sexual Assault Victimization Among College-Age Females*, 1995-2013 (Washington D.C.: U.S. Bureau of Justice Statistics, 2014).

and 5 total fondling offenses in 2013 on page I-27.²⁶ The significant difference between the amount of documented cases of rape and the thousands of statistically probable occurrences of rape means there is a strong possibility that students at Texas A&M also underreport the crimes of rape and other forms of sexual violence.

People, especially those who live in a rape culture, underreport rape for a variety of reasons. In such a culture, the public has an unspoken understanding that the victim will be vilified or denounced if they come forward or that sexual violence will not be fully investigated, if at all. The World Health Organization states in its *World Report on Violence and Health*, "[m]any women do not report sexual violence to police because they are ashamed, or fear being blamed, not believed or otherwise mistreated. Data from medico-legal clinics... may be biased towards the more violent incidents of sexual abuse. The proportion of women who seek medical services for immediate problems related to sexual violence is also relatively small" (150). Additionally, "Most experts believe that official statistics vastly under-represent the number of male rape victims. The evidence available suggests that males may be even less likely than female victims to report an assault to the authorities... Myths and strong prejudices surrounding male sexuality also prevent men from coming forward" (154).

This creates a need for an evaluation of Texas A&M's current standards and systems to combat rape culture, reduce rape, and assist survivors. Texas A&M needs to do more than it already does

26. Texas A&M University, *Texas A&M University 2014 Annual Security Report*, College Station: Texas A&M University, 2014, I-26, https://upd.tamu.edu/Current Disclosures/Annual Security Report.pdf. This security report uses the FBI definition for rape.

by supporting a change in awareness supported through the following changes. First, the university should implement a rape awareness course that functions as preventative or remedial education and also informs students about the resources they can access on and off campus. Second, the university should revise its updated handbook, which functions as something that students can rely on should they experience or witness sexual violence while Aggies begin creating a culture of consent on campus. This thesis will only focus on select portions of the handbook that specifically undermine the benefits of such a course, should the handbook remain unchanged.

A culture of consent is one which "create[s] a safe, equal, and agreed upon environment for all parties involved" and treats consent as "an on-going process rather than a one-time, one-conversation, open door to any or all sexual interactions."²⁷ In a consent culture, victims/survivors are believed, supported, and given access to resources, such as individuals who are trained to assist victims/survivors.²⁸ The creation of a culture of consent also involves the dismantling of a rape culture and its consequences. Teaching consent and consent language as the norm is crucial. Changing laws in not enough if the culture does not change. As mentioned previously, systematically removing victim-blaming language from everyday expression is also essential. This includes teaching all parties that "[n]o always means NO, not maybe."²⁷ Creating a culture of consent in the current world includes teaching men and boys in particular not to rape.

^{27.} John Carroll University, "Creating a Culture of Consent," accessed April 3, 2015. http://sites.jcu.edu/vpac/pages/sexual-assault/consent/.

^{28.} University of California, "President's Task Force on Preventing and Responding to Sexual Violence and Sexual Assault," Ethics, Compliance and Audit Services, last modified 2015. http://www.ucop.edu/ethics-compliance-audit-services/compliance/SVSA.html.

To summarize, dismantling a culture of consent requires actively building a culture of affirmative consent.

After careful evaluation in Parts I and II of thesis, it will be suggested that the improvements described in Part III are essential for Texas A&M to better embody the Aggie Honor Code and the university's core values. This preventative and remedial education would foster an environment in which Aggies could actively build their education, self-esteem, and leadership skills in order to help prevent rape and sexual assault. The best way to change a rape culture is through education that assists students in creating a culture of consent. This includes introducing students to health information and cultural awareness they were likely not provided with precollege or in the limited programs with voluntary attendance currently available at Texas A&M. The benefits of such a course can be supported by changes to the student handbook so that its rules support, rather than undermine, a course that seeks to foster a culture of consent. An outline and materials for such a course and recommendations on how to continue developing the student handbook will be provided.

Understanding Rape Culture through Philosophy

The need for both the creation of a course that establishes the basis of a consent culture and the alteration of concepts in the handbook to allow its text to support a consent culture will be described using two concepts: the Aristotelian concept of accidental versus essential qualities and a reinterpretation of Heidegger's enframing or *Gestell*. The frame of Texas A&M's current handbook, which serves as the university's code of ethics by setting forth the university's regulations regarding acceptable and unacceptable conduct of students, staff, and faculty may

allow for the continuation of a rape culture. This is in disconnect with the needs of students, faculty, and guests, and consequently may contribute to the continuation of a rape culture already prevalent in the United States. 8 22 25 25 Rape culture on extensive campuses such as Texas A&M is different from other environments in significant ways, which make it especially important to tackle rape culture on campus. Since Texas A&M is such a large campus, it may lack the resources to deal with sexual violence if this problem is not consistently assessed. For example, the university's "Title IX at Texas A&M" page currently lists 4 Title IX coordinators²⁹ for over 55,000 students, plus faculty and staff, attending or working at all its campuses. Creating, supporting, and funding an extensive team that can respond effectively to cases of sexual violence on the Texas A&M University campus and act as trained supporters for survivors is crucial. Students must feel safe to report acts of sexual violence. Updating the handbook to allow coordinators, university police, students, staff, and faculty to respond more effectively to cases of sexual violence in a way that supports victims/survivors successfully is also crucial. Texas A&M is an internationally recognized university that must also be willing to be a world leader in creating a consent culture. One motivation to change a rape culture to a consent culture comes from understanding the consequences of continuing to allow the existence and perpetuation of a rape culture.

One way to understand the impact of rape culture is through philosophical concepts. Philosophy creates the frame of rape culture, but it also allows us to interpret that frame after it is created.

^{22. &}quot;Who Are the Victims?"

^{25. &}quot;Reporting Rates."

^{26.} U.S. Department of Justice, Special Report

^{29.} Texas A&M University, "Title IX at Texas A&M," Title IX, https://urc.tamu.edu/compliance/SitePages/Title% 20IX.aspx/.

Using Whelchel's interpretation of Heidegger's enframing,³⁰ this work determines enframing to mean the concept that as humans interact with the world around them, they figure out the world by creating frames (or boxes/definitions) that are comprehensible to them. While framing the world can make it easier to understand (i.e. some things are good and some things are bad), enframing becomes problematic when a way of framing reality is accepted as equitable, completely true reality, particularly because of the biases that come with each frame.³¹ The presence of biases may be noticeable when phrases such as "that's just the way things are" or "that's the way things have always been" are used. In this thesis, a bias is defined as a quality of a frame that excludes other qualities. In other words, qualities of a frame designate what is 'normal' and what is 'deviant,' and this designation is the result of a bias or creates a bias. This work will show that social exclusions create limitations that are often unwarranted or unjustified and lead to harmful consequences.

When someone creates a frame, they designate the accidental and essential qualities of that frame. The original creators of a frame create this frame with a purpose. However, over time, frames become ingrained in a culture. Frames that are cultural norms are difficult to change because these norms are often not consciously understood as being problematic or not critically acknowledged at all. However, this does not mean that individuals or groups cannot redefine or control frames. Each frame is made up of accidental and essential qualities.

^{30.} Robert J. Whelchel, "Is Technology Neutral?" *Technology and Society Magazine* 5 (2009): 5-6, last accessed March 29, 2015, doi:10.1109/MTAS.1986.5010049.

^{31.} Brittany Leckey, "Contemporary Moral Issues Notes" (lecture, Texas A&M University, College Station, TX, Fall 2013).

An accidental quality is one that is a part of a being or frame, but does not need to be, in order to satisfy the definition of that object or concept. For example, a bookshelf could be any material and still be a bookshelf. An essential quality is one that an object or concept must have to be considered that thing. For example, if a hypothetical bookshelf does not have the essential quality of being able to hold books, then it cannot be considered a bookshelf. While accidental versus essential qualities may appear clearly distinct in this case, people often disagree about what the essential qualities of something are.³¹ Current educational limitations and cultural excuses for violence help demonstrate that our culture still treats rape like it is an accidental quality of rape culture (as wood is an accidental quality of a bookshelf) because rape and sexual violence are normalized. This will be validated below through an extensive explanation of frames and framing.

One example of a framing that people in the U.S. disagree about is the concept of marriage. In the United States, one previous framing of marriage was the federally recognized commitment between one man and one woman. The bias that came with this was that no other combination of people with a commitment to each other could be legally considered married. In the last couple of years, this frame has been broadened to include two men or two women. However, this frame still excludes many types of individuals or pairing of individuals. One group is transgender people, who do not identify with the gender paired with the sex they were assigned at birth, or non-binary individuals, who do not identify with the two-gender spectrum. Another group is more than two people who have a commitment to each other, such as polygamous or multiple commitment households. Last, family structures, such as shared housing, whose members have no other legal commitment to each other, are all excluded. Since the biases of this frame

influence our legal system—such as the legality and consequences of racial profiling—essential qualities of this frame must be established. Society must be clear about what does and does not belong in a frame. As stated above, the original creations of frames are made with a purpose, and society either expands or limits cultural and legal definitions to fit into either normative or non-normative frames. Frames are difficult to see as such because of things such as social conditioning and the suppression of critical thinking in education. The classification of what something is (its frame) must be clearly defined. When one critically analyzes the definitions of something, they can become aware of its framing.

The essential qualities of rape and sexual assault also have a legal, cultural, and global impact, and must be carefully defined. This is especially true because humans seem to respond negatively (or violently) when confronted with essential differences;³² one of the best examples of this is the historical events and impacts of the American Civil Rights Movement of the 1960s. A lack of agreement over accidental and essential qualities and the existence of biased frames are further problematized, because the realities that enframing creates are often difficult or even impossible to recognize because frames are shaped by culture and eventually become normalized. To understand a frame, an individual needs access to information that will allow them to be able to comprehend and critically analyze the context a frame creates.³¹ To use the example of marriage again, the biases of that frame create legal and cultural consequences that contribute to a context in which a culture of intolerance persists. This is because enframing can

^{31.} Leckey, "Contemporary Moral Issues."

^{32.} Daniel Conway, "Philosophy of Film Notes Day 1" (lecture, Texas A&M University, College Station, TX, September 2, 2014).

also be used to teach a group of people to interpret values in specific ways— or specifically define or redefine the essential qualities of a virtue—and punish those who defy these rules.

The context a frame creates makes it especially important to understand that what is excluded in a certain portrayal is just as important as what is actually included, because creators of a frame make a conscious decision about what is essential to a specific frame (like belief or definition) as opposed to what is accidental.³¹ What this means in the context of a rape culture is that consent is either trivialized or not taught, and when violated, is redefined to assist the oppressor.¹⁵

In cases where individuals are actively taught to interpret values in specific ways, they are often purposely barred from information that would let them be consciously aware of the frame that affects them. In terms of public education, this means information is either readily excluded from curricula or is, by law, inaccessible. For example, the Texas Health and Safety Code states in the case that sex education is taught, it must:

(1) emphasize sexual abstinence before marriage and fidelity in marriage as the expected standard in terms of public health... and (2) state that homosexual conduct is not an acceptable lifestyle and is a criminal offense under Section 21.06, Penal Code... [and] (1) teach that sexual activity before marriage is likely to have harmful psychological and physical consequences.³³

Furthermore, the Guttmacher Institute reveals that the state of Texas does not mandate sex education, and when it is taught, it is not required to "be medically accurate," "be culturally

^{33.} TEX HS. CODE ANN. § 85.007 Education Programs for Minors, accessed from http://codes.lp.findlaw.com/txstatutes/HS/2/D/85/A/85.007.

appropriate and unbiased," or free from promoting religion. This means that students in the state of Texas are not taught to interpret sexual conduct in a medically or culturally appropriate manner and are sometimes even legally barred from receiving accurate sexual health information (including information on rape and sexual assault).³⁴ "Legally barred" or "by law, inaccessible" means that statutes like the Texas Health & Safety Code limit prevent educators from being able to teach their students certain health information, and in some states, teachers who choose to teach students accurate health information nonetheless may lose their jobs.³⁵ This example is important because if younger students are not being educationally and culturally prepared, they will attend a university without important knowledge about topics such as sexual health and consensual sexual conduct. Universities are generally not limited by students' ages when providing health programs, and it is important for a university like Texas A&M that is educating adults to fill in the gaps and expand the frame of what students need to be taught.

This thesis will explore the limitations and omissions of information found in Texas A&M's current programs and handbook which negatively affect students, faculty, and guests. It will suggest a remedy in education—in the form of a comprehensive course and changes to the handbook— can contribute to a reduction in rape myths and rape and sexual assault on and off campus. The current limitations of available education and a lack of clear regulations help illustrate that our culture still treats rape like it is an accidental quality of rape culture (as brown is an accidental quality of hair) because rape (or lack of clear consent) is normalized. When

^{10 0 1&#}x27;6 '

^{10.} California SB 967 §67386.

^{34.} Guttmacher Institute, *State Policies in Brief: Sex and HIV Education* (Washington D.C.: Guttmacher Institute, 2015), http://www.guttmacher.org/statecenter/spibs/spib_SE.pdf.

^{35.} Abby Wilkerson, "I Want to Hold Your Hand: Abstinence Curricula, Bioethics, and the Silencing of Desire," *Journal of Medical Humanities* 34, no. 2 (2013): 101-08, http://link.springer.com.lib-ezproxy.tamu.edu:2048/article/10.1007/s10912-013-9213-0.

someone dismisses rape as *systemic*, they dismiss the existence of a rape culture, without necessarily dismissing the act of rape itself. The result is that rape is treated as 'real' while rape culture is considered 'fake.' This includes when consent has little cultural value, cultural values influence what individuals consider rape to be, ¹⁰ and rape is used to reinforce the second-class citizenship of various populations, such as women, ¹⁵ by being pervasive, normalized, and reinforced. This means that rape can be considered a heinous crime, ³⁶ both generally and by law, while rape culture is considered 'socially acceptable' and used to justify rape myths and excuses for sexual and domestic violence. To elaborate further, consent is not treated as an essential quality of acceptable sexual conduct for the same reasons. The contradictions between the frames of rape and rape culture and lack of acknowledgment about the reality of rape culture create a need for a rape awareness curriculum that helps students create a culture of consent. They also create a need for revisions of the handbook so that it supports a message of a culture of consent, as this work mentioned in the previous sections.

The goal of this thesis is to make it clear that rape is an essential quality of rape culture and consent is an essential quality of acceptable sexual conduct, and it is entirely unacceptable to treat either concept otherwise. This will be further explained in Parts II and III and the subsection "How Changing the Handbook Protects Students and Supports This Course." The following

^{15.} Marshall University, "Rape Culture."

^{36.} SAGE, "Chapter 10: Criminal Sexual Conduct, Assault and Battery, Kidnapping and False Imprisonment," 101, http://www.sagepub.com/lippmanccl2e/study/supplements/Texas/TX_10.pdf. This source uses TX Penal Code § 22.021, 22.011, & 22.11. Both sexual assault and physical assault are first-degree felonies if "first degree felonies if the offender and victim are closely related. Otherwise, the offenses are second degree felonies. First degree felonies are punishable by imprisonment for life or for any term of not more than 99 years nor less than 5 years. In addition, punishment can include a fine of not more than \$10,000. A second degree felony is punishable by imprisonment for not more than 20 years nor less than 2 years, and/or a fine not to exceed \$10,000."

section will specifically discuss the limitations of the current curriculum through the previously described concepts of enframing and accidental and essential differences.

PART II

LIMITATIONS OF THE CURRENT CURRICULUM

Introduction to Limitations

Abstinence-only education, which is common and publicly funded in America, and non-mandatory rape awareness programs are inadequate to meet the needs of all students enrolled at a state-supported, public university like Texas A&M University. It is reasonable to assume that a comprehensive program that also addresses sex education may keep Aggies safer by teaching students how to practice healthy, consensual sexual conduct and how to practice bystander intervention.

Bystander intervention is "a social science model that predicts that most people are unlikely to help others in certain situations." Research has found that most people do not intervene because they "they are unclear about whether intervention is needed or welcome, or what they should do to help." Programs that teach bystander intervention help "people to overcome their resistance to checking in and helping out. These programs have been found to be very helpful on college campuses to thwart sexual assault, abusive alcohol consumption, dorm damage, and concerns

^{37.} Harvard University, "What Is Bystander Intervention?" Office of Sexual Assault Prevention & Response, last modified 2015, http://osapr.harvard.edu/pages/what-bystander-intervention.

^{38.} United States Government, *Bystander-Focused Prevention of Sexual Violence* (Washington D.C.: The White House Task Force to Protect Students from Sexual Assault, last accessed 2015). The report notes, "Central Michigan's No Zebras, California State's InterACT program, and SCREAM Theater at Rutgers are three of the most well-known examples that place bystanders at the center of the theater skits" (3) and Green Dot, a volunteer training that A&M offers, "is also a college-based anti-violence project that includes a social marketing awareness campaign. Evaluations of this work are underway" (2).

about suicide, depression and eating disorders."³⁷ Currently, students can attend Green Dot Bystander Intervention Training at Texas A&M on a volunteer basis. The course created for this thesis will require students to attend some form of bystander intervention or diversity training. This will be discussed in Part III.

To help keep Aggies safer, it is important to recognize the limitations of the programs that have already been created and of the steps that have already been taken to reduce and prevent instances of rape and sexual assault experienced by students and faculty who attend Texas A&M University. To understand the needs of students, it is important to describe the history of the current context that students and faculty must navigate as members of a university.

History of Sex Education in the United States

In 1914, the United States sex education movement began with the creation of the American Social Hygiene Association (ASHA), which wanted to destroy perceived cultural and social evils by teaching Americans about "wholesome sex within marriage." However, it changed drastically with the sex liberation movement of the 1960s. Beginning in 1964, the Sexuality Education and Information Council of the United States (SIECUS), which still exists, represented the second movement and worked to "protect sexual rights and to make sex safer and healthier."

Unfortunately, the anti-sex education movement assembled soon thereafter (496). The abstinence-only movement in the U.S. began in the late 1970s to early 1980s. Senator Jeremiah Denton's "chastity bill," which funded abstinence-only programs, brought the movement to national attention. This marked the beginning of an extreme ideological split between main supporters of sex education and abstinence-only education. Today, the U.S. government still

funds abstinence-only programs with millions of dollars a year (497).³⁹ However, such programs have consistently been proven ineffective in reducing sexual activity or the rate of STDs and teenage pregnancies, even by America's own government. ⁴⁰

Students across the nation have a need for accessible education: specifically, education that emphasizes that students' health should be a top priority. Currently, legal arguments for the funding of comprehensive sexual health programs and the constitutionality of abstinence-only programs continue in American's courts.³⁹ However, Texas A&M has an ethical obligation—as a school that "is committed to an environment which stresses open sharing of information and ideas... [and] will strive for a work environment in which all people accept responsibility to contribute to the success of the University, and are empowered to do so"—to give students access to the education they need.⁴¹ Several universities across the United States currently have versions of comprehensive sex education programs, including the University of Louisville and the University of Connecticut. Additionally, many studies researched and supported by Douglas Kirby (now deceased), a Senior Research Scientist at ETR Associates, have shown that participation in comprehensive sex education programs delays sexual intercourse and increases contraceptive use.⁴²

^{39.} Naomi Rivkind Shatz, "Unconstitutional Entanglements: The Religious Right, the Federal Government, and Abstinence Education in the Schools," *Yale Journal of Law and Feminism* 19 (2008): 496-97, http://www.heinonline.org/HOL/Page?page=495&handle=hein.journals/yjfem19&collection=journals.

^{40.} Christopher Trenholm, et al. "Impacts of four Title V, Section 510 Abstinence Education Programs." *Mathematica Policy Research*, (2007), http://www.mathematicampr.com/~/media/publications/PDFs/impactabstinence.pdf.

^{41.} Texas A&M University, "Texas A&M University Mission Statement," 2015, accessed January 3, 2015, http://www.tamu.edu/statements/mission.html.

^{42.} Douglas Kirby and B. A. Laris, "One Page Summaries of the Evaluation Referenced in *Emerging Answers* 2007," 7-121 (Washington D.C.: The National Campaign to Prevent Teen Pregnancy, 2007), https://thenationalcampaign.org/sites/default/files/resource-primary-download/ea2007_program_summaries_0.pdf. This document is a summary of results based on Douglas Kirby's study in *Emerging Answers*, which reviewed 115 different sex education programs.

Health Risks and Restrictions of All Abstinence-Only Programs

All abstinence-only programs, and some comprehensive education programs, do not place sufficient focus on actively combating rape culture and supporting students in establishing their personal identities. This includes a lack of culturally relevant and medically accurate information regarding informed decisions about sexual intercourse, pregnancy prevention, sex, gender, and healthcare concerns such as sexually transmitted infections (also referred to as sexually transmitted diseases or simply STI/STD) and HIV/AIDS prevention, testing, and aftercare. "Abstinence-only" is short for Abstinence-Only-Until-Marriage Programs and is sometimes referred to as Sexual Risk Avoidance Programs.⁴³

According to the U.S. Social Security Act, §510(b)(2), abstinence-only education must meet the guidelines shown below in Figure 1. Additionally, subsections (B), (C), (D), (E), and (F)⁴⁴ are an example of how both Texas and the United States teach health education in a way that does not have to be "be medically accurate," "be culturally appropriate and unbiased," or free from promoting religion.³⁴

^{35.} Guttmacher Institute, "Sex and HIV Education."

^{43.} Marcela Howell. "Sexuality Education Programs: Definitions & Point-by-Point Comparison." In *Transitions: The Controversy over Abstinence-Only-Until-Marriage Programs*, 4. 3rd ed. Vol. 12. Washington D.C.: Advocates for Youth, 2001.

^{44. 42} U.S.C. § 710, accessed from http://www.ssa.gov/OP_Home/ssact/title05/0510.htm.

- (2) For purposes of this section, the term "abstinence education" means an educational or motivational program which-
 - (A) has as its exclusive purpose, teaching the social, psychological, and health gains to be realized by abstaining from sexual activity;
 - (B) teaches abstinence from sexual activity outside marriage as the expected standard for all school age children;
 - (C) teaches that abstinence from sexual activity is the only certain way to avoid out-of-wedlock pregnancy, sexually transmitted diseases, and other associated health problems;
 - (D) teaches that a mutually faithful monogamous relationship in context of marriage is the expected standard of human sexual activity;
 - (E) teaches that sexual activity outside of the context of marriage is likely to have harmful psychological and physical effects;
 - (F) teaches that bearing children out-of-wedlock is likely to have harmful consequences for the child, the child's parents, and society;
 - (G) teaches young people how to reject sexual advances and how alcohol and drug use increases vulnerability to sexual advances; and
 - (H) teaches the importance of attaining self-sufficiency before engaging in sexual activity.

Figure 1. U.S. Social Security Act, §510(b)(2) abstinence-only education guidelines.

When reviewing these legal guidelines, it is also necessary to discuss the implications of programs that do not need to be medically accurate or culturally appropriate. When law teaches a student that the only acceptable time to have sexual intercourse or children is in the context of a monogamous heterosexual marriage (because homosexual marriage is not federally recognized in the U.S. yet), this implies that any student who has sex or children outside of these very explicit contexts is dirty and shame-worthy. These programs can, by law, lie to students instead of teaching them that abstinence is one of many ways to live a healthy sexual life. "Abstinence-only programs are ethically problematic, being inherently coercive and often providing misinformation and withholding information needed to make informed decisions... are often insensitive to sexually active teenagers, [and] federally funded abstinence-until-marriage programs discriminate against gay, lesbian, bisexual, transgender and questioning youth." This

^{45.} John Santelli, et al., "Abstinence-Only Education Policies and Programs: A Position Paper of the Society for Adolescent Medicine." *Journal of Adolescent Health* 38 (2006): 83, doi:http://dx.doi.org/10.1016/j.jadohealth.2005.06.002.

is a specific example of how individuals are taught framed values and punished when they act outside of a frame.

Abstinence-only programs also do not teach students about contraceptive or STI-prevention methods, and language from §510(b)(2) of the U.S. Social Security Acts "has been interpreted to prohibit programs from providing education about contraceptives, except to emphasize their failure rates." This remains true even though the Guttmacher Institute notes that 48% of 17-year olds, 61% of 18-year-olds, and 71% of 19-year-olds in America have had sex outside of marriage, and 15-24-year-olds "account for nearly half (9.1 million) of the 18.9 million new cases of STIs each year." Despite these findings, "Texas Republicans voted to divert funds from an HIV screening program into abstinence education [on March 31, 2015]" and banned any health organizations who also provide legal abortion referrals "from providing sex education materials in schools."

In Texas alone, 55-62 percent of pregnancies experienced per 1000 women are unintended, which is consistent with the highest category of rates in the U.S. even if one considers population.⁴⁹ Nationally, "one-third of all unintended pregnancies are to young women in their twenties," meaning that not enough student-age individuals are receiving effective sexual health

^{46.} Marcela Howell, "The History of Federal Abstinence-Only Funding" ed. by Marilyn Keefe (Washington D.C.: Advocates for Youth, 2007).

^{47.} Guttmacher Institute, *Fact Sheet: American Teens' Sexual and Reproductive Health* (Washington D.C.: Guttmacher Institute, 2014), http://www.guttmacher.org/pubs/FB-ATSRH.pdf.

^{48.} Andrea Grimes, "Texas GOP Lawmakers Divert HIV Funds to Abstinence Education Program," *RH Reality Check*, April 1, 2015, accessed April 3, 2015, http://rhrealitycheck.org/article/2015/04/01/texas-gop-lawmakers-divert-hiv-funds-abstinence-education-program/.

^{49.} Guttmacher Institute, *Fact Sheet: Unintended Pregnancy in the United States* (Washington D.C.: Guttmacher Institute, 2015), http://www.guttmacher.org/pubs/FB-Unintended-Pregnancy-US.pdf.

education.⁵⁰ In fact, in 2010, the state of Texas spent 2.9 billion dollars, the highest in the nation, on unintended pregnancies.⁴⁹ Overall, the state also has the second largest amount of pregnancies and miscarriages for individuals under 15, as well as for all teen pregnancy and miscarriage rates.⁵¹

These health crises help illustrate that students attending high schools in Texas are not receiving accurate and effective sexual health information. This is especially troublesome because 95 percent of undergraduate students (42,505 of 44,681) at Texas A&M University are Texas residents²³ and a majority likely graduated from a Texas high school that provided abstinence-only education or no sexual health education at all.

Unfortunately, programs that shame students about sex and teen pregnancy are also ineffective at teaching students about rape or rape culture and may go so far as to shame survivors. For example, Rebecca Schleifer from Human Rights Watch, a "HIV/AIDS and Human Rights Program," explains that "the exhortation to abstain until marriage also ignores the plight of women and girls who cannot 'abstain' from rape or sexual violence, even within marriage." This comes on top of the fact that the Canyon Independent School District in Texas "likens people who have premarital sex to pieces of chewed gum or used toothbrushes." As mentioned

^{50.} Emily Bridges, "Unintended Pregnancy Among Young People in the United States" (Washington D.C.: Advocates for Youth, 2011).

^{51.} Guttmacher Institute, *U.S. Teenage Pregnancies, Births and Abortions: National and State Trends and Trends by Race and Ethnicity* (Washington D.C.: Guttmacher Institute, 2010), http://www.guttmacher.org/statecenter/spibs/spib_SE.pdf.

^{52.} Legal Momentum. Sex, Lies & Stereotypes: How Abstinence-Only Programs Harm Women and Girls (New York: Legal Momentum, 2008), 32.

^{53.} Rebecca Klein, "Texas School District Sex Education Compares Non-Virgins to Chewed Gum," *The Huffington Post*, November 8, 2013.

previously, these programs are intended to humiliate students into abstaining from sex. This kind of messaging is psychologically damaging to any person, especially those living in a rape culture, but the likeliness that this messaging is reaching someone who has experienced or knows someone who has experienced sexual violence is especially disturbing, particularly considering the cultural trends of victim blaming and survivor shame in America. 8 15 52

Diverting existing federal funding from abstinence-only programs to comprehensive sexual health programs (which also focus on consent) would allow the United States to reduce the cost of unplanned pregnancies and the short and long-term treatment of STIs, as well as help reduce rape across the nation. The federal government and state government should discuss ways to expand America's education budget to include comprehensive programs that could help decrease healthcare costs in America. University officials should work together with organizations that sponsor comprehensive programs, health organizations, and local and state crisis center to create the most effective plan for each university. The benefits of comprehensive programs and the course created in this thesis will be discussed in the next section. The goal of this new course is to both fill in the gaps in curricula and expand on information that comprehensive programs are currently teaching.

Benefits and Limitations of Current Comprehensive Sexual Health Programs

Across the nation, several universities have taken a stand for providing students with sexual health information. Many programs teach pertinent health information, but most university curricula fail to emphasize consent continuously. This takes place largely through cultural

exclusion⁵⁴ or legal exclusion of material.³⁴ The main two exclusions this new course focuses on remedying are the absence of rape culture awareness curriculum and the lack of an in-depth look at the qualities of an individual's self-identity.

Texas A&M University currently offers a few optional training classes, such as Green Dot and SHARP, and a kinesiology course that is no longer part of the core curriculum.⁵⁵ Kinesiology 198 (KINE 198) was a one-hour health & fitness course that was required as part of Texas A&M's core curriculum until the beginning of the Fall 2014 semester, and currently is still required for some, but not all, degree plans and is still available for elective credit for various majors.⁵⁵ This means that students are no longer required to take a health class despite community health consequences such as 953 cases of chlamydia, 217 cases of gonorrhea, and 19 cases of syphilis⁵⁶ in Brazos County in 2013. Additionally, there were 25 diagnosed cases of HIV and 323 people confirmed to be living with HIV in Brazos County in 2013.⁵⁶ Brazos County is composed of the City of College Station, the City of Bryan, and five other areas.⁵⁷

^{35.} Guttmacher Institute, "Sex and HIV Education."

^{54.} Eli R. Green. "Shifting Paradigms: Moving Beyond 'Trans 101' in Sexuality Education," *American Journal of Sexuality Education* 5, no. 1 (2010), doi:10.1080/15546121003748798.

^{55.} Texas A&M University, "Texas A&M University 2014-2015 Undergraduate Catalog Edition 137," 2014, accessed from http://catalog.tamu.edu/pdfs/14-15_UG_Catalog.pdf. The previous edition was for the 2013-2014 school year.

^{56.} Texas Department of State Health Services. *Texas 2013 STD Surveillance Report*. (Austin: Texas Department of State Health Services TB/HIV/STD Epidemiology and Surveillance Branch, 2013). The CDC's November 2014 *Challenges in HIV Prevention* fact sheet explains 1 in 7 (168,000 of 2.1 million) people in the U.S. with HIV do not know they are infected and "more than half of American adults have not yet been tested." This means cases of HIV in Texas and in Brazos County are likely much higher than reported. This fact sheet can be accessed from http://www.cdc.gov/nchhstp/newsroom/docs/HIVFactSheets/Challenges-508.pdf.

^{57.} Texas Association of Counties, "Population of Texas Cities and Towns Sorted by County," last modified May 23, 2014, https://www.county.org/about-texas-counties/county-data/Documents/towns.html.

Enframing and Kinesiology 198: Biases of the Current Curriculum and Trainings

Although no one-hour course could possibly cover all aspects of health & fitness, there are several aspects of the commonly used course textbook, *Health & Fitness: A Guide to a Healthy Lifestyle*, ⁵⁸ which are undesirable. The health course currently lacks information regarding consent and rape culture; it also uses moral ideology and victim-blaming messages. Teaching Aggies that it is acceptable to use victim-blaming language and not teaching students to combat rape culture contradicts the Aggie core values of excellence, integrity, leadership, loyalty, respect, and selfless service. ⁵⁹ The Kinesiology 198 curriculum is also unable to meet Texas A&M's mission statement, which includes "[Texas A&M's] mission of providing the highest quality undergraduate and graduate programs is inseparable from its mission of developing new understandings through research and creativity. It prepares students to assume roles in leadership, responsibility, and service to society." ⁴¹

As stated above, Kinesiology 198 is an example of a course whose textbook and syllabus material excludes rape awareness curriculum, accurate health information, and culturally important material. The textbooks' use of ideological instead of medically or culturally important material is problematic, and does not meet students' needs. The limitations of the course's curriculum will be explained with evidence from the course's standardized textbook and curriculum. This evidence is discussed using the following categories: 1) the moral ideology delivered through the textbook's information; 2) the textbook's use of victim blaming; and 3) a

^{58.} Emilie Buchwald, et al., Transforming a Rape Culture (Minneapolis: Milkweed Editions, 2005).

^{59.} Texas A&M University, "Core Values," 2015, accessed January 3, 2015, http://www.tamu.edu/about/coreValues.html.

summarized list of concepts the book and curriculum do not explain that relate to consent, rape and rape culture, victim blaming, inclusive anatomy, and other sexual health information.

The problematic moral ideology of this book includes listing resources that cannot provide health or medical expertise in multiple chapters. Some of these resources are strictly religious organizations, and of these, the course's textbook offers only Christian religion contacts. For example, on page 317, the textbook lists the Good Samaritan Gabriel Project Life Center and Hope Pregnancy Center of Brazos County. The Gabriel Project is intended to "advance the teaching of the Church regarding the gift of life." Its Fort Worth website states, "Almost by definition, a woman's pregnancy becomes 'stressful' if she is living a lifestyle at odds with God's commandments" and the organization does not prescribe contraceptives. Similarly, one Hope website states "Women who seek prenatal care are routinely tested and treated for sexually transmitted infections. Women who seek abortions are not routinely tested... [even though] if not treated prior to an abortion these infections may cause serious health problems." The Hope Brazos Valley website states the organization does not "provide other reproductive health services such as birth control or well-woman exams. These important services are outside of the

^{60.} It should be noted that Crisis Pregnancy Centers like those discussed in this paragraph are not, and have never been, actual medical facilities and are run almost entirely by conservative, anti-choice Christian individuals and their organizations. Their only real goal is to keep a person from terminating their pregnancy. CPCs also promote abstinence-only education (unlike medical associations, who support comprehensive programs) and have benefited from federal funds according to an article in the *Washington Post*. The article can be accessed from http://www.washingtonpost.com/wp-dyn/content/article/2006/03/21/AR2006032101723_pf.html.

^{61.} Diocese of Austin, "About Gabriel Project," accessed April 3, 2015, http://www.austindiocese.org/offices-ministries/offices/pro-life-activities-and-chaste-living-offices/pro-life-activities-and-chaste-living-offices/pro-life-activities-and-chaste-living-offices/pro-life-activities-and-chaste-living-office/ministries/pro-life-helpline—brought up a "page not found" error. However, on April 10, searching this quote on Google still linked the searcher to this web address.

^{62.} Roman Catholic Diocese of Fort Worth, "Gabriel Project," accessed April 3, 2015, http://www.fwdioc.org/gabriel-project.

^{63.} Hope Pregnancy Center, "Services," accessed April 3, 2015, http://choosehope.org/services/.

scope of what Hope Pregnancy Center exists to accomplish." Providing students in a health class with information that leads them to not only non-experts but also decidedly biased sources is unacceptable. True medical centers employ a variety of health experts who can help all people with various sexual health concerns.

The flawed moral ideology in this textbook may also have influenced the victim-blaming present in the text. It is clear that the messages delivered by the current health textbook, Health and Fitness, cannot contribute to a culture of consent when it is assigning fault and responsibility to victims. Its mixed use of both victim-blaming and victim-affirming tactics is disconcerting. For example, on page 250, the textbook tells readers, "Do not give clues or display body language that is flirtatious or indicates you are interested in having sex when you are not... Do not be coerced into unwanted sexual activities." The idea that victims/survivors can simply "not be coerced" into experiencing sexual violence relates to the previously mentioned quote by Rebecca Schleifer that recognizes "the exhortation to abstain until marriage also ignores the plight of women and girls who cannot 'abstain' from rape or sexual violence, even within marriage."⁵² Yet, right below this text, the book emphasizes, "If you are a victim of date rape, remember it is not your fault." In contrast, page 396 includes safety tips "Especially for Women," which perpetuates the idea that it is the victim/survivor's responsibility to 'not get raped.' Consistent, survivor-affirming messages are key to creating an environment in which survivors are actually respected and believed.

Finally, the textbook and standardized curriculum fails to address key topics. The curriculum does not address rape culture or victim blaming. In fact, these terms do not exist in the index.

The curriculum does not include information about how these two issues often cause victims'/survivors' voices to be silenced and the difficulty of navigating both university administrations and state and federal legal systems. The combination of this lack of education and the mixed victim-blaming and one-sided moral ideologies of the text create a confusing and unsafe curriculum for students. Therefore, it was key to seek out how other universities are addressing the problems of rape culture and campus rape.

A Step in the Right Direction: University-Level Programs in the U.S.

Various universities in the United States have created programs and activities to meet students' health and education needs. The programs discussed below help provide empirical evidence for which health topics should be taught in a course that aims to begin creating a culture of consent.

One such program is hosted by the University of Connecticut's Safer Sex Squad, which describes itself as "group of super heroes whose mission is to educate students and support choices around sexuality and sexual health." The health organization encourages students to practice healthy behaviors, including healthy sexual behaviors, by offering rewards for attendance at different education classes of students' choosing, such as "FYE Sex Jeopardy" and "The Condom Program." A benefit of using many small classes instead of one continuous course is that students may be more likely to engage actively with the material they are choosing to learn. This benefit may also be a limitation, however, because students who may need information but do not or cannot attend a program may not be able to access this information

^{64.} University of Connecticut, "Programs Offered," *Health Education*, accessed July 2014, http://www.healthed.uconn.edu/programs.html.

otherwise; this means there could be a lack of consistent, widespread education. Since the classes are taught by an organization rather than by an instructor, students may receive different educational messages that may or may not overlap instead of learning all new material using one or more consistent themes. This work suggests that one professor should cover all topics.

Another program, which uses a different approach, comes from the University of Louisville in Kentucky. This educational program is called *Our Whole Lives*. A pilot study of this program is described in a research poster called "Our Whole Lives: Comprehensive Sexuality Education on a College Campus" by Kathleen Conte, Kelly Sperry, and Karen Newton at the University of Louisville. The course is a "12-week, 24 hour [total] value-based sexuality curriculum that was used within the college campus setting to promote health by providing a critical-thinking framework to which students can refer when making sexual decisions." Students' overall reaction to the curriculum was positive, but the authors noted, "it was difficult to recruit as many students as was hoped due to student's typically busy schedules." This is likely a common challenge for any study in a public university setting. For this reason, the author of this thesis is interested in piloting a one-credit hour seminar class that students can register and receive credit for towards their degrees and will be able to attend on a regular basis. Regular attendance of the seminar will be required.

A curriculum that is designed for college-age adults will provide students with far more diverse and in-depth topics than would be taught to a younger age group. Studies conducted by Douglas

^{65.} Kathleen Conte, et al., "Our Whole Lives: Comprehensive Sexuality Education on a College Campus" (presentation, American College Health Association, Louisville, KY, December 10, 2010).

Kirby (now deceased), "one of the world's leading experts on school and community programs to reduce sexual risk taking," 66 have shown that participation in comprehensive sex education programs delays sexual intercourse and increases contraceptive use. 67 68 Since other universities in the United States have successfully created programs to begin meeting the needs of their students, it is possible for Texas A&M University to rise to the challenge of supporting its student body with additional educational material.

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^{66.} ETR Associates, "Douglas Kirby Obituary and Tributes," last accessed March 29, 2015, http://www.etr.org/more-about-doug-kirby/doug-kirby-tributes/.

^{67.} Douglas Kirby, et al., *Tool to Assess the Characteristics of Effective Sex and STD/HIV Education Programs*. (Scotts Valley: ETR Associates, 2007).

^{68.} Sexuality Information and Education Council of the United States, "Fact Sheet: What the Research Says... Comprehensive Sex Education," last modified October 2009, http://www.siecus.org/index.cfm?fuseaction=Page.ViewPage&PageID=1193.

PART III

A COURSE TO COMBAT RAPE CULTURE

At Texas A&M, a course to combat rape culture can be taught to any major or class year in a seminar form as a directed studies class, such as UGST 285, that focuses on consent. The theme of this course is 'Consent Is Mandatory.' This course will be divided into four main categories over a period of about sixteen weeks. Approximately 3 weeks (for a total of twelve weeks) will be spent on each of the following four sections: Bodies & Body Expression; Relationships; Healthcare and Sexual Health; and Consent and Legal Rights. Two class sessions (over a course of two weeks) will be spent on two exams. Finally, during the last week of the regular semester and during finals week, students will be required to present oral presentations on a topic of their choice that relates to the material covered over the course of the semester.

Suggested Course Syllabus

The first step in creating a course that teaches students how to combat rape culture is to create a syllabus for such a course. An extensive course syllabus that includes a basic outline for main sections and subtopics to be taught in this course is displayed in the following pages in Figures 2 a, b, and c.

UGST 285: Directed Studies: A Seminar in Consent

Course Description:

The course theme is "consent is mandatory." The aim of this course is to address modern sexual health concerns and equip students to actively recognize and combat rape culture by teaching consent, bystander intervention, how to build healthy nonsexual and sexual relationships, and respect for their and others' bodies. This course seeks to introduce students to health information and consent education which was likely not provided to them pre-college so that Aggies can better embody the university's core values.

Required Readings:

All readings in the syllabus must be completed before the class they are listed on to ensure that students can actively participate in class discussion. Handouts and reading material will be provided in class or through eCampus.

Expected Learning Outcomes:

Engaged students may expect to acquire and perfect the following skills:

- Use their understanding of consent to actively help create a culture of consent at A&M
- Taking charge of their own education regarding sexual health and positively experiencing their sexuality
- The ability to contribute to the reduction and prevention of rape and rape culture through awareness
- Understand rape culture in the context of science, the American legal system, and American culture
- Understand and participate in bystander intervention information and training
- Be aware of how to reduce and combat the risks of potentially negative outcomes from sexual behavior

Course Requirements:

Criteria for the successful completion of this course include: mandatory attendance (10%), informed class participation (10%), 2 exams (30% each), and an end-of-semester project (20%) which will be presented during final exam week. Additionally, students will be required to attend two trainings or events from the attached list.

In-Class Examinations:

The two in-class examinations will be scheduled for the following dates: Week 6 and Week 14. Exams will consist of multiple choice, short answer, and essay questions.

Grading Scale:

100-90 A	69-60	D
89-80 B	59-0	F
79-70 C		

Figure 2a. Summary of course theme, guidelines for required readings, expected learning outcomes, course requirements, and guidelines for in-class examinations.

Week	Class	Reading/In-Class Handouts
WeekI	Bodies and Body Expression: Course introduction. Intro to gender and sex.	Handout: Gender, Gender Expression, and Sex Reading: Understanding Gender by Gender Spectrum (https://www.genderspectrum.org/ quick-links/understanding-gender/)
Week II	Healthcare and Sexual Health: Intro to inclusive anatomy. Intro to getting tested.	Handout: Inclusive Anatomy in Healthcare Reading: 1. Providing Transgender-Inclusive Healthcare Services by Planned Parenthood 2. Safer Sex ('Safe Sex') at a Glance (http://www.plannedparenthood.org/health-info/stds-hiv-safer-sex/safer-sex)
Week III	B & BE: Gender, Sex and Consent. Intro to rape culture and affirmative consent.	Readings: 1. Framing Sexual Violence Prevention: What Does It Mean to Challenge a Rape Culture? by Anastasia Powell and Nicola Henry 2. Rape Culture is Real—And Yes, We've Had Enough by Alana Prochuk (http://www.wavaw.ca/rape-culture-is-real-and-yes-weve-had-enough/)
Week IV	B & BE: Race/Ethnicity and Consent. Intro to intersectionality and oppression.	Reading: Hurtado, A. (1989). Relating to privilege: Seduction and rejection in the subordination of white women and women of color. p. 833-855
Week IV	Relationships: Healthy relationships: consent in relationships and how to set boundaries.	Handout: Creating Your Boundaries activity Reading: Close encounters: Communication in Relationships by Lauren K. Guerrero and Peter A. Andersen p. 261-267
Week V Week	R: Intro to domestic abuse and partner violence. Intro to bystander intervention. R: Consent in the LGBT	Reading: Considering the Differences: Intimate Partner Sexual Violence Discourse by Louise McOrmond-Plummer Readings: 1. Sexual Assault in Intimate Same-sex
VI	community. Consent and other minority communities.	Relationships by Janice Ristock 2. Sexual Assault in the LGBT Community {http://www.nclrights.org/sexual-assault-in-the- lgbt-community/}
Week	H & SH: Intro to pregnancy options. Intro to contraceptives and reproductive coercion.	Handout: Abortion, Adoption, Parenting, and Surrogacy
Week VIII	H & SH: Intro to immigration, human trafficking, and consent.	Readings: Rights to Survival and Mobility p. 15-20 (http://napawf.org/wp- content/uploads/2009/10/AT_Agenda.pdf) 2. Latina Agenda for Reproductive Justice (https://nwhn.org/latina-agenda-reproductive- justice)

Figure 2b. Course themes and topics covered for Exam 1.

Week XI	Consent and Legal Rights: Intro to student rights at a university. Intro to consent in Texas and America.	Video: Watch Title IX Video from TAMU {https://urc.tamu.edu/compliance/SitePages/Title %20IX.aspx/}
Week XII	C& LR: Immigrant rights to and indigenous rights tocontraceptives, healthcare, and the American justice system.	Readings: 1. If You Really Care about Immigration, You Should Care about Reproductive Justice! (http://www.nwlc.org/resource/if-you-really-care- about-immigration-you-should-care-about- reproductive-justice) 2. Rapes on Indian Reservations Reach Epidemic Proportions by Cassie Murdoch http://jezebel.com/5912932/rape-on-indian- reservations-reaches-epidemic-proportions
Week	Consent and Legal Rights Reproductive Coercion,	Reading: Reproductive Coercion by Emma Williamson
Week XIV	Exam 2	Reading: None
Week XV-XVI	Summary and Review Project (Final Exams Week)	Reading: None Students will work in groups to answer review questions. Students must schedule a time slot for their presentation no later than one week after midterms.

Required Trainings

Each student will be required to attend 2 meetings or trainings that relate to consent, bystander intervention, or reproduct[ve justice over the course of the semester. Below are some of the possible trainings are able to attend. Trainings, meetings, or volunteer opportunities not listed may be approved at the instructor's discretion.

Trainings
Advanced Aggie Ally Training
Green Dot Bystander Intervention

Volunteer Opportunities and Meetings
Aggies for Reproductive Justice meeting
Planned Parenthood
Sexual Assault Resource Center

Figure 2c. Course themes and topics covered for Exam 2 and guidelines for attending required trainings.

Explanation of Themes

Each of the four sections and their subsections described in the course syllabus are rooted in the philosophical tradition of asking questions. This thesis is not concerned with answering these questions, but rather with supporting students' power of choice regarding their right to education. The curriculum is flexible enough that it can be shifted to meet the needs of individual classes and students.

While the theme of consent and the four main sections will remain constant, class discussion will largely be directed by students' needs and their power to choose which of the multitude of subsections and subtopics to focus on. As mentioned in the Part III introduction, this thesis aims to design a course that has no prerequisite requirement and any student in any year or major may take. Asking questions in a philosophical manner will also allow students to understand both factual and culturally important material so that they can decide how to apply this information to their own lives.

For example, the *Bodies and Body Expression* section may pose questions such as what are assigned gender and assigned sex, how are gender expression and sexuality different, and how do we overcome gender stereotypes. The *Relationships* section may ask students to consider what constitutes a healthy relationship, what consent look like in a relationship, and what their relationship and intimacy limits are. The *Healthcare and Sexual Health* section may ask students to reflect on their approaches to healthcare and their personal sexual health. Finally, the *Consent and Legal Rights* section may ask students to critically analyze the limitations of current legal statutes related to consent and reproductive justice.

To summarize, this course is intended to fill a gap in students' education. The basic curriculum is designed to be sensitive to each class's needs and the power of choice regarding students' education.

How Changing the Handbook Protects Students and Supports This Course

In addition to establishing this course and offering it to students, there is something else that Texas A&M University must do that is essential to creating a consent culture on its campus—it must continue to update its handbook, specifically its student rules relating to sexual harassment. While entirely updating the handbook falls outside of the scope of this thesis, the author deems it essential to provide the following two suggestions for updating the Texas A&M Handbook. First, the handbook should explicitly use and define the terms 'rape' and 'sexual assault' in the handbook rule "Sexual Harassment and Related Retaliation" and related rules as opposed to "Non-consensual sexual intercourse" and "Non-consensual sexual contact." Second, the handbook should define consent (which is currently does not) using a well-rounded and detailed definition of 'affirmative consent.'

To expand on the first suggestion, it is unfortunate that some forms of sexual harassment are currently permissible under the First Amendment.⁶ However, rape and sexual assault are not. Referring to these heinous crimes with euphemisms like "nonconsensual sex" in a culture that does not place an emphasis on consent and at a university that does not define consent downplays the seriousness of the systematic violence behind these transgressions and does a disservice to all people, particularly those living in a rape culture. To truly change the frame of rape culture, we must actively acknowledge this systematic violence for what it is.

To expand on the second suggestion, providing a clear definition of consent, specifically 'affirmative consent,' for students may change the way that students think about consent. Without consent, intercourse is rape and touch without penetration is sexual assault.¹⁰ Not

informing and teaching students that this is the case is unacceptable. Part 1 of this work includes an extensive definition of 'affirmative consent' in the section "Defining Rape, Rape Culture, and Affirmative Consent."

Students need to have a clear understanding about what constitutes acceptable and unacceptable conduct. Aggies cannot embody their core values or their Aggie Honor Code without understanding and actively asking for consent. It is time for both the university and for Aggies to truly embody the 12th Man Spirit and *stand up* for students' rights and safety.

Final Comments

While Texas A&M has made some changes to address the existence of rape culture on university campuses, gaps still exist. Texas A&M needs to implement and endorse a course that focuses on consent. This change is clearly possible, and students will be able to make a positive impact on this campus by completing this type of course. The author of this thesis is open to continued feedback and suggestions about the effective implementation of this course at Texas A&M University. We are the Aggies, the Aggies are we, and we *will* have a say in our education. And if anyone thinks they can stop us, they better come and take it.

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