



What Trans-Inclusive Curriculum Design Offers Title IX Processes

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It seems axiomatic that sexual violence is a public health concern of global import. This phenomenon is mirrored on college campuses, where, despite years of attention, study, and public policy, there has yet to be a noticeable shift in the rates of sexual violence (Harris & Linder, 2017; Hirsch & Khan, 2020). Each academic year brings its own series of incidents of sexual violence on college campuses reported through the media, but as scholars have pointed out, overlapping systems of oppression mediate when, how, and to what measure such cases result in any semblance of justice or positive resolution for survivors. Moreover, because sexual assault policies shift based on political administration, there is a lack of a stable and coherent national understanding of what sexual violence is, how it maps onto people's experiences as a racialized and gendered phenomenon, or how nuanced understandings of power could be harnessed to positively influence policy regarding sexual violence. Put another way, while there is not a dearth of critical scholarship addressing how to positively influence the rates and effects of sexual violence on college campuses, there is an absence of political will on both an institutional and national level. Indeed, as of 2020, even the policies that have

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been in place for decades, such as Title IX, are being actively undermined and dismantled through federal public policy.

Given the current litigious society in which higher education is enmeshed, it may seem appropriate that Title IX efforts be strictly focused on compliance. However, as Marine and Nicolazzo (2017) have written, the cultural discourse that has shaped the expansion and ongoing machinations of Title IX, which they refer to as “compliance culture,” is deleterious for various marginalized populations. Most notably, Women of Color (Harris, 2017; Scott et al., 2017), trans people (Marine & Nicolazzo, 2017), and queer men (Tillapaugh, 2016, 2017) face continued erasure as a result of compliance culture. Specifically, the overwhelming presence and press of institutional racism, trans and queer oppression, as well as homophobia foreclose possibilities for justice in compliance-based Title IX administration and adjudication. As a result, those who have any chance for justice—which is slight in that sexism still structures their realities—are white nontrans women who experience sexual violence by men. Understood through such critical paradigms, it becomes clear Title IX is less about justice, even as narrowly defined, and more about institutional projections of safety and responsibility. What is needed, and what leading scholars on sexual violence in higher education have called for, is power-conscious approaches to sexual violence prevention (Linder, 2018).

In this chapter, we add to and extend these calls. In particular, we use Nicolazzo’s (2016, 2017b) articulation of “trickle up education”—itself a riff on Spade’s (2015) “trickle up activism”—to ask what sort of Title IX processes could be imagined were we to center those most vulnerable. Thus, this chapter invites readers to reorient how we can use trans-centered epistemologies and pedagogies to rethink how we come to understand those notions *de jure* in Title IX work: “victim,” “survivor,” “crime,” “responsibility,” “safety,” and “justice.” In this chapter, we also push understandings of what a curriculum for sexual violence prevention could look like, including and beyond merely reasserting the modes of compliance currently in practice. We start with a brief review of extant literature, specifically that which is focused on Title IX. We then shift to a discussion on power-conscious frameworks through which some scholars are reenvisioning critical approaches to sexual violence (e.g., Linder, 2018). We then close with some collective imagining about how Title IX policy administration and adjudication could look, feel, and sound different through such a power-consciousness framing, as well as questions that may spur curriculum building and further reading for those interested in imagining alongside us as authors.

CAMPUS SEXUAL VIOLENCE RESEARCH AND PRACTICE

Responses to sexual violence on college campuses have historically focused on policy and enforcement through campus conduct codes, Title IX compliance, and police intervention (Harris & Linder, 2017). Campus sexual violence policies originate from broader legal policies created in response to feminist

conscious-raising efforts of the 1960s (Harris & Linder, 2017; Jessup-Anger et al., 2018). While activism has called attention to issues of sexual harassment, rape, and interpersonal violence, the majority of the experiences centered through said activism, as well as the responses to it, have been those of white, well-educated, nontrans women (Harris & Linder, 2017; Jessup-Anger et al., 2018; Marine & Nicolazzo, 2017). For example, Harris et al. (2020) and Linder et al. (2020) conducted content analyses of scholarship regarding campus sexual assault. Findings highlighted that a majority of the research focused on homogeneous groups of participants, such as predominantly white, cisgender, heterosexual students (Harris et al., 2020). Additional findings highlighted the lack of consideration researchers took when exploring multiple identities at the intersection of sexual violence (e.g., race, gender, sexuality) (Linder et al., 2020). Additionally, Harris et al. (2020) highlighted how the current research on campus sexual violence “re/creates a narrow paradigm through which educators, scholars, and policymakers understand and address campus sexual assault” (p. 31). Specifically, they noted how research often centers cisgender, white, heterosexual women as the victims of assault, with cisgender men often centered as perpetrators. This framing recreates a gender binary paradigm that focuses on “women” and “men,” excluding trans* students as survivors of sexual violence (Harris et al., 2020; Linder et al., 2020; Tillapaugh, 2016).

Marine (2017) has highlighted the ways trans* survivors of sexual violence are ignored through campus-based prevention and response efforts. That is, although research suggests trans* students experience sexual violence at similar or higher rates than their nontransgender peers (e.g., New, 2015), many campus-based services continue to fail trans* survivors in prevention and response efforts. Such failures on behalf of administrators are rooted in the very same gender binary discourses (Nicolazzo, 2016, 2017b) toward which the aforementioned scholarship points. In turn, trans* survivors of sexual violence do not see themselves reflected in service provision of campus sexual assault prevention and response, and are less likely to seek support from campus officials after instances of sexual violence, and turn toward kinship networks (Nicolazzo, 2017b) as forms of support beyond the institution.

Safety and visibility informed the creation of campus policies and procedures, as well as federal legislation concerning campus sexual violence; specifically the testimonies of individuals who felt safe and comfortable to share their experiences (citation). As a result, trans* survivors of sexual violence, in addition to other survivors with marginalized identities, were excluded in the creation of campus-based responses to sexual violence. White nontrans* women became the foundation for campus sexual assault response placing their safety above that of black, brown, queer, and trans* survivors of sexual violence. The safety and sanctity of white womanhood inform many aspects of sexual violence responses including that of research, policy, and practice development (Harris & Linder, 2017; Linder et al., 2020).

Title IX

Institutions of higher education rely on Title IX as a primary mechanism for addressing campus sexual violence (Linder, 2018). Title IX of the Education Amendment of 1972 prohibits sex discrimination in any educational program, or institution receiving federal funding (Education Amendments Act). Concerns related to campus sexual violence have increased along with a focus on addressing the issue. The heightened attention to campus sexual violence may be contributed to Obama era guidelines on Title IX (Harris et al., 2020) and an increase in media coverage of institutions failed responses to addressing sexual violence (Linder et al., 2016) and new proposed guidelines for Title IX from the Trump administration (Harris et al., 2020). Obama era guidelines reminded higher education institutions of its responsibility for addressing and responding to campus sexual violence, while also clarifying “sexual harassment of students, which includes acts of sexual violence, is a form of sex discrimination prohibited by Title IX” (U.S. Department of Education, 2011, para. 1). Institutions complied with these guidelines by dedicating staff members to Title IX and implementing prevention and response efforts (Harris et al., 2020; Linder, 2018). However, in the fall of 2018, U.S. Secretary of Education DeVos and the Department of Education released new proposed guidelines for Title IX that would rescind guidance issued during the Obama administration’s era. While the proposed guidelines had not become “official” as of the time of this writing; the proposed aimed to make it more difficult for institutions to be held accountable for campus sexual assault, change the reporting requirements for campus sexual assault, and provide a narrower definition of sexual harassment (Harris et al., 2020).

Campus Adjudication Systems

Many institutions of higher education include violations of sex discrimination under Title IX in their campus student code of conduct and use campus adjudication processes to investigate instances of sex discrimination on campuses. As a way to maintain compliance with the federal mandates of Title IX, institutions responded by creating campus-based adjudication processes as a way to investigate and address instances of sexual violence (Wilgus & Lowery, 2018). Although campus-based adjudication processes were intended to supplement rather than replace the criminal justice system, many of the federal requirements used to inform the adjudication process flow primarily from legal statutes found Title IX, the Clery Act, and guidance issued by the U.S. Department of Education Office for Civil Rights (OCR; Wilgus & Lowery, 2018). Adjudication of violations of Title IX are typically managed by student affairs offices dedicated to investigating violations of the student code of conduct (Harper et al., 2017). During the adjudication of Title IX cases, the alleged perpetrator is informed of the allegations. Both parties involved appear before an actor of

the institution (i.e., investigator) regarding the allegations and present arguments and evidence. After gathering the evidence and hearing arguments the investigator makes a judgement of responsible or not responsible, which can lead to a variety of outcomes such as expulsion, suspension, and/or other sanctions.

Changes in federal administrations mean that campus administrators must navigate and interpret contrasting federal guidance on responding to and addressing sexual violence (Cantalupo, 2009; Harris & Linder, 2017; Koss et al., 2014; Wilgus & Lowery, 2018). Guidance issued by OCR (2001) allowed institutions to use the student disciplinary process to investigate sexual misconduct on college campuses, and established the evidentiary standard as “preponderance of evidence.” While guidance issued by OCR (2016) continued to allow institutions to use student disciplinary processes to respond to sexual violence, the evidentiary standards used in investigations changed to require administrators to have “clear and convincing evidence” to find one responsible of perpetrating sexual violence (Jackson, 2017).

Compliance Culture

Constant changes in federal guidelines aids in a shift in societal discourses around institutional responses to sexual violence (Harris et al., 2020). Pressures to comply with federal guidelines leave administrators under immense pressure to interpret Title IX law and guidance for the sake of having a written policy, or procedure (Wilgus & Lowery, 2018). Institutions move away from implementing robust responses that combat sexual violence to giving institutionalized power to federal guidelines. This power is both formal and informal because these guidelines are not considered law however institutions spend countless resources on being compliant to these guidelines under Title IX (Linder, 2018). For example, even before official guidance had been issued from the Trump Administration, some institutions received pressure from institutional stakeholders to change processes to be more in line with the proposed guidelines despite their not formally being implemented (Linder, 2018).

Compounding pressures to comply with Title IX mandates results in the incentivizing of post-sexual assault responses instead of engaging in the development and implementation of prevention measures that eradicated sexual assault (Linder, 2018). Pressures to comply with Title IX mandates leave institutions more concerned with the risk of liability for poor responses than being concerned if institutional measures to reduce sexual assault are ineffective (Silbaugh, 2015). Although Title IX adjudication processes were implemented to respond to and address sexual violence, the process is often harmful to victims (Sulkowicz, 2014). For example, students report feeling shamed and experiencing inequities within the campus-based adjudication processes (Harper et al., 2017).

Campus-based adjudication processes are set up in ways that parallel criminal justice and legal systems (Harris & Linder, 2017; Linder, 2018). Similar to criminal justice systems, campus-based adjudication processes are set up in a way that favors individuals with dominant identities and have access to resources. Because of the similarities with criminal justice systems, many individuals with marginalized identities are skeptical of campus authority and campus-based adjudication systems (Linder, 2018). Institutions become sites of inequality.

Developing a Power-Conscious Framework

To effectively eradicate campus gender and sexual violence and support survivors, practitioners, scholars, and policymakers must understand how power, privilege, and oppression intersects with sexual violence. By considering the ways that power, privilege, and oppression intersect with sexual violence, practitioners can develop a power-conscious framework for understanding sexual violence (Linder, 2018). Developing a power-conscious framework challenges administrator to advocate for and create more nuanced approaches to eradicating sexual violence on college campuses. Employing this framework requires practitioners, scholars, and policymakers to consider the historical contexts of sexual violence within marginalized communities and consider how student's needs are different from each other for a variety of reasons. Increasing chances for justice in Title IX processes through power-conscious frameworks for trans* survivors of sexual violence involves considering the ways that Title IX systems benefits and favors individuals with dominant identities and working to disrupt these systems of dominance. In considering the role of power in the implementation of Title IX, administrators can call attention to how the policy mandates of the law maintain oppression. Linder (2018) suggests that incorporating a power-conscious framework in the development of policies and procedures on college campuses supports campus-based administrator's in developing equitable policies and procedures in addressing sexual violence. The framework challenges administrators to re-consider current systems and to consider ways for dismantling and restructuring systems to share power, rather than maintaining systems that sustain one group having power over another group.

IMAGINING MORE FROM TITLE IX ADMINISTRATION AND ADJUDICATION

We ground our present imaginings for Title IX in Spade's (2015) concept of *trickle up activism* and Nicolazzo's (2017a) concept of a *trans epistemology*. Both concepts are trans-centered in their genesis, specifically in how transness is always already informed by race, indigeneity, sexuality, ableism, and their attendant structural analyses of power. That is, trickle up activism and trans epistemology are concepts that:

- attend to how gender is always already intertwined with multiple vectors of identity;
- leverage structural analyses of power to inform liberatory theory- and practice-building; and,
- center the most vulnerable first while concurrently building cross-coalitional movements for justice.

While it is beyond the scope of our abilities in this chapter to detail fully both concepts, we have included their primary sources in our suggestions for further reading below. That said, we find it important for the present chapter to highlight that both concepts seek to redistribute resources—financial, human, and material—through an ongoing process of *seeking better for those most on the margins*. That is, both trickle up activism and trans epistemology are invested in not only reshuffling resources at one time, but in a manner than demands those involved in justice movements constantly and consistently disrupt our thinking we have ever arrived at a final state of achievement. In order to do this, then, both concepts rely on polyvocal movements where those seeking justice hold each other accountable, do not settle for mere reform, and envision dreaming not as a necessarily prescient style of utopian thinking invested in creating the futures we all need and deserve, especially those of us who people with positional authority consistently deem to be less than human and/or nonhuman (Nicolazzo, 2017b; Spade, 2015; Weheliye, 2014).

As we have detailed in this chapter, institutional responses to sexual violence are themselves informed by various systems of oppression and social inequity. Specifically, racism, settler colonialism, transgender oppression, homo- and queerphobia, classism, and white supremacy all mediate how institutions view, respond to, and make policies regarding sexual violence. However, these responses are not value-neutral; indeed, they further the same systemic inequities that inform their creation in the first place, creating a harmful, violent, and normative loop through which those most on the margins continue to be erased from view and/or served. In imagining more from Title IX administration and adjudication, we suggest that campus-based professionals and policy makers spend time discussing who they envision serving through their work. In order to do so, we encourage professionals to use the existing body of evidence to have honest conversations about those harmed by sexual assault who are not involved in adjudication processes on campus, as well as why they are likely not involved. Put another way, we strongly encourage sexual violence prevention professionals and policy-makers to think about how they come to know notions of the sexual assault “victim” or “survivor” and how their coming to know these notions is always already informed by the systemic inequities that mediate the social milieu. That how professionals come to know these terms through systems of inequity is well supported through the extant literature—much of which we site in this book chapter—and yet, they have gone largely unacknowledged or addressed for decades when forwarding sexual assault policy-making and campus response.

Both trickle up education and trans epistemology encourage a steadfast and unabashed focus on community, specifically communities of trans and gender nonconforming people. Beyond thinking of this population through a single-axis lens of identity, however, both notions center polyvocality and cross-coalitional work and thinking. In this manner, trickle up education and trans epistemology *both* center transness—as an identity, experience, and analytic—*while also* thinking about how multiple experiences and identities influence and inform transness and trans people. Put another way, trickle up education and trans epistemology are both rooted in and promote the notions of mutual aid and community care. These concepts are also central components in current strands of Black feminist (e.g., Carruthers, 2019), critical disability studies (e.g., Piepzna-Samarasinha, 2019), Indigenous studies (e.g., Estes, 2019; Tuck & Yang, 2018), and utopia studies (Cooper, 2013) literature. Thus, while we as authors are using a decidedly gender-forward body of literature to ground our imagining forward, we would be remiss if we did not highlight how our thinking resonates across disciplinary, identitarian, and analytic boundaries.

Taking seriously the notions of mutual aid (e.g., that none of us are free until all of us are free) and community care (e.g., that we must always continue to take care and love one another as marginalized and subaltern peoples) means that we must also question notions of criminality, responsibility, safety, and justice as they are handed to us through normative conceptualizations of Title IX administration and adjudication. That is, compliance culture and the current focus on individual level harm through Title IX suggests that the social conditions of life have no bearing on the way we come to understand criminality, responsibility, safety, and/or justice. For example, rather than thinking about the complex sociocultural, historical, and political contours that inform notions of criminality as a raced, gendered, sexualized, and classed construct, current models of Title IX administration and adjudication flatten these analyses and fix blame on individuals through color-evasive, heteronormative, gender binary, and middle-class mindsets. In other words, the notion of crime—and, by proxy, that of the criminal—are seen as detached from power-conscious ways of meaning-making, shifting the frame from broader systemic problems onto individual “bad apples.”

Imagining forward toward new, more expansive, and power-conscious ways of Title IX administration and adjudication mean we must all—scholars, practitioners, policy-makers, and those who cross multiple boundaries therein—refocus our attention at the level of systems. This does not mean individuals bear no responsibility for their actions; however, it means that we must also take very seriously how the current conditions of life frame our decisions, and do so in asymmetrical ways. In other words, the ongoing criminalization of Black and brown bodies means we must be prudent in our assigning “blame” or “responsibility” to Black, Latinx, Asian, Pacific Islander, and Desi, Indigenous, and international students before/without any context regarding how these populations are stripped of their humanity on college campuses. For

example, Lee and Rice (2007) elucidated how neo-racism frames international students' experiences on college campuses, serving as a basis for their dehumanization as a result of ongoing social jingoism and ethnocentrism. While this does not absolve students with marginalized identities from the harm they may cause, it should inform how we respond to them, including how we come to know criminality, responsibility, safety, and justice. What we are advocating here is for a Title IX administration and adjudication process that is informed by community accountability models, such as restorative justice.

What a community accountability response to sexual violence offers administrators is that it centers accountability and is driven by the desires of the survivor of the violence. Unlike punitive processes, community accountability processes offer a chance for acceptance of responsibility, accountability, and repair of harm between community members. Instead of casting folks further from the margins, the process considers how perpetrators of harm are influenced by their social world and are still imbued with humanity in ways that punitive models strip away. Scholars have noted how community accountability strategies may be appropriate for survivors of sexual violence (Koss et al., 2014) and have documented the use of these strategies within communities that have been historically minoritized (INCITE! Women Against Violence, 2006; Patterson, 2016).

Community accountability refers to a process in which the entire community comes together to hold an individual responsible for causing harm accountable (Linder, 2018). In the process of community accountability, the community develops interventions that are grounded in both holding the individual accountable and educating them about their behavior. Community members stay engaged with the person being held accountable, as a way to ensure that they are continuing to work on their issues with power and control. Restorative Justice is an Indigenous practice in which individuals who cause harm to another member of their community, accept responsibility for their behavior and work to engage in a deeper understanding of the harm they caused and work to repair the harm (Koss et al., 2014). Community accountability and Restorative Justice strategies are organized in a way that prioritizes the needs of the survivor of the violence, while also working toward repair of harm and the community. Many queer and Communities of Color have opted for using these processes after instances of harm. In these processes the goal is not banishment, the goal is focused more on "calling in" community members who have caused harm to repair and restore. Additionally, the dehumanization of individuals within their community further contributes to the oppressive nature that exists within the carceral state that sees individuals with marginalized identities as "others" (INCITE! Women Against Violence, 2006).

Some of what we as authors are writing about here is encapsulated in work that is termed restorative or transformative justice. While there are several models of this work being developed and used on college campuses, overall

Title IX administration and adjudication poses structural challenges and incongruencies with such frameworks. These incongruencies are largely a result of the enmeshment of Title IX policies with compliance culture, which then forecloses community-centered approaches to sexual assault, to say nothing of those approaches that focus on mutual aid or having a systems approach to analyzing how these harms come to be and/or could be (better) addressed.

Such a way of thinking about Title IX administration and adjudication then moves one from having/maintaining a punitive and individual focus to a focus on community healing and reparative care when addressing sexual violence. What becomes a central focus, then, is developing agency in the individual who caused harm to be accountable for their actions while still seeing them as a member of the community. It pushes our understanding of current carceral models such as the criminal justice system and campus adjudication processes that assume there are “bad people” who need to be punished. In pushing our understanding, we recognized that most individuals who are causing harm are not actually being “punished,” and many of the individuals who are being punished either have not caused harm, or are products of the racist carceral complex that our world exists in. Furthermore, in these processes the survivor becomes less isolated. What becomes important is that the survivor is in community with others, gets what they need to survive physically, emotionally, and spiritually while being an active part of the accountability process, in ways that other processes may strip away through minimization and not seeing the survivor as being capable of self-determination.

Sexual violence is not merely an issue of “good” or “bad” people but a systematic issue that requires educators to consider ways that institutions become sites of ongoing oppression, to say nothing of how they actively further such forms of violence (e.g., Ahmed, 2012; Nash, 2019; Nicolazzo, 2017a; Patton, 2016). Within institutions of higher education, sexual violence is treated as an issue that has a treatment and can only be addressed by the institution. This further perpetuates seeing the institution as sole experts, survivors as damaged and unable to make decisions for themselves, and individuals who cause harm as aggressors who are unable to be redeemed. In this, authority is given to the institution to address sexual violence although scholars have noted how institutions cause increase harm after instances of violence by both survivors (Linder, 2018) and individuals who cause harm (McMahon et al., 2019). This frame of thinking recreates the ongoing inequalities that perpetuate the problem of sexual violence. Considering the ways that institutions are grounds for oppression, how do we work to build networks of care outside the walls of the institutions that center community? In working to a community the idea of responsibility of harm caused moves from being individual to a community effort that is built, arrived at, and maintained together. This type of community brings individuals together in times of violence, instead of pushing them apart and deeming individuals as good or bad. The focus of the community then becomes that of networks of care, with

an emphasis on getting and giving what people need to survive, hope, and thrive.

“BUT WHAT DOES THIS ACTUALLY MEAN?”: NEW PATHS FOR TITLE IX ADMINISTRATION AND ADJUDICATION

Admittedly, some readers may wonder how to put what we as authors have written into practice. Certainly, there is an epistemic edge to our work in that we advocate how we must all un/know staid and normative notions related to sexual violence prevention work on college campuses. However, the epistemic (re)orientations we suggest do lead to specific actions for how professionals administer, adjudicate, and write policy about sexual violence prevention. Below are some of our ideas, as well as questions that we hope can unlock new potentialities for you as a reader. In what follows, we invite readers to reorient how we can use trans-centered epistemologies and pedagogies to rethink how we come to understand those notions *de jure* in Title IX work: “victim,” “survivor,” “crime,” “responsibility,” “safety,” and “justice.”

As we have detailed through our chapter, the aforementioned notions are steeped in racism, settler logics, classism, and cisheteropatriarchy. As is the case throughout the social sphere (e.g., Alexander, 2010; Deer, 2015; Mogul et al., 2011), campus judicial offices are sites through which Black and brown bodies move with heightened frequency. This confluence is not due to any inherent dereliction on behalf of racialized communities, but is itself connected to the ongoing racialization of Black and brown people in the United States, particularly the crafting of Black and brown people as nonhuman (Weheliye, 2014). If we know this to be a problem on college campuses, and if we are to take a power-conscious, trickle up approach to education, then we should all be highly skeptical as to the relevance of the ongoing presence of judicial affairs as a mainstay of college campuses. Put another way, we suggest that judicial affairs offices no longer exist in higher education.

Such a suggestion does not absolve those who cause harm from responsibility. However, it does mean that campus administrators become more community-focused in how they frame and work to repair the various harms caused by sexual violence. In order to do so, we suggest: increased counseling resources, including hiring counselors to work directly with cultural/affinity-based centers on campus; engaging students in developing, maintaining, and consistently reviewing policies regarding community accountability and redressing harm; compensating students for the labor we invite them to do, thereby reducing their precarity while increasing the livability of their lives; incentivizing resource sharing across offices, departments, and student/academic affairs units on campus to resist scarcity ideologies; have clear policies regarding faculty/student and staff/student interactions, including consequences for faculty and staff who violate these policies that widely distributed and used.

We also suggest engaging community members (i.e., students, faculty, staff, and community and external university stakeholders) *before harms occur* rather than taking a purely reactionary stance to addressing sexual violence. Much of this work means adequately ensuring those who are most on the margins have the resources and they need to thrive and flourish on campus. This means that the work of addressing sexual violence is also the work of addressing food and housing insecurity, academic support, ensuring everyone has a living wage, and that everyone has free access to college. While some readers may see these causes as ancillary to, and thus distractions from, addressing sexual violence, our lenses of trickle up education and trans epistemology suggest that the work of liberation—including the work of constructing communities free from sexual violence—involve increasing life chances for those most on the margins. Then, and only then, can we as people invested in educational practice work to address sexual violence in an ongoing, systemic, power-conscious, and trickle up manner.

We also encourage scholars, practitioners, and policy members to rethink who they—and we as authors, too—are writing about when we discuss “victims” and “survivors” of sexual violence. Like the notions of criminality and responsibility, we have all been socialized to approach these terms through particular racial, gender, class, and sexuality lenses. And, if we approach these terms in certain (normative) ways, the effect of such a move will be to draft and implement policies that only work for some of the people we would hope to serve. Here, one can see how the previous section where we as authors encouraged an epistemological shift in terms of how we come to know these terms mediates Title IX administration, adjudication, and policy-making. Put another way, critically analyzing how we come to know those terms that frame sexual violence work is not an idle academic exercise; it has a decided influence on who is framed out of the way we practice our work, and who is (not) served as a result.

Finally, we strongly recommend moving from an individual to communal mindset when thinking about the notions of safety and justice. Some of the students who are most vulnerable are, quite simply, never safe on college campuses. Moreover, justice is something to which multiple marginalized populations rarely, if ever, have access due to how they are continually criminalized. Seen in this manner, both safety and justice, as they are understood in current (normative) higher education praxis, are always already constructed through a lens of settler colonialism (e.g., entrenched individualism) and whiteness. We suggest that taking a trickle up approach, and informing liberatory praxis through a trans epistemology would mean focusing on safety and justice as both communal and always unfolding. By this, we mean that safety and justice are not singular points of arrival, a point both Nicolazzo (2017b) and Spade (2015) make in their work on trickle up education and activism, respectively. We also suggest that to view safety and justice as always unfolding means there is a need to be constantly and consistently in conversation with those who are the most vulnerable on campus as a way to ensure we can center

their needs. Doing this, then, means that educators know and are in community with those who are the most vulnerable, which is often far from common practice. In a sense, then, our reorientation toward safety and justice encourages our moving closer to those who are most vulnerable, bringing us into deeper connection. In other words, reorienting toward safety and justice as communal and always unfolding means we must always move toward those who are the most vulnerable as a humanizing project. And for those who suggest there is not “enough time in the day” to alter their work to be in community in this manner, we suggest that if the work of humanizing those who are most on the margins does not factor into your time, then you are only serving to perpetuate the cycles of harm, precarity, and harm in which sexual violence has continued to bloom on college campuses.

At the writing of this book chapter, there were no solid models for practice from which to amplify the type of reimagining of Title IX administration and adjudication we have been advocating. However, there are several community-based strategies for changing paradigms when responding to sexual violence, most notably restorative justice, transformative justice, and community-based models of accountability (Dangerous Intersections, n.d.; Kim, 2018). As Kim (2018) pointed out, restorative justice has largely become associated with carceral feminism through its implementation by those in the criminal justice system. Thus, given our orientation as authors, we suggest focusing on transformative justice and community-based accountability models for further practice.

Both transformative justice and community-based accountability models center those who are most vulnerable in envisioning the creation, use, and ongoing modifications to sexual violence prevention policy and practice. They also are survivor-centered in determining the goals of sexual violence response, which is in direct contrast to the compliance-centered approach foisted on institutions due to federal Title IX mandates (Marine & Nicolazzo, 2017). In this manner, then, both transformative justice and community-accountability efforts practice a trickle up approach to reenvisioning educational practice (Spade, 2015). They also are steeped in the notion that there is no one-size-fits-all response to sexual violence, and that all responses: (1) need to be aware of the historic and ongoing effects of systemic oppression on survivors of sexual violence; (2) trauma responses will shift, and timelines for responses will vary; and (3) policies and practices must be consistently revisited, and must always have these revisitations led by those who are most vulnerable. For more information on transformative justice and community-based accountability models, we strongly suggest reading the work of Kim (2018), INCITE! Women of Color Against Violence (e.g., Dangerous Intersections, n.d.), and Carruthers (2019). We also strongly recommend seeking ongoing partnerships with local community organizations and non-profits that are doing this work, and have been for some time. For example, organizations like Black Youth Project 100 (BYP100; www.byp100.org) have been community leaders in the effort to address sexual violence through their “She Safe, We Safe” campaign

that seeks “to put an end to the different forms of gender violence that Black women, girls, femmes and gender non-conforming people face everyday [sic]” (BYP100, n.d.). Additionally, while not focused on sexual violence prevention, Stewart and Nicolazzo (2018) provide important questions and considerations for college educators invested in moving closer to a trickle up model of practice, which could be of use given our aforementioned recommendations.

SUGGESTIONS FOR FURTHER READING

Rather than suggest a reading list or certain authors—a practice that may overly determine and foreclose possibilities and suggests what is considered “important work” (and who is considered an “important thinker” will not shift and change—we offer several bodies of scholarship, activism, and practice for readers to follow. We do so in a manner consistent with trickle up education and trans epistemology. In other words, we construct our list with a focus on those who are most vulnerable, and seek bodies of work that seek liberation with, for, and across various communities. Our approach to this section also invites each reader into seeking, cultivating, and maintaining their own bases of support for furthering sexual violence prevention work on college campuses. As a result, then, we hope as authors that each reader will become more invested due to their/your own commitment to, and investment in, seeking more transformative, gender-expansive sexual violence prevention. Also, it must be said that these suggestions are not, nor did we as authors intend them to be, exhaustive.

In relation to academic disciplines/traditions from which we encourage readers to draw, we suggest:

- Black Studies, especially work that focuses on how humanity is attenuated through social constructions of Blackness;
- Native American/Indigenous/First Nation Studies, especially work that focuses on the gender and sexual violence promoted through settler logics;
- Trans Studies, especially work that focuses on how gender serves as a discourse that mediates life chances for trans people in and beyond college environments;
- Disability Studies, especially work that explores notions of community care, networks of support, and restorative justice;
- Ethnic Studies, especially work that focuses on liminality, borderlands theory, and the ongoing realities of having multiple identities that position one as betwixt-and-between and/or otherwise erased from view through social institutions (e.g., schools and schooling); and
- K-12 Education Studies, especially work that focuses on how systems of inequity frame sexual violence as an omnipresent reality in the lives of youth even before they get to college.

In relation to activist spaces to be attentive to, we suggest:

- Twitter, especially hashtags related to sexual violence awareness and activism; and
- Online communities such as blogs, podcast, and YouTube.

In relation to practice spaces to be attentive to, we suggest:

- Grassroots or community-driven organizations that are doing work around transformative and restorative justice, and abolitionist work that are not necessarily a part of the non-profit industrial complex;
- Non-profit organizations focused on broad-based liberation, especially those that focus on establishing guidelines for community accountability, restorative justice, and mutual aid; and
- Critically informed conferences, especially those that focus on coalitional movements toward justice that include sexual violence in their analytic.

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