

Approved: 3/25/93
Date

MINUTES OF THE SENATE COMMITTEE ON EDUCATION

The meeting was called to order by Chairperson Dave Kerr at 1:30 p.m. on March 22, 1993 in Room 123-S of the Capitol.

All members were present.

Committee staff present: Ben Barrett, Legislative Research Department
Avis Swartzman, Revisor of Statutes
LaVonne Mumert, Committee Secretary

Conferees appearing before the committee:
Representative Barbara Ballard

Others attending: See attached list

HCR 5019 - Encouraging postsecondary education institutions to implement sexual assault awareness programs

Representative Barbara Ballard explained and testified in support of HCR 5019 (Attachment 1). She said that the resolution emphasizes support for the educational aspect in prevention of rape and sexual assault. Representative Ballard pointed out the high incidence of date and acquaintance rape. She noted that federal law now requires all postsecondary institutions to publish and distribute annual crime reports. She agreed that educational efforts should include levels lower than secondary education but added that programs at postsecondary institutions are an important beginning. Representative Ballard cited a study which indicated that 23% of women students and 8% of men students have been victims of sexual assault before enrolling at the University of Kansas. She stressed that rape and sexual assault is a crime and advised that HB 2411 includes a new definition of rape in instances where the victim is incapable of giving consent.

HB 2067 - Kansas state high school activities association, reorganization

Senator Frahm made a motion that the Committee reconsider its action (of March 18) recommending HB 2067 for interim study and to recommend the bill favorably for passage. Senator Downey seconded the motion. During discussion, Senator Frahm suggested that the Committee Chairman request that the Kansas State High School Activities Association provide the Committee with an update on the reorganization in three years. Senator Downey suggested that the request include suggested consideration of the development of a Friday-Saturday format in holding the association meetings. In response to questions from Committee members, Nelson Hartman (Executive Director, Kansas State High School Activities Association) explained that the nine-member executive board executes rules and regulations in accordance with the decisions made by the board of directors. Under the current structure, three members of the executive board are appointed. Under the proposal in HB 2067, all members of the executive board will be elected by group, by class.

Senator Tiahrt made a substitute motion that the Committee reconsider its action recommending HB 2067 for interim study and to make no recommendation on HB 2067. The motion died for lack of a second.

The original motion carried.

HB 2036 - School districts, day care centers for children

Senator Jones made a motion that HB 2036 be recommended favorably for passage. Senator Walker seconded the motion. After discussion, the motion carried.

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON EDUCATION, Room 123-S Statehouse, at 1:30 p.m. on March 22, 1993.

HCR 5016 - Constitutional amendment, state board of education

Senator Walker made a motion that HCR 5016 be recommended favorably for adoption. Senator Corbin seconded the motion, and the motion failed.

HB 2188 - Establishing the KanLearn program of incentives for school attendance for certain recipients of aid to families with dependent children

Senator Langworthy made a motion that HB 2188 be recommended favorably for passage. Senator Corbin seconded the motion.

Senator Oleen made a substitute motion that HB 2188 be referred for interim study for consideration of strategies used in other states and their results, efforts initiated by individual school districts in Kansas and how such efforts could be tied to other strategies under consideration. Senator Frahm seconded the substitute motion, and the substitute motion carried.

The meeting was adjourned at 2:30 p.m. The next meeting of the Committee is scheduled for Tuesday, March 23, 1993.

SENATE EDUCATION COMMITTEE

TIME: 1:30 PLACE: 123-S DATE: 3/22/93

GUEST LIST

<u>NAME</u>	<u>ADDRESS</u>	<u>ORGANIZATION</u>
Stacy Morford	Topeka	AP
Barbara W. Ballard	Rep	
Cindy Houston	Valley Center	Citizen
Amy Houston	"	"
Kaye Pearce	Topeka	KSHSAA
Keith King	Topeka	KSHSAA
Nelson Hartman	Topeka	KSHSAA
Bill Musick	Minneapolis	St 1318 Ed.
Graig Grant	Topeka	HNFA
GERALD HENDERSON	TOPEKA	USA OF KS
Mark Tallman	Topeka	KASB
Merle Hice	Topeka	KACC
Cindy Kelly	Topeka	KASB
Wes Esping	Gibburg	USD 384
Amanda Esping	Gibburg	USD 384
Cleta Remyer	Salatha	Right to Life of Ks.
Kenda Bartlett	Leavenworth	Part of KS
Dan Apt	Topeka	KACC / USA
Helen Stephens	Topeka	BV USD #229

BARBARA W. BALLARD
REPRESENTATIVE, FORTY-FOURTH DISTRICT
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TOPEKA

HOUSE OF
REPRESENTATIVES

TESTIMONY ON HCR 5019

Senate Education Committee

March 19, 1993

Mr. Chairman and members of the Committee, my interest in HCR 5019 comes from being a psychologist who has worked, for many years, in the area of rape and sexual assault.

Sexual assault is a pervasive social problem for which colleges and universities are not to blame. The attitudes and experiences that students bring with them are formed in the family and in early years of education and socialization. Nevertheless, as educational communities, colleges and universities need to deal, within the limits of their resources, with the consequences of those attitudes and behaviors. And particularly to the degree that they are residential, institutions have a responsibility to provide a safe environment and establish behavioral standards for students. Institutions should make available programs to educate students about sexual violence, take measures to prevent it, and have in place procedures to deal with those incidents that occur.


The great majority of men and women students exhibit attitudes and behaviors that bode well for responsible relationships. But there remains a need for educational programs designed to deal with sexual violence.

Women students have reported that they gave in to unwanted sexual activity because of emotional pressure. Most of their assaulters were men who they knew. Alcohol was a factor in most of these incidents.

Very few of these women reported their experiences to anyone in authority.

Women and men have different perceptions about the frequency of the various forms of sexual assault, suggesting important differences in perception and definition that should be addressed in educational programs and studies.

I have seen the trauma, pain, guilt, doubt and anger that surrounds rape. I thank you for allowing me to testify. I would be happy to answer any questions.


Barbara W. Ballard
Representative
44th District

COMMITTEE ASSIGNMENTS
MEMBER: EDUCATION
GOVERNMENTAL ORGANIZATION
AND ELECTIONS
LOCAL GOVERNMENT

Sen. Education
Attachment 1
3/22/93



EMPORIA STATE UNIVERSITY

1200 COMMERCIAL EMPORIA, KANSAS 66801-3087 316/343-1200

March 9, 1993

Senate Education Committee
Kansas State Capitol
Topeka, Kansas

RE: HCR #5019

Dear Committee members:

I am writing in regard to HRC #5019, urging you to support this important resolution presented by Representative Barbara Ballard.

As a counselor and director of the Women's Resource Center at Emporia State University, I see, on a daily basis, the impact of rape and sexual assault, especially date rape, on our students. Some of the assaults are recent; some happened long before the students entered college. All sexual assault is harmful to women, who may carry the psychological wounds for the remainder of their lives.

Men also are sexually assaulted, but, so far as we know, not as frequently. The men who are close to female sexual assault victims--their fathers, brothers, husbands, friends, also suffer deeply. And society as a whole is affected; trust is overwhelmed by fear, self-confidence becomes doubt, productivity is lessened, the contributions of those who were victimized, lost.

Emporia State University has had a rape prevention program since 1983, carried out in cooperation with the Kansas Crime Compensations Board and SOS, our local rape crisis center. We work also with the ESU Drug and Alcohol Resistance Training (DART) program, as there is strong association of alcohol abuse with rape, especially date rape.

We are proud of what we accomplish in spite of severely limited resources. The support of the Kansas legislature would be very encouraging as we work to carry out this important extra-curricular task of rape prevention education on our campus. I hope you will vote for this resolution.

Sincerely yours,

Sally S. Torrey

Sally S. Torrey, Counselor,
Assistant to the Dean of
Students/Women's Programs

DOUGLAS COUNTY

RAPE VICTIM

SUPPORT SERVICE

1419 Massachusetts
Lawrence, Kansas 66044
843-8985

Testimony Presented

to

Senate Education Committee

Sarah Jane Russell
Executive Director
Douglas County Rape Victim Support Service
Lawrence, KS.
March 9, 1993

House Concurrent Resolution #5019

I am writing in support of House Concurrent Resolution #5019. Statistics will emphasize the necessity of post-secondary support programs; however, the emotional trauma experienced by victim-survivors cannot be explained with numbers. There is no timeline on recovery for survivors suffering from rape-related post-traumatic stress syndrome.

The numbers tell us that the most vulnerable ages are between thirteen and twenty-one -- junior high age to college freshman and sophomore women and men. The numbers tell us that one out of three women will be raped in her lifetime and one out of eight men will be raped in his lifetime; the numbers tell us that 75-80% of reported rapes occur between people who know each other (National Victim Center, 1992). What the research tells us is that each and every time a person experiences an assault there is a set of emotional responses that will occur: guilt, fear, emotional shock, disbelief, embarrassment, shame, depression, disorientation, denial, anxiety, retriggering and anger.

Listening to the truth of someone's life is a privilege and an honor. - Survivor of Child Incest

Your support of post-secondary programs will allow the "listening" to continue.

The University of Kansas

Department of Psychology

March 9, 1993

to: Senate Education Committee
from: Charlene L. Muehlenhard, Ph.D. *Charlene Muehlenhard*
Associate Professor of Psychology and Women's Studies
University of Kansas

WRITTEN TESTIMONY ON HCR 5019

I am writing to support HCR 5019, which recommends that post-secondary schools in Kansas conduct educational programs on rape. I would like to outline my reasons for supporting this resolution.

Prevalence of Rape Among College Students

About 15% of all college women have been raped, and about one-quarter have experienced either rape or attempted rape. These data come from numerous studies, including studies that my students and I have done at the University of Kansas and at Texas A&M University; a nationwide study involving 3,187 women enrolled in 32 universities, colleges, community colleges, and technical schools; and numerous other studies done by researchers around the country.

In spite of stereotype that rape typically involves a stranger who jumps out of a dark alley, most rapes (probably 80% to 90%) involve acquaintances. College women are most likely to be raped by their dating partners, and they are more likely to be raped by steady dating partners than by casual dating partners. Adult women are most likely to be raped by their husbands or ex-husbands. Other acquaintances are also a greater threat than are strangers.

Consequences of Acquaintance Rape Versus Stranger Rape

It would be incorrect to assume that acquaintance rape is less serious than stranger rape. In fact, both acquaintance rape and stranger rape are equally serious--equally likely to lead to depression, anxiety, problems with relationships, problems with sex, and thoughts of suicide. The nature of these consequences often differ, however, depending on whether the rapist was an acquaintance or a stranger. Victims of stranger rape are likely to be afraid of strange men; victims of acquaintance rape are likely to be afraid of all men, both acquaintances and strangers. Victims of acquaintance rape often have had their trust violated and may find it difficult to trust again. Victims of acquaintance rape are less likely than victims of stranger rape to receive social support and are more likely to encounter rape myths (e.g., "She really wanted it; now she's just crying rape"). Victims of acquaintance rape are more likely to see the rapist again. If the rapist is in their circle of friends, their friends may still treat the rapist as part of the group, and

the victim may feel betrayed and isolated. If the rapist is a classmate or coworker, they may encounter him daily. If the rapist is their husband, they may live with him.

Prevention

Colleges try various strategies to decrease the risk of rape among their students. Some colleges, for example, have improved the lighting on their campuses. Improved lighting is important in making women feel safer and in allowing women the same freedom as men to walk on campus after dark. It is clear, however, that improved lighting is targeted at preventing stranger rape. Improved lighting is irrelevant to acquaintance rape.

Dealing with acquaintance rape necessitates more complex strategies. One of these is educating men and women about rape. They need to know that forced sex is rape, even if the person involved is an acquaintance (surprisingly, many women who are raped, based on a legal definition of rape, do not label their experience as rape, especially when the perpetrator is a romantic acquaintance). They need to know the risk factors for rape. They need to know that many of their beliefs about rape are myths not grounded in fact.

Research that one of my students, Jayme Jones, and I have done at the University of Kansas suggests that education can be successful in changing men's and women's attitudes toward rape--attitudes related to the likelihood that men will commit rape. We found that a 40-minute lecture led to significant attitude change that lasted at least four weeks after the lecture. These findings suggest that education programs can have some impact in preventing rape.

Educational programs alone cannot solve the problem of rape, which has complex antecedents. Nevertheless, they are one step that colleges can take. As research continues to document the effectiveness of such programs, implementing such programs is the least that colleges can do to protect their students from rape.

For these reasons, I support HCR 5019.



Dean of Student Life Office

Holton Hall
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913-532-6432

March 11, 1993

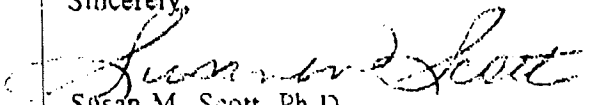
Senate Education Committee

I am writing in support of House Concurrent Resolution Number 5019 encouraging programs concerning rape and sexual assault in Kansas post secondary education institutions. We, at Kansas State University, endorse this resolution and applaud Barbara Ballard and others for their efforts in continuing to bring the issue of sexual assault to the forefront.

The statistics regarding sexual assault on college campuses are alarming. In one well known study conducted in the late 1980's, over 6,000 students from 32 colleges across the country were surveyed. In this study, it was found that one out of every six female students reported being a victim of rape or attempted rape during the preceding year. Additionally, and equally alarming, one out of every fifteen male students in the survey reported committing rape or attempting to commit rape during that same period. While the men in the survey reported having committed rape or attempting to commit rape, the vast majority did not understand that the behavior to which they were admitting constituted any crime at all. We have no reason to believe that the statistics regarding sexual assault on campuses have decreased in the last five years.

At Kansas State University we have endeavored to provide many and varied programs regarding sexual assault on campus over the past two decades. These programs include peer education programs in living groups, a systematic campus-wide educational program conducted by the Women's Resource Center, educational programs conducted by Chimes, our junior scholastic honorary, and other numerous programs sponsored by various organizations and departments on campus. Additionally, Kansas State University has had a policy prohibiting sexual violence since November of 1989. We believe our efforts to be substantial and viewed positively among the campus community. However, we believe a more comprehensive approach is necessary to effect changes in the attitudes and behavior of many students. We share Representative Ballard's belief that sexual assault on campuses must be addressed at a state-wide level. Progress will occur when we form a partnership with legislative bodies, law enforcement officials, parents, and the home communities of the students.

Sincerely,


Susan M. Scott, Ph.D.
Associate Dean of Student Life

cc: Representative Barbara Ballard
Representative Kent Glasscock
Representative Sheila Hockhauser
Sue Peterson, KSU Presidential Administrative Assistant for Legislative Affairs