

Recent grad says she was raped at Baylor; claims inadequate response

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WACO—A former Baylor University student who graduated last summer asserts she was violated—first by a fellow student she said raped her and later by a school she claims violated her trust because it seemed to her to care more about protecting its image than protecting its students.

“I’m tired of a Christian university not having a passion for the hurting and covering it up to maintain a glossy image,” said Stefanie Mundhenk.

Student privacy law and ethics cited

Because of the Family Educational Rights and Privacy Act, Baylor officials are restricted in what they can say about any specific incident of reported sexual violence.



But even apart from the federal privacy law, professional ethics and concern for all parties prevents the university’s Title IX office from commenting on or releasing information about individual reports, said Patty Crawford, Baylor’s Title IX coordinator. Title IX is the law governing universities that prohibits discrimination based on sex and deals with issues of sexual harassment and sexual violence.

“The parties involved are in control of their own narrative, not the adjudicator or the investigator,” Crawford said. “The narrative belongs to the student.”

At the same time, it also belongs to others named in it—not only the alleged offender, but also others involved in it, she said.

“A narrative always involves at least two parties. It may involve 20 parties,” she said. “These are complex experiences and complex stories.”

Mundhenk posts a blog

Mundhenk—who grew up in Papua, New Guinea, as the child of parents who served with Pioneers, an evangelical missions-sending agency based in Orlando, Fla.—posted a [blog](#), “I Was Raped at Baylor and This is My Story.”

In the detailed first-person account, posted Feb. 4, she asserts another Baylor student—whom she had known two years and with whom she previously had a close but complicated relationship—raped her March 12, 2015.



Recent reports about sexual violence by Baylor University students capture national headlines.

(Photo / Ken Camp) Unlike two high-profile cases involving former Baylor student-athletes—Tevin Elliott and Sam Ukwauchu—her alleged assault did not result in an arrest or conviction. She acknowledged her case essentially was based on her own testimony and the observations of friends who recognized a change in her behavior after the alleged act of sexual violence.

“I wasn’t at a party. I wasn’t drinking. I hadn’t been drugged. I wasn’t kidnapped in the dark,” Mundhenk wrote in her blog. “I fully admit that I willingly went over to his house that night. But it wasn’t to have sex—it was to do homework. When I resisted his sexual advances, he resisted taking ‘no’ for an answer.”

According to Mundhenk, she did not immediately report the sexual assault, and she continued to interact with the alleged rapist, since they shared a class and competed together on an extracurricular academic team. Even after he graduated, he continued to work as an employee in an office related to the program of study she pursued.

But Mundhenk confided to her roommate two weeks after the incident. Her roommate subsequently informed a professor what she had been told, and he reported it.

“That’s when the Title IX office started contacting me,” Mundhenk said.

Last June, Mundhenk reported the assault to the Title IX office, where she said she was “greeted with love, encouragement and told that it was never too late for justice. I was made fully aware of my options, and I left with hope.”

But subsequent handling of the incident by the university quashed her hopes, she said.

Read the Standard’s ongoing coverage:

[Baylor regents approve plan to address sexual violence](#)

[Baylor 'family' stands with survivors of sexual violence](#)

[Baylor students plan prayer vigil for victims of sexual violence](#)

[Editorial: A trying time—and learning opportunity—for Baylor](#)

Starr notes privacy restrictions

Baylor President Ken Starr released a [statement](#) Feb. 7, one day before students held a prayer vigil on campus in support of victims of sexual violence—an event Mundhenk helped plan.



Ken Starr “Reports of sexual violence necessarily involve intensely personal and deeply private matters. Even when students choose to come forward to share details publicly about the experiences, the U.S. Department of Education has been clear that the action does not constitute a waiver of FERPA student-privacy laws,” Starr wrote.

“The fact that information is a matter of general public interest, as it manifestly is, does not provide an educational institution with permission to release that information. While Baylor can speak generally to policies, procedures and practices, we cannot speak to individual cases and remain within the confines of governing law.”

Graduate asserts Baylor failed to live up to its standards

In her blog, Mundhenk presented a detailed account of what she characterized as Baylor’s failure to “live up to its own publicly proclaimed

standards.”

Mundhenk described a June meeting with a police investigator, a Baylor human resources representative, and a representative from Baylor’s Title IX program.

“In regards to the Baylor police, with no firsthand witnesses, no hard evidence, no rape kit and a rapist who cooperated but said, ‘She consented. We kind of had a ‘thing,’ I soon realized that my case was thin at best, ‘he said-she said’ in actuality, and never going to get picked up by any sane district attorney,” she acknowledged.

She dropped the criminal charges but filed a claim of sexual assault/harassment with Baylor’s human resources department, and she was interviewed. The accused individual immediately was suspended from his job with pay, pending a more thorough investigation, she said.

Mundhenk subsequently submitted a list of 25 witnesses who knew her and the alleged rapist and could attest to changes in her behavior after March 12.

“It wasn’t much, but it was all I had,” she said.

Ultimately, the human resources office ruled that lacking a “preponderance of evidence” pointing to sexual assault or harassment, the student she accused of rape was found “not responsible” and would be reinstated to his job.

Pursues Title IX action

Although the alleged rapist had graduated and the Title IX office informed Mundhenk they were limited in terms of any sanctions that could be imposed, she determined to pursue her complaint against him.

She presented a witness list, a Title IX investigator contacted them and

collected their statements. In mid-August, she was called in to review the report, and a hearing was scheduled before an adjudicator, who ultimately ruled against Mundhenk's complaint. She subsequently appealed on what she asserted were multiple grounds of procedural unfairness, including misunderstanding about the nature of consent and her continued interaction with the alleged rapist.

She particularly took exception to a suggestion she may have projected past sexual abuse onto the alleged rapist. In an interview, Mundhenk explained she was the victim of an attempted rape while she attended a missionary boarding school.

Her counselor submitted a statement saying Mundhenk's symptoms were "consistent with other rape victims I have worked with and cause her a significant amount of distress." The counselor concluded Mundhenk suffers from post-traumatic stress disorder, and rather than projecting her past previous experience of sexual assault onto an innocent party, it made her vulnerable to subsequent sexual coercion.

Mundhenk lost her case on appeal.

Title IX process outlined

A question-and-answer section on the Title IX page of the Baylor [website](#) explains the disciplinary process and how it was different before the university opened its Title IX office.

"When a student files a complaint of sexual assault against another student, full-time Title IX investigators will investigate the complaint," the site says. "Every complaint in which the complainant wishes to proceed goes to a formal disciplinary hearing, in which facts are considered by a highly trained adjudicator in the Title IX process. A determination is then made, and, when appropriate, sanctions are imposed. All parties have the right to appeal.

“There have been changes since 2013. In 2013, Baylor University did not have a Title IX office but did have a Title IX coordinator who oversaw the university’s Title IX compliance. In 2013, complaints involving students were handled under the student conduct code. Evidence was considered by a student life professional trained in the adjudication of student conduct and Title IX. In that process, after consideration of the preponderance of the evidence, a decision was rendered to move or not move to a full disciplinary hearing. In Title IX cases, a decision not to go to a full hearing could be appealed through the university’s civil rights policy. If the decision to go to a full hearing was not appealed by either party, the file was closed.”

In December, Mundhenk said, she met with Starr to discuss her case. She asserts he appeared touched by her story and pledged to be back in touch.

“It’s February, and I haven’t heard a thing,” she said.

Starr: ‘No place’ for sexual violence at Baylor

In his Feb. 7 public statement, Starr said: “As a community, our care and concern extends throughout every area of our campus life, including our efforts—like those of other colleges and universities across America—to eliminate the scourge of sexual violence. Such despicable violations of our basic humanity contradict every value Baylor lifts up as a caring Christian community.

“Our hearts break for those whose lives are impacted by execrable acts of sexual violence. No one should have to endure the trauma of these terrible acts of wrongdoing. We must never lose sight of the long-term, deeply personal effects such contemptible conduct has on the lives of survivors. Let me be clear: Sexual violence emphatically has no place whatsoever at Baylor University.”

Mundhenk agreed sexual assault results in trauma and leaves a long-term

impact on victims.

“I am paying hundreds of dollars a week for therapy, and I am on medication to alleviate the effects of PTSD,” she said. “It is hell. It is sleepless nights and shaky days. ... Hell cannot be worse than this.”