
House Bill H.2998

College Sexual Assault Survey Bill

Policy Factsheet

BILL OVERVIEW

H.2998 requires all institutions of higher learning in Massachusetts to conduct campus climate surveys on sexual assault and establishes a Task Force made up of diverse stakeholders (including students, educators, and advocacy organizations) to develop a recommended survey instrument.

JUSTIFICATION

In 2015, the Association of American Universities (AAU) conducted a campus climate survey in which 27 universities participated, which revealed that 11.7% of all student respondents and 23.1% of female undergraduate respondents had experienced sexual contact by physical force, threats of physical force, or incapacitation since their enrollment at their university.¹

The first step to solving the problem is understanding it; collecting data on the incidence of sexual assault will help Massachusetts colleges and universities enhance programming and support services for students.

With federal guidance on campus sexual assault in flux, it is more important than ever to have accurate data, and colleges and universities are uniquely situated to help. Institutions of higher learning often already have systems in place to conduct high-quality survey research and incentivize responses from students. In addition, schools can act quickly to protect students who have experienced sexual assault or harassment.

MASSACHUSETTS OVERVIEW

Twenty-six colleges (both public and private) in Massachusetts have already or are currently implementing campus climate surveys. Over 40,000 students have already been surveyed.²

Similar bills requiring all institutions of higher education to conduct sexual assault campus climate surveys have been enacted in Louisiana,³ Maryland,⁴ and New York,⁵ providing valuable data for colleges and universities as well as policy-makers in those states. Requiring institutions of higher learning to conduct campus climate surveys is not a significant imposition and confers considerable benefits.

The Task Force will develop the survey instruments, alleviating the time and cost burden associated with developing or contracting to develop school-specific surveys.

Standardized questions developed by the Task Force will permit data comparison across schools. Current surveys phrase the same question in such divergent ways that it is difficult to develop an aggregate measure of sexual assault incidence or to compare different schools' data.

Finally, Task Force recommendations will permit schools to take advantage of best practices in survey development and analysis without having to exert the bandwidth themselves, allowing for better and more accurate data collection.

COST OVERVIEW

Maryland, New York, and Louisiana have enacted similar laws requiring universities to conduct campus climate surveys on sexual assault. In Maryland, “the majority of institutions reported spending approximately \$3,000 or less” to conduct a campus climate survey.⁶ Four major costs have been identified: survey design, survey implementation, incentives, and data analysis and dissemination. Based on qualitative interviews with Massachusetts universities, schools that have already conducted campus climate surveys have incurred minimal costs, generally associated with staff hours for survey design and analysis.

SURVEY DESIGN

This bill provides colleges and universities with a base survey developed by the Task Force, which significantly reduces the estimated costs associated with creating a new survey. The Maryland Higher Education Commission (MHEC) also developed a recommended survey instrument that schools were able to use “as-is” or tailor to suit their particular institution. Most schools used the MHEC instrument.⁷ In the event that universities want to add additional modules to their survey, certain educational organizations also have their own survey instruments available for purchase. EAB provides campus climate survey services at no additional cost to its members. The Higher Education Data Sharing Consortium (HEDS) provides a similar service for \$500 for members and \$1,700 for non-members.⁸ Finally, the Administrator-Researcher Campus Climate Consortium (ARC3) Survey was developed by a collaboration of sexual assault researchers and student affairs professionals, and is available for free download on ARC3’s website.⁹

Estimated Cost Range: \$0-\$1700

SURVEY IMPLEMENTATION

Most schools have existing subscriptions to an online survey research tool such as Qualtrics or Survey Monkey. The campus climate survey could be administered through a similar program at no additional cost to the institution. For those without pre-existing licenses, survey programs can be obtained relatively cheaply, on the order of \$300 for an annual license.

Estimated Cost Range: \$0-\$300

INCENTIVES

Offering incentives to students may increase the survey response rate. One Boston-area private school reported spending approximately \$500 on one grand prize and ten secondary prizes. In Maryland, schools offered a range of incentives, from a \$2 gift card to the campus food vendor to a lottery for a \$300 laptop computer.¹⁰ The largest published cost incurred by a Massachusetts university was \$55,520 for a \$5 award to each participant. Lottery incentives are common in collegiate online surveys. While the empirical research on their efficacy is mixed, there is at least some evidence that lottery incentives increase response rates even without a guarantee of winning a prize.¹¹ Some universities were able to secure donated incentives and incurred no extra expense. Some schools also offered non-monetary incentives for survey completion: some professors offered extra credit in exchange for a “certificate of completion” made available at the end of the survey or provided allotted class time to complete the survey. While schools are not required to provide incentives, those that choose to do so have a range of free and low-cost options.

Estimated Cost Range: \$0-\$500

COST OVERVIEW (cont.)

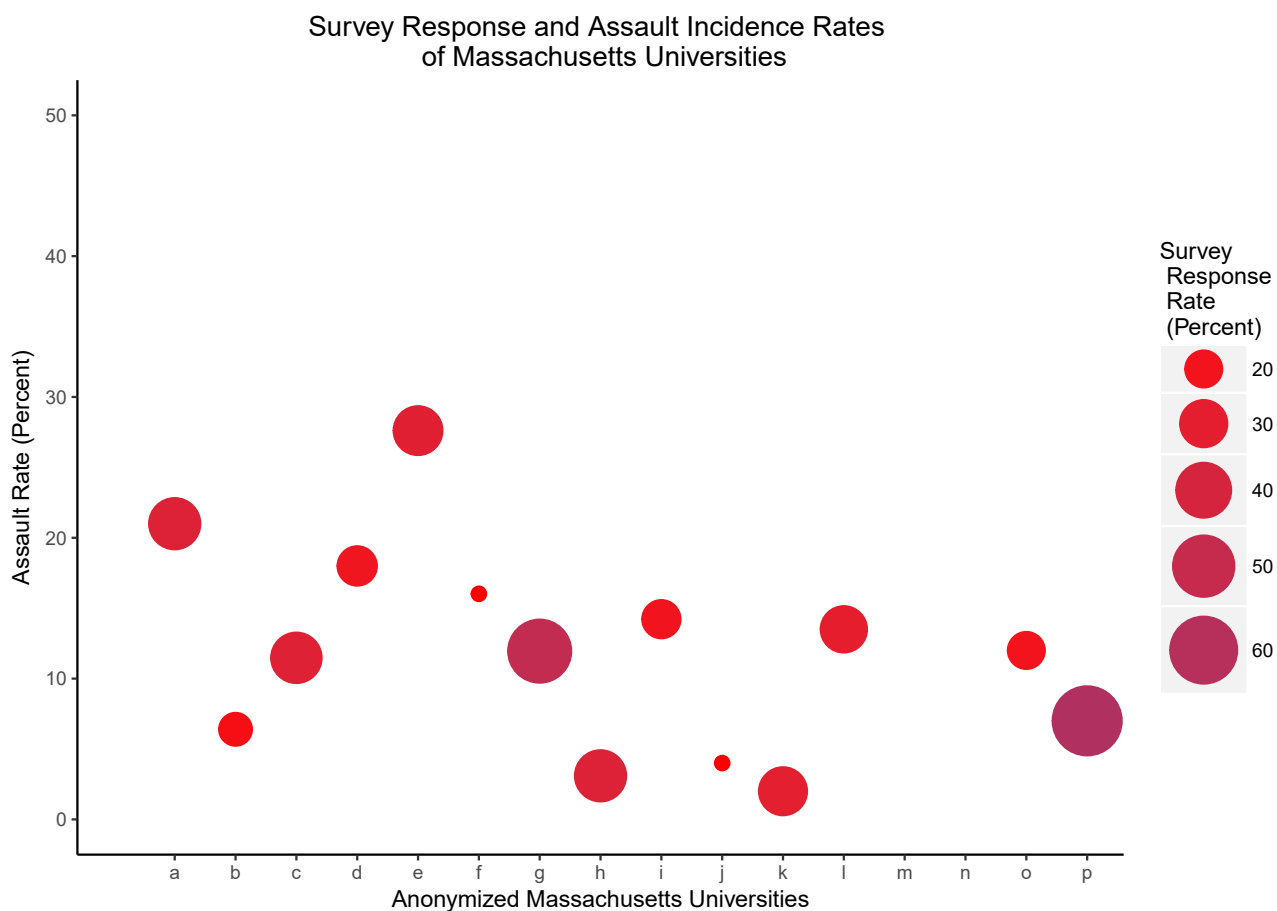
DATA ANALYSIS AND DISSEMINATION

A Title IX official at a Boston-area private college reported that data analysis did not require any additional financial commitment from the college, but did require additional work hours from the college's communications and marketing team.¹² This statement is borne out by the Maryland data: in general, the only expenditure associated with data analysis and dissemination was staff hours. For Maryland schools that reported an hours breakdown, the average was 80 hours of staff time; excluding institutions that developed their own survey instruments (a labor-intensive activity), the average was 50 staff hours.¹³ For staff being paid \$20-\$30/hr, this is an estimated cost of \$1000-\$1500.

Cost range: \$1000-\$1500

GRANT FUNDS

Though the costs of conducting a campus climate survey are relatively modest, as outlined above, there are grants available for schools looking to further offset their expenditures. Some schools have opted to tailor their surveys to include additional topics (e.g., drug and alcohol use) in order to take advantage of private grant funds. The Department of Justice also provides grant funding for schools conducting sexual assault campus climate surveys.¹⁴



Data aggregated from publically available Massachusetts university campus climate survey websites.

DATA SECURITY

Most universities already have processes in place for collecting and storing data in a secure and encrypted manner, and several procedures for data security and storage have been identified.

One option is for universities to have sole ownership over their own data and be responsible for publishing aggregate statistics. Universities in Massachusetts that have already conducted surveys have generally published their data comprehensively per question on their websites, or provided overviews of key findings.

As another option, the Task Force may consider identifying a third party to house the collected data. Multiple security options are available.

Secure multiparty computation has been used with other sensitive data collections. University data would be encrypted before being sent to the third party, and would only be decrypted with a private key.¹⁵ The data would be anonymized in the aggregate form and therefore untraceable to individual universities or respondents. For greater anonymity, the decryption process may require a minimum number of responses before the data is visible, so that data is not easily traceable to any particular university.

The encrypted data may contain an anonymized and random personal identification number associated with each university. Data can then be tracked by university across years to see changes over time and provide for more robust data analysis. The anonymized PIN would prevent any individual university from being identified.

Alternatively, the encrypted data could contain identifying information at the university-level. This would identify universities, but not individual respondents. This decision should be made with further input from involved stakeholders.

SURVEY RECOMMENDATIONS

Based on standard literature regarding survey best practices, as well as a robust analysis of surveys already implemented in Massachusetts and qualitative interviews with Title IX offices, the following recommendations are given for survey questions.

Surveys should avoid triggering language which can be retraumatizing for survivors of sexual violence. Contact information for mental health services and support should be provided along with the survey. Additionally, participants should always have the option to opt out of the survey if participation becomes too difficult.

Surveys should avoid questions that may inadvertently confirm existing rape myths. For example, a section gauging student body beliefs should begin with a caveat that these are not facts, and each statement should start with “I think that [sexual assault is a result of]...” rather than presenting the statement as fact, “Sexual assault is a result of...”. The survey should be especially cautious when asking about alcohol and drug use. Consider using the caveat, “Were you drinking at the time of the incident? Keep in mind that you are in no way responsible for the unwanted sexual contact that occurred, even if you had been drinking.”

Surveys should be inclusive of LGBTQ students by asking about sexual orientation and gender identity (beyond male and female), and avoiding language which indicates only men are perpetrators and only women are survivors.

Surveys should provide clear descriptive and behavioral definitions rather than just labels. For example, “Have you ever been sexually assaulted?” should be replaced with “Have you ever been fondled, kissed, or rubbed in private areas of your body or had clothing removed without your consent?”

REFERENCES

- ¹ AAU Climate Survey on Sexual Assault and Sexual Misconduct (2015). <https://www.aau.edu/key-issues/aau-climate-survey-sexual-assault-and-sexual-misconduct-2015>.
- ² Data aggregated by the authors from publically available campus climate survey results on individual college websites.
- ³ Louisiana Senate. Senate Bill No. 255 (2015). <https://www.legis.la.gov/Legis/ViewDocument.aspx?d=960039>.
- ⁴ Maryland General Assembly. Institutions of Higher Education, Sexual Assault, Policy and Survey (2015). <http://mgaleg.maryland.gov/webmga/frmMain.aspx?pid=billpage&stab=01&id=hb0571&tab=subject3&ys=2015rs>.
- ⁵ The New York State Senate. Senate Bill S5965 (2015-2016 Legislative Session). <https://www.nysenate.gov/legislation/bills/2015/s5965>.
- ⁶ Maryland Higher Education Commission. Report on Campus Climate and Sexual Violence at Maryland Colleges and Universities, Volume 1. November 2016.
- ⁷ Ibid.
- ⁸ 2018 HEDS Sexual Assault Campus Climate Survey. <https://www.hedsconsortium.org/heds-sexual-assault-campus-survey/#1482251184991-7c9b8e98-1e35>.
- ⁹ ARC3. <http://campusclimate.gsu.edu/>.
- ¹⁰ Maryland Higher Education Commission. Report on Campus Climate and Sexual Violence at Maryland Colleges and Universities, Volume 1. November 2016.
- ¹¹ Jerold S. Laguelles et al., “Can Lottery Incentives Boost Web Survey Response Rates? Findings from Four Experiments.” *Research in Higher Education* Vol. 52, Issue 5, pp 537-553, August 2011, <https://link.springer.com/article/10.1007/s11162-010-9203-2>.
- ¹² Based on interviews conducted by the authors.
- ¹³ Maryland Higher Education Commission. Report on Campus Climate and Sexual Violence at Maryland Colleges and Universities, Volume 1. November 2016.
- ¹⁴ The United States Department of Justice. Protecting Students from Sexual Assault. <https://www.justice.gov/ovw/protecting-students-sexual-assault>.
- ¹⁵ Lapets, Dunton, Holzinger, Jansen and Bestavros. Web-based Multi-Party Computation with Application to Anonymous Aggregate Compensation Analytics. CS Dept, Boston University.

AUTHORS

Cici Coquillet. Harvard Kennedy School MPP and Harvard Law School JD Candidate, 2019.
Elyse Voegeli. Harvard Kennedy School MPP Candidate, 2019.