

SENATE No. 2471

The Commonwealth of Massachusetts

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In the One Hundred and Eighty-Ninth General Court
(2015-2016)
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SENATE, Wednesday, July 27, 2016

The committee on Ways and Means, to whom was referred the Senate Bill creating a sexual assault climate survey for Massachusetts colleges and universities (Senate, No. 2242),-- reports, recommending that the same ought to pass with an amendment substituting a resolve entitled “Resolve creating a sexual assault climate survey for Massachusetts colleges and universities” (Senate, No. 2471).

For the committee,
Karen E. Spilka

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Resolve creating a sexual assault climate survey for Massachusetts colleges and universities.

1 Resolved, that there shall be a task force on sexual assault climate surveys on the
2 campuses of public and private institutions of higher education. The task force shall consist of
3 the following members: the commissioner of higher education or a designee, who shall serve as
4 co-chair; the commissioner of public health or a designee, who shall serve as co-chair; the
5 attorney general or a designee; and 14 members to be appointed by the governor, 1 of whom
6 shall be a representative recommended by Jane Doe, Inc.: The Massachusetts Coalition Against
7 Sexual Assault and Domestic Violence, 1 of whom shall be a student attending a public or
8 private institution of higher education in the commonwealth, 1 of whom shall be a representative
9 recommended by Victim Rights Law Center, Inc., 3 of whom shall be representatives of rape
10 crisis and counseling centers located in different geographic regions of the commonwealth, 2 of
11 whom shall be representatives of community-based sexual assault crisis service centers funded
12 by the department of public health, 1 of whom shall be a representative of the University of
13 Massachusetts recommended by the president of the university, 1 of whom shall be a
14 representative of the state universities recommended by the council of presidents of the state
15 university system, 1 of whom shall be a representative of the community colleges recommended
16 by Massachusetts Community Colleges executive office and 3 of whom shall be representatives

17 of private colleges and universities recommended by Association of Independent Colleges and
18 Universities in Massachusetts, Inc.

19 The task force shall develop a model sexual assault climate survey to be issued to
20 students attending public and private institutions of higher education in order to determine the
21 prevalence and perception of sexual assault on college and university campuses. An institution of
22 higher education that has developed and issued its own campus-specific climate survey to a
23 random and representative sample of students enrolled at the institution shall not be required to
24 use the model survey if the institution of higher education can demonstrate that the institution's
25 campus-specific survey covers the same topics as the model survey.

26 In developing the model survey, the task force shall: (i) in consultation with experts in the
27 development and utilization of sexual assault climate surveys and institutions of higher education
28 that have developed and utilized sexual assault climate surveys, design the questions and
29 recommended modes of implementation for the model survey; (ii) identify institutions of higher
30 education to receive the model survey; (iii) consult with institutions of higher education officials
31 on how to optimize the effectiveness of the survey; and (iv) perform other roles that the task
32 force deems necessary.

33 The task force shall develop the model survey using best practices from peer-reviewed
34 research measuring sexual violence and harassment. In designing the model survey, the task
35 force may, if appropriate, utilize sexual assault climate surveys that have been developed and
36 utilized by institutions of higher education and shall seek input from current students enrolled in
37 institutions of higher education. The model survey shall be designed to optimize completion of
38 the full survey instrument and to gather, to the extent possible, information on topics including,

39 but not limited to: (A) the number of reported incidences of sexual violence, dating violence,
40 domestic violence and stalking on campuses; (B) student knowledge of institutional policies and
41 procedures; (C) when a victim reported violence, to whom the victim reported such violence, the
42 response that the victim received and whether the victim was informed of or referred to local,
43 state, on-campus or other resources; (D) contextual factors, such as the involvement of force,
44 incapacitation or coercion; (E) demographic factors that could be used to identify at-risk groups;
45 and (F) whether an alleged assailant was a student. The task force shall issue the model survey
46 not later than July 1, 2017.

47 The commissioner of higher education shall ensure that the model survey is issued to an
48 adequate, random and representative sample of students not later than 1 year after the task force
49 has issued the model survey by selecting institutions of higher education throughout the
50 commonwealth to complete the model survey. An institution completing the survey may, in
51 addition to the standardized questions developed by the task force, request additional information
52 from students to increase the institution's understanding of school climate factors unique to the
53 institution's campus.

54 The model survey shall not require a student participant to provide a name or
55 any personally identifiable information. An institution of higher education shall take reasonable
56 steps to ensure the confidentiality of responses and shall not be required to report the results that
57 are broken down by demographic unless there is a reasonable sample size of students surveyed.

58 Each institution of higher education identified by the task force to receive the model
59 survey shall provide student responses to the model campus climate survey not later than 120
60 days after completing the administration of the model survey. An institution of higher education

61 that has issued its own campus-specific survey under this resolve shall provide student responses
62 as requested by the task force.

63 The task force shall analyze the sexual assault incident data that it receives and publish a
64 report based on the data and the task force's deliberations. The report shall be made available for
65 comment to participating institutions of higher education, the council of presidents of the state
66 university system, the Massachusetts Community Colleges executive office and Association of
67 Independent Colleges and Universities in Massachusetts, Inc. not less than 30 days prior to
68 publication. The task force shall consider revision of the report in response to received comment
69 and, after the report has been finalized, the task force shall file the report with the commissioner
70 of higher education.