HIGHER EDUCATION COORDINATING COMMISSION

OREGON CAMPUS SEXUAL MISCONDUCT SURVEY

2025 Implementation Guide

(ORS 350.337)

Treasure Valley Community College

This guide was prepared in August 2025 by Rowan Frost of the Higher Education Coordinating Commission, Office of Academic Policy and Authorization, with the direction of the Sexual Misconduct Survey Council.

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EXECUTIVE SUMMARY

Sexual and gender-based harassment and discrimination, sexual assault, relationship violence, stalking, and other forms of sexual and gender-based harm—collectively referred to as sexual misconduct—affect the academic success of higher education students who experience the behaviors.[1,2,3] After the 2014 publication of *Not Alone: The First Report of the White House Task Force to Protect Students From Sexual Assault* [4], federal and state laws (including Title IX and the Clery Act) expanded prevention and response efforts for sexual misconduct on college and university campuses.

Accurate local information about the prevalence of sexual misconduct on a campus is needed to determine the scope of the problem and the success of the institution's measures to address it. Because most sexual misconduct is not reported to campus authorities[5], experts recommend the use of anonymous sexual misconduct climate surveys to collect data on the experiences and attitudes of students[6]. Advocacy groups such as the Every Voice Coalition work with students and state legislators to raise awareness of the need for good information to inform campus prevention and response efforts.

Recognizing the importance of understanding the experiences of students at Oregon's college and universities, students and legislators worked together to pass HB 3456 (approved in 2023[7], and amended in 2024[8] and 2025[9], and codified as ORS 350.335-346). The Sexual Misconduct Survey Council was created by the legislation to develop a base survey and related recommendations, to be released by the beginning of the 2025-26 academic year. The law requires all institutions of higher education (IHEs) in Oregon to administer the survey biennially thereafter. The Higher Education Coordinating Commission (HECC) is charged with supporting the work of the Council, distributing the survey, and adopting administrative rules for its implementation[10].

This handbook contains information about the development of the Sexual Misconduct Climate Survey (SMSC) and recommendations to support Oregon institutions of higher education in implementing the survey. The

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[1] Baker, M. R., Frazier, P. A., Greer, C., Paulsen, J. A., Howard, K., Meredith, L. N., et al. (2016). Sexual victimization history predicts academic performance in college women. *Journal of Counseling Psychology, 63*(6), 685–692.

[2] Banyard, V. L., Demers, J. M., Cohn, E. S., Edwards, K. M., Moynihan, M. M., Walsh, W. A., et al. (2017). Academic Correlates of Unwanted Sexual Contact, Intercourse, Stalking, and Intimate Partner Violence: An Understudied but Important Consequence for College Students. *Journal of Interpersonal Violence*, 35(21-22), 4375-4392.

[3] Dworkin, E. R., DeCou, C. R., & Fitzpatrick, S. (2022). Associations between sexual assault and suicidal thoughts and behavior: A meta-analysis. *Psychological Trauma: Theory, Research, Practice, and Policy, 14*(7), 1208–1211.

[4] White House Task Force to Protect Students From Sexual Assault (2014). *Not Alone: The First Report of the White House Task Force to Protect Students From Sexual Assault.* Washington, DC. Available online at https://obamawhitehouse.archives.gov/1is2many/notalone

[5] Krebs, C., Lindquist, C., Berzofsky, M., Shook-Sa, B., Peterson, K., Planty, M., et al. (2016). Campus Climate Survey Validation Study Final Technical Report, *Bureau of Justice Statistics Research and Development Series.*

[6] White House Task Force to Protect Students From Sexual Assault.

[7] https://olis.oregonlegislature.gov/liz/2023R1/Downloads/MeasureDocument/HB3456/Enrolled

[8] https://olis.oregonlegislature.gov/liz/2024R1/Downloads/MeasureDocument/HB4164/Enrolled

[9] https://olis.oregonlegislature.gov/liz/2025R1/Downloads/MeasureDocument/HB3731/Enrolled

[10] The law contains other provisions unrelated to the survey to improve institutional prevention of and response to sexual misconduct. More information about those requirements and institutional compliance can be found on the HECC's website: oregon.gov/highered/about/Pages/sexual-misconduct-reporting.aspx

recommendations are divided into sections to help campuses plan for administration of the survey and managing the subsequent data.

COUNCIL ROSTER

COUNCIL MEMBER	AFFILIATION	SMSC POSITION	TERM
Caroline Bartlett	Portland Community College	Community College	3/18/24 - 3/18/26
Melony Burnett	Portland State University	Public university student representing group advocating for multicultural, diversity or antidiscrimination	3/28/25 - 3/18/26
Jenna Cohan	OCADSV	Oregon Coalition Against Domestic and Sexual Violence	3/18/24 - 3/18/26
Andrew Echols	Every Voice Coalition	National coalition (i.e. Every Voice Coalition)	3/18/24 - 3/18/26
Sara Gelser Blouin		(non voting) Senator	3/18/24 - 3/18/26
Katherine Green	Oregon Department of Justice	Oregon Attorney General's Office representative	*no term*
Annessa Hartman		(non voting) Representative	3/18/24 - 3/18/26
Jimmy Howard	University of Oregon	Title IX coordinator from a school with bachelor Degrees	3/18/24 - 3/18/26
Lina Lechlech	Oregon Sexual Assault Task Force	Oregon Sexual Assault Task Force	9/19/24 - 3/18/26
Lisa Logan	Willamette University	Medical or mental health care professional with experience working with victims of trauma at a health services program at an institute of higher education	8/19/24 - 3/18/26
Kevin Mannix		(non voting) Representative	3/18/24 - 3/18/26
Jessica Marshall	University of Oregon	Public university student representing group advocating for multicultural, diversity or antidiscrimination	4/2/25 - 3/18/26
Adeya Powell	Western Oregon University	Experience in development and design of sexual misconduct climate surveys	8/19/24 - 3/18/26
Rudyane Rivera-Lindstrom	HECC	Higher Education Coordinating Commission	*no term*
Martina Shabram	Sexual Assault Support Services of Lane County	Rep from community-based domestic and sexual violence advocacy agency	4/8/26 - 4/8/26
Justin L. Smith	Linn-Benton Community College	Experience in statistics, data analytics or econometrics and experience in higher education survey analysis	3/18/24 - 3/18/26
Kelley Strawn	Willamette University	Private institute of higher education	8/19/24 - 3/18/26
Kim Thatcher		(non voting) Senator	3/18/24 - 3/18/26
Rain Tronoski	Reed University	Private school student representing group advocating for multicultural, diversity or antidiscrimination	5/21/25 - 3/18/26
Jennifer Wilson	Oregon Institute of Technology	Public university	3/18/24 - 3/18/26

Previous Council Members

Carlee Anglin	George Fox University	Medical or mental health care professional with experience working with victims of trauma at a health services program at an institute of higher education
Lindsey Beaman	Oregon State University	Public university student representing group advocating for multicultural, diversity or antidiscrimination
Ethan Downs	Lane Community College	Community college student representing group advocating for multicultural, diversity or antidiscrimination
Tiffany Hyde	Rogue Community College	Community college student representing group advocating for multicultural, diversity or antidiscrimination
Beier Li	Reed University	Private school student representing group advocating for multicultural, diversity or antidiscrimination
Julianna Pedone	University of Portland	Private school student representing group advocating for multicultural, diversity or antidiscrimination

Carli Rohner	Oregon Sexual Assault Task Force	Oregon Sexual Assault Task Force
Sarina Saturn	Oregon Education Association Choice Trust	Experience in development and design of sexual misconduct climate surveys
Marco Vinicio Zarate	Lane Community College	CC Student representing group advocating for multicultural, diversity or antidiscrimination

INTRODUCTION: THE SEXUAL MISCONDUCT SURVEY COUNCIL

The Sexual Misconduct Survey Council membership includes partners from non-profit organizations with expertise in sexual misconduct advocacy and policy, and professional staff and student representatives from community colleges, public universities, and private colleges and universities. Members of the Council can self-nominate or be recommended, and are appointed by the HECC Executive Director. Appointment terms are for two years.

The Council is charged with the following responsibilities under ORS 350.337 and 350.338:

> At least once every two years, the Council will develop a base survey for distribution to institutions of higher education.
>
> In developing the survey, the Council will
>
> - Utilize best practices from peer-reviewed research and consult with individuals with expertise in the development and use of sexual misconduct climate surveys by post-secondary institutions of education;
> - Review sexual misconduct climate surveys that have been developed and previously used by post-secondary institutions of education;
> - Provide opportunities for written comment from organizations that work directly with victims of sexual misconduct in order to ensure the adequacy and appropriateness of the proposed content;
> - Consult with institutions of higher education on strategies for optimizing the effectiveness of the survey;
> - Account for the diverse needs and differences of institutions of higher education;
> - Provide opportunities for student feedback through optional comment boxes at the end of the survey and by providing a time and space for students to comment to the council on what could be done to improve the survey;
> - Use a trauma-informed framework.

ORS 350.338 additionally authorizes the Council to review any questions that are added to the base survey by an institution to ensure that they do not require the disclosure of any personally identifiable information and are not objectively traumatizing for victims of sexual misconduct. If the questions do not meet those criteria, the Council will help rewrite the questions.

DEVELOPING THE OREGON SEXUAL MISCONDUCT CLIMATE SURVEY

The SMSC's primary purpose is to construct a survey that meets the requirements of ORS 350.337. Questions about 17 topic areas must be included. None of the existing surveys that were available for review addressed all of the topic areas required, but the SMSC was able to adapt some items, completing the survey by utilizing the body of research on structuring effective surveys. When best practices were available, the SMSC used them to the extent practicable.

Timeline of the Sexual Misconduct Survey Council

May 2024: Council convened

July 2024: Workgroups established

October 2024 to March 2025: Survey drafted

April 2025 to May 2025: Survey piloted for public feedback

July 2025: Council approval of survey and implementation guide

August 2025: Survey and implementation guide distributed to institutions

All Sexual Misconduct Survey Council meetings are subject to Oregon meeting law and open to the public. Past and future meetings are posted online[11]. HECC staff maintained a mailing list of IHE contacts who wished to be kept informed of milestones in the survey development. This list included Title IX coordinators, campus advocates, students, and others with interest in the work of sexual misconduct survey council. The Council organized its work using the online platform Basecamp, which allowed for resource sharing within the Council and with the public.

At its initial meeting, the Council reviewed its scope of work, elected co-chairs, and decided on decision-making processes. Council members were invited to review existing sexual misconduct climate surveys and other background materials. HECC staff assisted by obtaining reference materials, and soliciting and sharing information from institutional partners.

The Council determined that the most effective way to divide the work was through subcommittees. The subcommittees met at least monthly, and reported on their work at the monthly full Council meetings.

The **Outreach Committee** addressed the important work of informing institutional partners about the Council's progress. It also developed a plan to pilot the draft survey across Oregon IHEs to ensure that students were able to provide feedback on the experience of taking the survey before the final version was made available to the schools.

The **Language Committee** focused on developing standards to ensure that the survey utilized the statutorily-mandated trauma-informed framework, and reviewed the survey and accompanying materials to ensure that trauma-informed language was used throughout.

The **Survey Writing Committee** developed the survey instrument after review of existing sexual misconduct climate surveys, and included questions to address all of the topics required by the law.

The **Implementation Committee** wrote recommendations for survey administration based on best practices from peer-reviewed literature and reports from organizations and states with experience in distributing sexual misconduct climate surveys.

[11] https://www.oregon.gov/highered/about/Pages/sexual-misconduct-reporting.aspx

The Council will transition to quarterly meetings after the survey is distributed so that it can continue to fulfill its obligations.

TRAUMA-INFORMED FRAMEWORK

An important statutory requirement, as well as an ethical one, is that the survey be written from a trauma-informed framework. Answering questions about experiences of sexual harassment, stalking, partner abuse, and sexual assault requires a survivor to recall details of events that may have been traumatizing. When questions are poorly written, contain overly explicit language, or imply that the survivor was at fault for the other person's action, survivors may experience a distress response, sometimes colloquially referred to as being "triggered" or "activated." However, when survivors are asked respectfully about their experiences, research has found that there is a minimal risk of harm, and survivors may even find it empowering to be able to share their stories.[12]

Language, structure, and administration of the survey are all components of the trauma-informed framework. The Language Committee developed *Trauma-informed Principles Used in the Sexual Misconduct Survey* to guide its evaluation of the questions it received from the Survey Committee.

The number of questions needed to meet the statute's requirements as well as the subject matter impose unavoidable cognitive burdens on respondents, and the Language Committee prioritized changes that could reduce that load. They simplified language; recommended changes in the number of response options; consolidated questions; and added language to reinforce the respondent's ability to skip certain questions or sections.

Trauma-informed language

Carefully crafted questions can improve response rates. The language used in questions affects whether respondents will disclose experiences that meet definitions of specific types of sexual misconduct (such as sexual assault and intimate partner violence).[13,14] One reason that sexual misconduct is underreported is that many people whose experiences meet the definition of a type of sexual misconduct reject labeling them with culturally-loaded terms such as "harassment," "domestic violence," or "sexual assault."

To avoid requiring respondents to assign a category to their experiences, the SMSC wrote questions with language that met the definition of a type of sexual misconduct. For example, instead of "were you sexually harassed?" the survey asks, "has someone done the following things in a way that made you feel uncomfortable, intimidated, offended, unsafe, or unwelcome?" Possible responses include general behaviors that meet the definition of sexual harassment such as "made comments (out loud or in writing, including texts)

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[12] Nonomura, R., Giesbrecht, C., Jivraj, T., Lapp, A., Bax, K., Jenney, A., et al. (2020). Toward a trauma- and violence-informed research ethics module: Considerations and recommendations. *Working Group of the Knowledge Hub Community of Practice*, 2020 Centre for Research and Education on Violence Against Women and Children, Western University, London, Ontario.

[13] Hamby, S. L., & Koss, M. P. (2003). Shades of gray: A qualitative study of terms used in the measurement of sexual victimization. *Psychology of Women Quarterly*, 27(3), 243-255.

[14] Rosoff, C. (2018). Ethics in College Sexual Assault Research, Ethics, & Behavior. *Ethics & Behavior,* 28(2), 91-103.

about my biological sex, gender, gender expression, or gender identity (or perceived sex or gender)." When a term or phrase was uncommon or might have ambiguous meanings, definitions were included.

As in all surveys, there is a need for balance between asking for information that is required to meet the goals of the survey and asking questions that generate information that is interesting but not necessary to include in the results. Because of the number of questions that had to be asked to meet the statutory requirements, the SMSC was particularly sensitive to the need to minimize the number of questions asked about any particular topic. How the data would be used, and who would use it, were also major considerations.

For an IHE, a principal use of the survey results would be to identify the kinds of sexual misconduct its students were experiencing and the general characteristics of those experiences so that the institution could improve its response to and prevention of sexual misconduct. For students and members of the public, a primary use would be to understand how frequently types of sexual misconduct occur on a specific campus, and whether survivors were able to access supportive resources. Neither of these uses would require a respondent to describe the specific details of every experience they might have had.

Trauma-informed structure

The Council incorporated the following trauma-informed elements in the structure of the survey:

Informed consent and voluntariness

The survey entry page provides information about the types of topics that will be asked about, and discusses the fact that some people might find the questions challenging for a number of reasons. Information on the anonymity of responses and the allowed uses of responses is provided. Throughout the survey, participants are assured that they can skip any question, and can leave the survey at any time without penalty. For topics that might be particularly sensitive, participants are offered the choice of looking at the questions, or skipping to the next section. Places for institutions to insert campus-specific information for crisis services and reporting are included in the survey.

Ensure anonymity

Respondents are not asked to provide any personably identifiable information. Institutions are instructed to ensure that the survey platforms they use are set to not collect any information that could be used to identify the respondent or the device they used to complete the survey. To prevent identification of individuals because of their unique demographics, responses must be aggregated before reporting, and summaries must not include cell sizes smaller than 10 for demographic questions and smaller than 5 for experience questions (cells with fewer responses may be combined). Because Oregon requires educational institutions to report any abuse of a minor, the survey begins by instructing students under 18 years of age to exit the survey to prevent any possible violations of reporting law.

Order of topics

The order in which topics in the survey are presented was carefully considered: first demographics; then experiences (in order of generally least intense to most severe). Those who have had experiences are then asked about disclosures and the impacts of the experiences. All respondents are asked to complete a final section on knowledge of campus resources, attitudes, and bystander intervention. Starting the survey with general questions about identity is intended to allow participants to become familiar with the language

used in the survey and how the platform functions before moving into material that might be more emotionally challenging, and the survey ends with questions that are more emotionally neutral.

SECTION 1: PREPARING YOUR CAMPUS FOR THE SEXUAL MISCONDUCT SURVEY

Based on best practices and recommendations from researchers in the field,[15] the Sexual Misconduct Survey Council suggests that institutions enter into a planning process at least six months before fielding the survey. This will allow time to build capacity to field the survey effectively. Each campus will have different needs, but all plans should include these elements:

- Assembling an implementation team
- Identifying sexual misconduct-related resources on campus and in the local area
- Deciding how to collect and protect survey data
- Developing messaging about the survey for internal (students, staff, and faculty) and external (parents, prospective students, and community) audiences.

BUILD A MULTI-DISCIPLINARY SURVEY IMPLEMENTATION TEAM

Conducting a campus climate survey requires expertise in a variety of areas, including research methods, data security, and communication. The following information assumes that an institution has a broad bench of employees to draw from in assembling its team. This is not always the case for smaller campuses. For those institutions, it is especially important to ensure that the burden of the additional work generated by the survey is not shouldered by one person, and consider the potential contributions to the project that can be made by other staff and faculty. A team approach will result in more effective survey implementation and more useful results.

In addition to team members with technical skills, it is important for administrators to identify employees and offices whose inclusion on the team will increase student confidence, as student trust is crucial to a survey's success. Consulting with staff in student affairs, counseling and advocacy, and multicultural offices, and soliciting recommendations from students can provide important information about who should be included on the team.

Institutional leaders (presidents, vice-presidents, deans) may appoint team members or delegate the responsibility for assembling the team. The implementation team should represent the diversity of the campus community. Depending on campus conditions, the following people may be appointed:

- Title IX coordinators
- Data and research office personnel who can make recommendations on handling and analyzing data, and ensure that ethical standards are in place
- Staff from student life programs with expertise in student engagement to advise on messaging and other issues unique to the student body
- Deans and student affairs leaders

[15] McMahon, S., Stepleton, K., Cusano, J., O'Connor, J., Gandhi, K., & McGinty, F. (2018). Beyond Sexual Assault Surveys: A Model for Comprehensive Campus Climate Assessments, *Journal of Student Affairs Research and Practice*, 55(1), 78-90.

- Counselors and advocates who work directly with survivors on campus
- Preventionists and health educators with experience in presenting sensitive topics to students
- Students from diverse programs and classes
- Members of faculty with expertise in social research
- Campus communications and public relations staff

At its first meeting, team members should be prepared to discuss the statutory requirements of the survey to ensure that they understand the scope of work. Decisions to be made include how often they will meet, how they will make decisions, how best to divide the work, and channels for disseminating information about the survey and the team's work to the campus community. The approval process for decision-making should be clearly defined so that the team knows how to seek approval and the limits of its authority. (Any approval process external to the team will have to be built into timelines.)

The remainder of this section discusses some of the tasks for the implementation team.

RESOURCE AUDIT TO IDENTIFY CAMPUS-LOCAL POLICIES, PROTOCOLS, RESOURCES, AND PROGRAMMING

One outcome of participating in sexual misconduct surveys for survivors may be increased insight into experiences of victimization, and increased help-seeking.[16] Providing contact information for resources during and after completing the survey can help ensure that survivors have access to support. This is why experts recommend that one of the first tasks of the implementation team is to conduct a resource audit.[17]

The audit will gather information about offices and programs on and off campus that: provide support and confidential advocacy services to survivors of sexual misconduct; are involved with investigation and adjudication of sexual misconduct; provide training and education to faculty, staff, and students; and develop sexual misconduct policies. Information collected by the audit should include the location and contact information of each resource, as well as its webpage and any social media links. Contact information for and resources offered by off-campus organizations can be gathered from the Internet, but the team should contact them to ensure that the information is current. Asking campus resources which organizations they refer students to may also be productive.

The implementation team should request information on sexual misconduct resources available to students from all offices, departments, and programs, including organizations such as Greek Life, athletics, and student affiliate groups. Students may access formal and informal support from people in offices and roles not directly involved in Title IX and sexual misconduct prevention and response. Programs and departments may have their own internal messaging about sexual misconduct. Including them in the audit will give a fuller picture of the scope of resources available to and utilized by students.

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[16] Kirkner, A., Relyea, M., & Ullman, S. (2019). Predicting the effects of sexual assault research participation: reactions, perceived insight, and help-seeking. *Journal of Interpersonal Violence*, 34(17), 3592-3613.

The information-sharing protections and limits of each resource should be included in the results of the audit. Students may not understand the differences between "privacy," "confidentiality," and "anonymity." Confidentiality varies by the role and professional status of the person: for example, certified confidential advocates employed by educational institutions and those employed by non-profits may have different responsibilities under Oregon mandatory child abuse reporting laws, and certified confidential advocates do not have the same reporting responsibilities as licensed clinical social workers.

The implementation team can simultaneously collect information and inform the resources about the survey purpose and timeline. Resources may need to plan for an increase in student demand for services as information about the survey is shared with the campus community and during the survey administration period.

Campus contact information for the Title IX office and on- and off-campus confidential advocacy services should be added to the information page of the survey. Survey questions in Sections 3, 4, and 5 may also be customized to ascertain how familiar students are with specific campus resources, policies, and sexual misconduct prevention and response programs.

DETERMINE WHO WILL ISSUE THE SURVEY AND ACCESS THE DATA

The implementation team should carefully consider which office or individual will be assigned to release the survey to students and review the resulting data. Responses to the survey may contain extremely sensitive information. Some people will disclose experiences for the first time. A survey will not succeed if students do not trust that their data will be kept safe and used only for purposes they support.

The office from which the survey is issued should be one that is trusted by students on campus. At some institutions, this will be the Title IX office; at others, it may be the health and counseling center, the advocacy program, or a multicultural resource center. Staff who work directly with survivors to provide support and students on the implementation team are well positioned to make recommendations.

The office issuing the survey need not be completely responsible for compiling the survey results; however, it is important that the institution be transparent about which offices and individuals have access to the data. This is an important component of informed consent, and essential for ensuring student confidence. Students who have experienced sexual misconduct by professional staff, faculty, or student employees may be particularly reluctant to complete the survey if they fear that the person who harmed them could access to the raw data and use the information against them.

ADDING CUSTOMIZED QUESTIONS AND RESPONSES

The implementation team may determine if there are any campus-specific conditions that are not captured in the base survey, and develop additional questions to solicit information about those conditions. In developing these questions, the team should use the guidelines of trauma-informed language prepared by the Council. When the questions are drafted, they should be sent to the HECC sexual misconduct survey policy analyst, who will arrange for their review by the Council per ORS 350.338(2)(B)(ii)(b). If the Council determines that the questions do not meet the statutory requirements, they will assist the institution in developing appropriate campus-specific questions.

Some questions have been approved for customization by the Council and do not require further consultation. Please see Appendix C for these questions.

CAMPUS MESSAGING AND SURVEY COMMUNICATIONS

The implementation team should develop a communication plan to begin informing the campus community about the survey. A comprehensive communication plan will build trust in the survey and can increase response rates. The implementation team may partner with the institution's communications staff to enlist their familiarity with campus communication channels and message development. Communications staff will also be familiar with the school's processes for approving campus-wide messages, and can advise on determining a communication schedule.

Every campus will have audiences with unique messaging needs. Students, staff, and faculty should all be informed about the survey well ahead of distribution, and reaching them may require different media. Parents, alumni, and upper-level administrators (the President's office, Board of Directors or Regents, provosts, etc.) may also have specific communication needs. The implementation team, in consultation with communication staff, should consider what kinds of information will be needed by each audience, and identify the best ways of conveying it to them. A communication calendar can be developed to guide messaging, and periodic messaging can help students be more aware of the purpose of the survey.

Communications about the survey can begin as soon as the campus receives it from HECC and forms the implementation team. Articles in campus newspapers or newsletters can help build a foundation for the survey. Presenting information about the survey to student government and providing students with opportunities to ask questions about how it will be administered, what it will contain, and how the data will be protected and used will aid in building trust. Later, advance messages can inform students when the survey will be released so that they will be more likely to remember hearing about it and open the emails about it.

Developing a unique visual identity for the survey is helpful in connecting the messages, and it is also a trauma-informed strategy. The survey is unavoidably a reminder of sexual misconduct, and may make some survivors uncomfortable. A communications campaign that uses a unified theme of colors, font, and layout throughout will allow survivors to learn to identify messages as being about the survey without having to read them. This will allow them to engage with the information when they are best able to receive it.

SECTION 2: ADMINISTERING THE SURVEY

All enrolled students, including students who are studying abroad or who have been enrolled at the institution within the last academic year, must be offered the opportunity to take the survey.

Students should be invited to participate by an email from the issuing office that includes a link to the survey. The invitation email should state the purpose of the survey and provide basic information such as how long the survey will take, how the data will be stored and reported, and who students can contact for questions about the survey. The invitation should also include a link to the resource list developed for the survey. The email should make clear that there is no requirement to complete the survey, and no one will know if the student takes it or not.

PLATFORM

The survey must be administered online. The security of the survey platform is very important because of the sensitivity of the data and the complexity of the survey, which requires skip logic capability. As a convenience for schools, HECC has created the survey on the Qualtrics and SurveyMonkey platforms, and can share the files so that they can be used by schools that have existing accounts. Qualtrics and SurveyMonkey were chosen because they are relatively secure, allow for anonymous collection of survey responses, and are already in use by many Oregon IHEs. Both offer educational pricing. Institutions are not required to use Qualtrics or SurveyMonkey, and may choose to enter the survey themselves using any platform that allows for skip logic and provides for anonymity and adequate security. If a school decides to use a platform other than Qualtrics or SurveyMonkey, HECC staff cannot assist them in creating the survey on that platform, but can review the completed survey to ensure that it meets the statutory requirements.

THIRD-PARTY VENDORS

Institutions are not prohibited from contracting with a third-party vendor to administer the survey on their behalf as long as the legal requirements are met. Ethical and privacy expectations will be the same, regardless of how the survey is administered.

SURVEY CYCLE, TIMING, AND COLLECTION PERIOD

The survey must be administered to all enrolled students for the first time within 2 years of its release by HECC, and biennially after that.

Research generally recommends administering the survey after the middle of the spring term.[18] Each institution will need to select a time that suits their academic calendar. The timing should also fall between, and not too close to, other campus-wide data collection requests. The institutional research office may be able to provide information about potential conflicts with other scheduled surveys.

Best practices advise that the collection period (also known as field period) should be four to six weeks, although this may vary with campus conditions. The next two-year survey cycle begins on the closing date of the survey collection period. For example, assume an institution opens its survey collection period on April 1, 2026, for a four-week collection period ending on April 30, 2026. The institution must open collection for its next survey before April 30, 2028.

While institutions are not required to release their surveys after spring break (or late in the academic year), there are some benefits:

- The experiences of first-year students whose attendance began in the fall will be more completely captured
- Students who were under 18 years of age at the beginning of the academic year may have turned 18 by the spring, and will be able to complete the survey.
- Where summers are quieter on campus, institution staff will have more time to review the data and prepare their summary reports.

[18] Berzofsky, M. (2022). Sexual assault climate survey sample design methods: A review and recommendations to improve response and reduce bias. *Journal of Evidence-based Social Work*. 19(5), 521-536.

SECTION 3: MAXIMIZING RESPONSE RATES

The response rate is the percentage of students who open a survey. This will usually be a higher percentage than the completion rate—the number of students who complete the survey and submit their answers. Factors affecting response rate are more likely to be affected by institutional actions. Institutions are encouraged to take steps to maximize response rates, but must also assure students that participation in the survey is not required and there will be no penalty for not completing it.

While there is no accepted minimum standard for online sexual misconduct climate survey response rates, the American Association of Universities reported response rates ranging from 7% to 53% at campuses implementing the AAU survey, with an overall response rate of 19.3%.[19] The Campus Climate Survey Validation Study[20] had an overall response rate of 54% for female-identified students and 40% for male-identified students. A study of 86 Title IX coordinators who had conducted sexual assault climate surveys found a range of response rates from 6% to 98%, with an average of 27.74%.[21]

Budd et al. (2019) recommend the following tactics to improve response rates:

- Pre-contacts (emails that inform students that they will be receiving the survey)
- Multiple reminder emails
- Personalizing emails with the recipient's name
- Survey design (length, ordering, and format)
- Administrative support
- Incentives

Willamette University conducted an online *Healthy Minds Study* in 2024 which achieved a 37% response rate.[22] They took multiple action steps before, during, and after the survey launch date to get that level of participation. Strategies included:

- Developing an active survey planning committee that could help encourage participation
- Pre-contact emails that included information about the purpose of the study and when students could expect to see the survey email in their inboxes so that they could be confident that it was not a phishing attempt
- Postering the campus
- Two electronic newsletter articles: one about a week before the launch and the second on the day of the launch
- Advising Deans about the survey and providing a message they could share with faculty with the hope that they could then encourage students to participate
- Similar language for student affairs leadership to share with students

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[19] Cantor, D., Fisher, B., Chibnall, S., Townsend, R., Lee, H., Bruce, C. & Thomas, G. (2015) Report on the AAU Campus Climate Survey on Sexual Assault and Sexual Misconduct. Available online at https://gag.academic.wlu.edu/files/2015/09/Report-on-the-AAU-Campus-Climate-Survey-on-Sexual-Assault-and-Sexual-Misconduct.pdf

[20] Krebs et al., 2016

[21] Budd, K., Van Gundy, A., Ward, R., & Muschert, G. (2019) Sexual assault campus climate surveys: Insights from the first wave. *Dignity: A Journal of Analysis of Exploitation and Violence,* 4:1, Article 10.

[22] Strawn, K. (2024). Personal communication

- Reminder email from the Vice-President of Student Affairs two weeks after launch
- Announcement at a faculty meeting with a request to encourage student participation
- Encouraging students to talk about the survey with their peers
- Interview of the lead campus survey contact in the student paper
- Weekly updates to the planning committee and student support team with an ask to encourage participation
- Weekly email reminders from the survey administrator during the administration period.

INCENTIVES

Sexual misconduct surveys are long, and require an investment of emotional labor as well as time. It is reasonable that some students would be reluctant to fill out a survey that does not seem to have any benefit to themselves or others. The institution can help increase student interest by explaining why their participation is important, and how it will benefit their campus and survivors.

There are many kinds of incentives that can encourage student participation. Not surprisingly, some studies have found that small cash incentives (usually $5-$20) have the most impact on student response rates.[23] These studies were done with small samples, not in situations where an entire student body is being surveyed. In addition to a potentially prohibitive cost, such an incentive would be difficult to provide without requiring disclosure of the respondent's identity. Fortunately, other kinds of incentives can also encourage students to participate. For example, transferring a set amount of funds to survivor services for every survey completed can both increases the material resources available to survivors and appeals to students' altruism.

To avoid coercion, incentives must be offered whether or not a student completes the survey. Campuses should avoid using awards for high participation by groups such as residence halls, majors, athletic departments, fraternities and sororities, etc., as those groups may apply peer pressure for participation. Members of such groups may share individual characteristics, creating bias in the results.

Raffles are a common way of encouraging students to complete a survey. To avoid connecting identity to the survey information, a link to the raffle form can be provided on the survey exit page. A gift card to the campus bookstore or a local coffee shop, an iPad, or other merchandise (preferably donated) is often used, but there are high-value raffle prizes that are low- to no-cost. Some examples are:

- Lunch with the President (or other campus icon)
- Priority class or residence hall registration
- Designated parking place or free parking pass
- Free designated bike locker for the semester

Many campuses have developed innovative strategies that appeal to their unique student population. Students and student activities staff on the implementation team will have ideas about what motivates students on their specific campus. Whatever the incentive, it is important that it be trauma-informed: something that is seen as frivolous could make students feel that the institution was not taking the subject seriously; something extravagant could create pressure to take the survey.

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[23] Berzofsky, M. (2022).

REMINDER EMAILS

In addition to preparing a campus by sending out informational emails before the survey launches, sending reminder emails may increase response rates.[24]

GENERATING MEANINGFUL AND REPRESENTATIVE RESULTS

The quantity of responses to a survey is an important metric for the institution to consider, but to ensure meaningfulness of the results it is also important to ensure that steps are taken to promote participation among all members of the campus student body. Representativeness refers to how similar the group of students who respond to a survey is to the total population of enrolled students. A potential limitation of the generalizability of sexual misconduct survey results to an institution's entire student body is the possibility that students with different experiences may be more or less likely to submit the survey, creating bias. Some studies have found no evidence of completion bias in surveys[25], but this may not be the case on all campuses.

Survey response rates will depend, in part, on how much potential participants trust that their data will be secure and used for purposes they support. Subpopulations who are underrepresented in the student body at large, or who have felt historically marginalized, may have less confidence in the institution's ability to protect their data and to utilize it in a way that benefits people who share their identities. These are often the same groups that are elevated risk for sexual misconduct. If they do not complete the survey because of concerns about how data will be used, the survey results will not provide a complete and accurate picture of sexual misconduct on campus. Ensuring that their experiences are included in the overall results is important for understanding the impact of sexual misconduct on all groups, and the effectiveness of initiatives intended to prevent it and mitigate its harms.

Transparency in advance communications and representation on the survey planning team can help assuage concerns about privacy, underrepresentation, and the accuracy of survey results. Early outreach is encouraged as a strategy to build trust and participation in the survey.

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[24] Berzofsky, M. (2022).

[25] Rosenthal, M. & Freyd, J. (2018). Sexual violence on campus: no evidence that studies are biased due to self-selection. *Dignity: A Journal of Analysis of Exploitation and Violence,* 3(1), Article 7.

SECTION 4: HANDLING AND PROTECTING SURVEY DATA

ETHICAL DATA HANDLING

Institutions should adopt professional and ethical standards for survey administration, data collection, and data utilization, and administer the sexual misconduct survey consistent with those principles. Institutions should include information about the ethical standards they have adopted on the entry page of the survey and include a link to the standards in the aggregate summary report of survey results. If institutions contract with third parties for administration of their survey, they must ensure that the third-party contractors also abide by the adopted professional and ethical standards, and that the standards are made available to students and included in the summary report.

The sexual misconduct survey database may only be used by the institution of higher education for evaluation and improvement of its campus safety and sexual misconduct prevention and response programs and to develop the aggregate summary of the survey results. Survey results should be made public only in ways that advance the well-being of the student/faculty/staff community and the educational mission of a given institution. The survey database may not be shared with or used by any other entity for any other purpose.

Raw survey data should be stored, accessed, and preserved following secure-data procedures that are consistent with the level of data and information security required for other highly sensitive institutional data at a given campus. Among other standards, data should be kept only in one location (not including institutional backup systems); the location should be behind a security firewall; and that location should be accessible only to appropriate persons.

Raw data should be accessible only to a small number of persons, such as the institutional research director or equivalent. All persons with access to raw data should have a clear, institutional "need to know" role, appropriate professional training, and experience in handling and maintaining sensitive information. They will be solely responsible for producing summary results for internal and public dissemination.

Students should not be employed in positions that will give them access to raw data nor allowed to use raw or unaggregated data for classwork or research projects.

Faculty utilization of raw data or unaggregated data for professional development or research purposes should not be allowed.

If third-party vendors are utilized to administer the survey, they should be allowed to participate solely as intermediaries carrying out a service. That is, third-party vendors should not be given ownership of raw data or results. Vendors should not be allowed to keep a copy of individual schools' survey data, nor to use survey data or results for their own proprietary purposes.

PROTECTING ANONYMITY

Protecting the identities of respondents means more than not requesting personally identifiable data. It includes how responses are collected and processed, limiting who is able to access to the database, and the security of the stored data.

Institutions are encouraged to consult with their information technology staff and other experts, but here are

some suggestions to help minimize the possibility of disclosure of data:

- The online platform used to collect survey data must be configured to not collect IP addresses or other information that could be used to identify a respondent or the device used to submit survey data.
- Free text questions on the survey should be reviewed before aggregation so that any names or other identifying information included in responses can be deleted from stored data. If possible, this should be done by someone without Title IX reporting obligations in case information that might trigger a report is provided.
- The survey database should be password-protected and stored on a server with industry-standard access restriction and cryptographic measures.
- Access to the database should be limited to only those staff who will be involved in coding, cleaning, and summarizing the data.
- Survey data should be used only for the purposes stated in the survey introduction and to which the participants have agreed. It should not be merged with other data or shared with any other entity. Institutions are encouraged to consult their counsel to proactively decide on a process for responding to a public records request, subpoena, or other official request to access the data.

IRB CONSIDERATIONS

Colleges that lack their own Institutional Review Board (IRB) and intend to treat the Sexual Misconduct Survey as human-subjects research with plans to publish or otherwise generalize the results may secure IRB oversight before data collection. The University of Oregon IRB can serve as the IRB of record through an IRB reliance agreement.

To initiate a reliance agreement or request template protocol materials, please contact the Sexual Misconduct Survey Technical Assistance team at [IRB-support@uoregon.edu].

Institutions administering the survey solely for statutory reporting, internal compliance, assessment, or service improvement generally do not require IRB review, but technical assistance from the University of Oregon is available for any school that prefers—or is required—to obtain IRB approval prior to survey deployment.

RETAINING AND DESTROYING DATA

Institutions may follow their usual records retention and destruction schedule, or may choose to develop a schedule specific to the survey. Longitudinal comparison of survey results may be helpful to institutions in evaluating prevention and response efforts.

MISSING DATA AND INCOMPLETE SURVEYS

Because students cannot give consent to sharing their responses before they have seen the questions, the last item in the survey asks students to confirm that they want the information they have entered to be submitted and counted. All response sets from students who choose to submit their surveys should be included in the aggregated database and the summary report. Surveys with incomplete answers may be included if they are submitted.

Regardless of how much of a unsubmitted survey was completed, no information provided by a student that did not submit the survey should be retained. The database of survey responses should be "cleaned" by deleting all data on experiences in unsubmitted response sets.

There is one exception to the recommendation for deletion of information in unsubmitted response sets: if the demographic section is completed in an unsubmitted survey, institutions may use the demographic data to compare characteristics of that group with students who did submit the survey. This may highlight groups of students who are less likely to submit the survey. Qualitative follow-up (e.g., conducting a focus group of students with identities similar to those who started but did not submit the survey) may yield valuable insight about barriers which can be addressed by the institution in the next survey cycle.

CALCULATING RESPONSE RATE, COMPLETION RATE, AND REPRESENTATIVENESS

All enrolled students are eligible to take the survey. This number is the population size. The response rate is the percentage of students who begin to enter data into the survey compared with the population. The completion rate is the percentage of students who finish and submit the survey compared with the population. The response rate and completion rate will always be included in the summary report.

To calculate response rate:

$$\frac{number\ of\ started\ surveys}{total\ enrollment}\ x\ 100 = \%\ response\ rate$$

To calculate completion rate:

$$\frac{number\ of\ submitted\ surveys}{total\ enrollment}\ x\ 100 = \%\ completion\ rate$$

As an example, consider a school with a total student enrollment of 1000. Assume 300 students start the survey, but only 200 actually submit it. The response rate is 30% (300/1000 x 100). The completion rate is 20% (200/1000 x 100).

Comparing the demographic characteristics of the population with those of the students who submit the survey yields information on the representativeness of the survey. If there is a significant difference between them, the results of the survey may not reflect the experiences of the entire student body. A table containing demographic comparisons of survey completers and the entire student body should be included in the summary report.

AGGREGATING DATA AND CELL SIZE

Before preparing summary reports or other publications, data in survey response sets should be aggregated to avoid situations in which a student's identity or experience might be guessed or revealed. However, on some campuses there may be very few respondents in some categories, and this can threaten anonymity. "Cell size" refers to the number of participants who selected a specific response to a question. To avoid compromising the anonymity of respondents, the SMSC recommends institutions not report demographic cell sizes less than ten. This should be indicated in reports by "n=<10."

But not counting the responses at all risks erasing the participation and experiences of the people in that cell. This is a loss of valuable information, and may discourage future participation in surveys by people with uncommon identities or experiences.

There are two ways to avoid losing information. First, when it makes sense, cells with small totals may be combined. For a question about enrollment status, consider this example using a question about enrollment status:

What is your current enrollment status?	
Full-time	14
Part-time	8
Unsure/don't know	3
Total	**25**

Both "part-time" and "unsure/don't know" have fewer than ten responses. Combining them creates a cell larger than ten, and the results could then be summarized:

What is your current enrollment status?	
Full-time	14
Part-time or Unsure/don't know	11
Total	**25**

As long as the table contains information about what is being reported in the combined cell, no data or identities are lost.

The second method may be used if it is not possible to combine responses to achieve a minimum cell size or if combining data does not make sense. In this example, data is reported as "n=<10" (less than ten):

What is your current enrollment status?	
Full-time	14
Part-time	<10
Unsure/don't know	<10
Total	**25**

SECTION 5: REPORTING

PREPARING SUMMARY REPORTS

Summary reports will be publicly available and should include only counts for responses by question. An example is provided below. Institutions will be provided with a reporting template by the HECC.

In this example, 400 students answered the question about enrollment status. The count for each possible response is then given.

Item	Number of responses
What is your current enrollment status?	**400**
Enrolled full-time in classes	200
Enrolled part-time in classes	150
Not given	50

RESULTS DISSEMINATION

Within 120 days after the end of the collection period, institutions must submit a report with an aggregate summary of the survey results to the Higher Education Coordinating Commission. HECC will post reports it receives on its website in a data repository. The institution must post its report and a link to the HECC data repository on its website.

Institutions are encouraged to share the aggregate summary report within the campus community. This may be done by simply distributing a link to the results, but institutions may want to develop a communication plan that provides opportunities to discuss the findings with leadership and with community members. Feedback from those sessions can be used in development of changes to address issues of concern identified by the survey results.

LIMITS OF SURVEY RESULTS

Campus communities and the public may want to know how an institution's rates of sexual misconduct compare with others. We strongly discourage attempts to compare survey results across campuses. Each institution has unique student body profiles and local conditions that will affect response rates and summary results. The only comparison that can accurately be made is between the first sexual misconduct survey conducted by a campus and subsequent surveys by that institution.

It is not possible to compare rates derived from Oregon's sexual misconduct survey with those from other surveys. Oregon's survey uses different definitions and descriptions of types of sexual misconduct than other national and state surveys, and asks questions in different ways.

While the Council reviewed existing sexual misconduct surveys that were evaluated for reliability and validity, a study assessing the reliability and validity of the Oregon sexual misconduct survey questions was outside the scope of its responsibilities and resources. The survey was field tested and adjusted based on tester feedback, but as campuses implement the survey, further changes may be required. If questions are substantially altered in future iterations of the survey, it may not be possible to compare data from different versions.

INCORPORATING RESULTS INTO PREVENTION AND RESPONSE

The survey is a starting point for institutions to evaluate campus climate and conditions, identify strengths and opportunities for improvement of education and services, and determine priorities for future initiatives.[26]

The publicly available reports can be used for campus-wide discussion, but leadership can use the full set of data internally to identify areas of concern as well as success. Further exploration of findings can be done internally to provide insight to causes of problems and identify possible solutions, and to provide opportunities to scale up successful programs. New questions will be raised by the survey results, and institutions may be able to use qualitative tools such as focus groups to help answer them.

[26] Hurtado, S., Griffin, K., Arellano, L., & Cuellar, M. (2008) *Assessing the value of climate assessments: progress and future directions.* Journal of Diversity in Higher Education, 1(4), 204-221.

APPENDIX A: SEXUAL MISCONDUCT DEFINITIONS

"Consent" means freely given permission to participate in sexual contact when the option to say no is present and viable. Consent cannot be given by a person who is asleep, unconscious, incapacitated by any means (including by intoxicants), or otherwise unable to make informed decisions. Consent can be revoked at any time. Consent to one type of sexual contact does not indicate consent to other types of sexual contact. Prior consent to sexual contact does not indicate consent to future sexual contact.

"Domestic violence" is behavior that harms a person who is a family member or intimate partner. The relationship may be past or current. It includes at least one of the following elements: coercive control; physical, financial, or emotional abuse; sexual violence; sexual exploitation; or stalking.

"Gender-based harassment" is any form of violence against an individual based on their gender identity or expression, or perceived deviation from socially defined expectations of male-female binary gender stereotypes. This includes physical, sexual, and psychological abuse; threats; coercion; arbitrary deprivation of liberty; and economic deprivation, whether in public or private life. In addition, gender-based harassment can be rooted in gender-related power differences.

"Intimate partner violence" is a form of domestic violence in which the persons involved are in a relationship of a romantic or sexual nature. The relationship may be past or current. Other terms for this might include "dating violence" or "relationship abuse."

"Sexual assault" means actual or attempted physical contact of a sexual nature or in a sexual context without the other person's consent or without their ability to refuse the contact. This may involve violence or coercion, or when the person is unable to give consent or refuse the contact because of vulnerability, intoxication, or unconsciousness. Examples of contact of a sexual nature or in a sexual context include forcible kissing, penetration of someone's body by another person's body part or an object, or the use of their body to penetrate another, and touching another person's intimate areas (for example, breasts, genitals, or buttocks). Terms to describe sexual assault may include groping, fondling, rape, sexual violence, and sexual abuse.

"Sexual exploitation" Sexual exploitation is any actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes in the absence of consent. Sexual exploitation includes but is not limited to the following:

> **Non-consensual image sharing:** Creating or sharing an intimate or sexual image or recording of a person's likeness without their consent, or sending intimate or sexual images or recordings to a person without their consent; coercion to create an intimate image or record a sexual act under threat of harm.
>
> **Exhibitionism:** Displaying intimate areas of one's body to another person without their consent in a place where such display would not be expected; or engaging in sexual activity while another person was present without their consent.
>
> **Voyeurism:** Observing another person's intimate areas or sexual activity without their knowledge or consent while they are in a place where they could expect privacy.

"Sexual harassment" has the meaning given in ORS 350.330(2)(a): "Sexual harassment is unwelcome conduct of a sexual nature. Sexual harassment can include unwelcome sexual advances, requests for sexual favors, or other verbal, nonverbal or physical conduct of a sexual nature where such conduct is sufficiently

severe or pervasive that it has the effect, intended or unintended, of unreasonably interfering with an individual's work or academic performance or it has created an intimidating, hostile or offensive environment and would have such an effect on a reasonable person." Sexual harassment can be accomplished by one person or a group of people.

"Sexual misconduct" means an incident of sexual harassment, sexual violence, intimate partner violence, domestic violence, sexual exploitation, stalking, harassment or violence based on sexual orientation or gender identity or expression, or other gender-based harassment or violence. (ORS 350.335(4))

"Sexual orientation harassment" is any form of violence based on a person's real or perceived sexual orientation or the gender of the people they are or are not romantically or sexually attracted to or in a relationship with.

"Stalking" means a pattern of unwanted behavior, directed at a specific person, that would cause a reasonable person to feel alarm or fear for the safety of others; or suffer substantial emotional distress. Stalking may include but is not limited to: electronic or in-person surveillance; sending communications including unwanted items to the target or people in the target's family, school, or workplace; tracking the target's physical location; accessing or monitoring a person's phone and other computing devices; property damage; and threats. Stalking may involve the use of third parties to accomplish the behaviors.

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APPENDIX B: TRAUMA-INFORMED PRINCIPLES

Understanding Trauma-informed Principles in the Sexual Misconduct Survey

Spring, 2025

> *Trauma-informed communication recognizes the pervasiveness of trauma and the resilience of survivors.*

What is trauma?

A simple definition is that trauma may result from any experience in which a person's internal resources are not adequate to cope with external stressors. It can be caused by an event, series of events, or a set of circumstances that are experienced as physically or emotionally harmful or life-threatening. Not all people will experience trauma from the same events or set of circumstances.

Trauma is not the same as stress. Experiencing stress is typical and can even be a healthy part of a person's life, such as when a person intentionally works through a challenging task. Trauma overwhelms a person's coping mechanisms, and usually involves a loss of control: the person is unable to prevent the events from happening or change the outcome. Trauma may have lasting adverse effects on the individual's functioning and mental, physical, social, emotional, or spiritual well-being.[1]

Trauma related to sexual misconduct can be caused by experiences such as sexual assault, sexual or gender-based harassment, or partner abuse. The harmful behavior may be physical, verbal, or emotional.

The effects of trauma can be lessened or made worse by the reactions of others. When a person discloses sexual misconduct, they may be revictimized by unhelpful, blaming, or impersonal responses. *Institutional betrayal* is a term used to describe the damage that results when a trusted organization fails to provide help or support due to structural issues such as discrimination, lack

ABOUT THE SEXUAL MISCONDUCT SURVEY

In 2023, HB 3456 was signed into Oregon law, establishing the Sexual Misconduct Survey Council. The council's statutory charter includes using a trauma-informed framework in developing a base survey for distribution to institutions of higher education. The legislation provides options for institutions to add questions to the base survey that "are not objectively traumatizing for victims of sexual misconduct."

The Sexual Misconduct Survey Council has prepared this document to help guide and explain its choices in developing the survey and implementation rules and recommendations, and encourages its use by institutions that are considering adding questions to the base survey.

The Sexual Misconduct Survey Council recognizes that no one set of guidelines can address all circumstances, and that learning about trauma-informed language is continual and evolving. To provide feedback on this document, or to ask other questions about the Sexual Misconduct Survey, please contact the HECC policy analyst.

[1] More details are available from the Substance Abuse and Mental Health Services Administration (SAMHSA). In particular, this resource relies heavily on SAMHSA's "Practical Guide for Implementing a Trauma-Informed Approach"

of resources, or harmful policies and practices.[2] It often compounds the harm caused by the original traumatic event. Exposure to others' experiences of sexual misconduct can cause vicarious trauma, which occurs as a result of witnessing misconduct or supporting people targeted by it.

Trauma is much more complicated than the informal definition of "a bad thing that happens." Each individual's intersectional identity, personal history, cultural background, and social location influence whether and how they will experience trauma. And trauma is more than just a person's conscious understanding of an experience.

> *An experience can cause trauma to a person - whether or not they are aware of it at the time - because of the physiological effects and reactions that are hardwired into the human nervous system.*

The body responds to trauma

Evolution has developed mechanisms to deal with what the body perceives as a threatening situation, or what it remembers as a potentially dangerous one. In a trauma response, the stimulus bypasses the frontal cortex (the "thinking" part) of the brain, triggering a set of automatic protective physical and behavioral changes. Cortisol and adrenaline (sometimes called "stress hormones") are released, and, depending on the person and the situation, one of several sets of responses may occur immediately without the person's conscious effort or awareness. These states are sometimes called fight (aggressive), flight (avoidant), freeze (non-responsive), or fawn (placating). Flashbacks (reexperiencing the past danger as though it were currently happening) can also occur.

The events that precede these physical responses are often called "activating."[3] Many people with traumatic histories are activated by visual or verbal depictions of sexual misconduct, especially in a situation where they would not normally expect to encounter the material. An example might be reading a class assignment that includes a depiction of rape, or hearing a friend describe a violent interaction with a partner. One way to help prevent activation is by giving a content advisory ("this story contains depictions of sexual violence" or "do you mind if I talk about a fight that I had with my partner?") This allows the person the choice to opt out or prepare themselves to engage with the subject.

The three E's of trauma

Because of complex interplays between perception, physiology, culture, and circumstance, we can understand trauma as the confluence of event, experience, and effect.

- **Event**: This can include an isolated experience of violence, such as an assault, or a series of experiences, such as long-term abuse or harassment.
- **Experience**: Experience is internal and subjective. Two people can live through the same event but, because of their unique identities and histories, have very different experiences of it. For example, what a child perceives as traumatic may not cause the same reaction in an adult. A person who is experiencing systemic oppression may be affected in different ways than a person who experiences more social privilege.
- **Effect**: The outcomes of the experience (including physical and psychological impacts on health, wellbeing, and functioning) can be immediate or delayed in onset, short- or long-term in duration, and mild to severe in impact. A person may or may not be aware of these symptoms, which can manifest emotionally, behaviorally, or physically.

[2] See the work of Jennifer Freyd and her colleagues for more information on betrayal trauma theory.
[3] The words "triggering" or "being triggered" are less commonly used now because of the violence associated with the terms, and because their meaning has been diluted by popular overuse.

Using Trauma-informed Principles

Trauma and intersectionality

Research has found that 66-85% of young people have been exposed to traumatic events, including abuse, neglect, and violence, before they reach college. Almost half of college students report experiencing potentially traumatizing events during their first year on campus. While sexual and interpersonal violence happen to people in all demographic and social groups, people who experience poverty and/or marginalization experience violence at disproportionately higher rates. Repeated exposure to traumatic events increases the likelihood of serious adverse effects, including post-traumatic stress disorder symptoms and maladaptive coping mechanisms.[4]

As the Substance Abuse and Mental Health Services Administration (SAMHSA) explains: "Individuals process traumatic events differently, and those who experience traumatic events may or may not experience any lasting, negative effects. Previous life experiences, social supports, personal coping skills, early relational health, and community reactions can influence how an individual responds to a potentially traumatic event. … In addition, structural discrimination against groups, such as the LGBTQIA+ community or BIPOC populations, and historical and intergenerational trauma, can exacerbate the effects of individual trauma."[5]

Trauma-informed approach

One way to think about what it means to be "trauma-informed" is to shift the perspective from "what is wrong with you?" to "what happened to you?" This is a way of understanding trauma – and people's responses to it – that focuses on how people are impacted by traumatic experiences rather than implying that they are "broken," "damaged," or "impaired" as a result of these experiences.

A trauma-informed approach[6] means that programs, organizations, and systems:

- Realize how trauma affects the experiences and behaviors of the people they serve.
- Recognize the signs of trauma and understand that the way trauma manifests is unique to each person and may be specific to gender, age, social location, setting, etc.
- Resist retraumatization by intentionally creating physical environments, policies, practices, and dynamics that are less likely to cause distress. This includes understanding and working to mitigate institutional betrayal trauma.
- Respond by using language, behaviors, and policies that respect trauma survivors.

Trauma-informed communication

The principles of trauma-informed communication[7] include:

- Using language that validates and/or normalizes trauma and trauma responses.
- Choosing language that is clear, direct, and accessible to help avoid misunderstanding and misinterpretation. This also means avoiding euphemistic language that glosses over traumatic experiences.
- Considering readability and comprehension: minimize using complex sentence structures and simplify word selections; use informal language whenever possible.
- Providing definitions for uncommon words and terms that have more than one meaning when they must be used.
- Giving clear explanation of why participants are being given information and/or asked to answer questions.

[4] https://educationnorthwest.org/resources/trauma-informed-practices-postsecondary-education-guide
[5] https://store.samhsa.gov/sites/default/files/pep23-06-05-005.pdf
[6] More details are available from the Oregon Health Authority (OHA).
[7] More detail is available in Trauma Informed Oregon's "The Anatomy of a Trauma-informed Script"

- Using structures that empower participants, provide options and choices, and consider the needs of different types of communicators.
- Avoiding deliberately activating language (for example, by selected non-violent language, and avoiding unnecessarily sexually graphic content).

Survivor-centered, person-first language options

Trauma-informed communication recognizes that people have diverse ways of describing their experiences and themselves. People may prefer different terms as they move through their healing journey, in different settings, and for different reasons throughout their lives. No one term to describe people or their experiences will fit everyone. When working with individuals, best practice is to reflect the language that the person themselves uses or most identifies with.

Some of the language choices considered by the Sexual Misconduct Survey Council are:

- **Victim, survivor, person who has experienced sexual misconduct**
  "Victim" defines a person by what has happened to them: they were made a victim by the actions of the person who harmed them. "Victim" also has a specific meaning within criminal and civil law, which is distinct from its informal use. People who do not engage with the legal system may not feel connected to that term. Some people find this term useful or prefer it; others feel that it centers the trauma rather than the person, which can feel disempowering.

  "Survivor" defines a person by what they did in response to what happened to them: they survived. This term centers the survivorhood of the person, focusing on the choices they made and the work they did to survive; for some people, this can be empowering. However, not all people feel that they have "survived," some may object to being labelled by the worst thing that ever happened to them, and, of course, there are people who *don't* survive.

  "Person who has experienced sexual misconduct" uses a person-first construction, which has its roots in the movement for disability justice. This term centers the person, which can feel empowering to some. It is also more reflective of a broad range of experiences. But some people feel it makes invisible the fact that another person did something that harmed them.

  To use the most neutral language possible, Sexual Misconduct Survey Council documents refer to "survivors" or "people who have experienced [harm]" rather than "victims."

- **Perpetrator, offender, abuser, person who committed sexual violence, person who caused harm**
  "Perpetrator," "offender," and "abuser" are labels that may have specific legal definitions and cultural connotations. Identifying the person with their actions can dehumanize a person who has made a choice to harm others. Some survivors may find these terms too extreme for certain types of sexual misconduct and reject them. The person-first option "person who caused [harm]" is more neutral and is used by the Sexual Misconduct Survey Council.

- **Victim-blaming**
  "Victim-blaming" happens when someone says, implies, or treats a survivor as though the misconduct occurred because of their action or inaction. There is nothing that a person can do that makes them deserve sexual misconduct and there is nothing that a person can do to cause another person to harm them in this way. Sexual misconduct occurs when one person decides to verbally or physically violate another person's boundaries and consent. The responsibility belongs to the person who chooses to commit the misconduct, not the survivor. Victim-blaming can create guilt and shame that cause further harm and may prevent a survivor from seeking help and healing.

  The Sexual Misconduct Survey Council avoided victim-blaming language by asking questions about the behaviors of the person who did the harm, and not asking about what the respondent

did or didn't do to resist. When asking about disclosure, the council included language to make clear that choosing to report sexual misconduct or not are both valid decisions.

- Thinking about how results from the survey will be used and removing tangential questions and questions that ask for unnecessary detail.
- Letting participants add more context and information to their responses if they want to.

In summary

Trauma-informed communication is strengths-based and relies on the knowledge that survivors are resilient. Because every person's experience is different, there is no one "right" way to communicate about sexual misconduct. Improvement in an organization's practice comes from letting survivors know that it is trying, acknowledging that it may not always get it right, and welcoming feedback. Making an effort not to cause harm is more important than worrying about perfection.

Building a trauma-informed framework

In the context of public-facing communications, such as the Sexual Misconduct Survey, the design of the communication is as important as the specific words used. The Sexual Misconduct Survey Council incorporated trauma-informed language and design in the following ways:

- Providing information about the length of the survey and the ability to select the time and location of engaging.
- Providing the ability to pause or opt out at any point.
- Creating a "safe exit" function that can take the participant to a neutral webpage from any point in the survey.
- Providing always-visible links to supportive resources such as crisis lines and advocacy services.
- Respecting the time and emotional labor of people completing the survey by keeping it as brief as possible while fulfilling the statutory requirements.
- Adding information at the beginning of the survey and each section about why questions are being asked.
- Providing a description of upcoming content and the ability to skip questions about a specific topic.
- Asking about experiences of types of behaviors using descriptive language instead of using terms that the participant may not identify with such as "sexual assault," "domestic violence," and "stalking."
- Using clear, descriptive terms for body parts and actions instead of euphemisms and clarifying terms that can have multiple meanings.
- Making sure questions are ungendered so that all people can respond to them, or using gender-inclusive language and offering multiple pronoun or gender options, i.e. "he/she/they."
- Using sexuality-inclusive language, such as "partner or partner(s)" rather than "boyfriend or girlfriend."
- Defining sexual acts broadly; for example, not defining sex solely as "vaginal penetration with a penis."
- Not assuming anything about a person's gender, biology, or identity, nor that of any potential

partners; for example, not assuming that a person who identifies as gay only has sex with people of the same gender, not assuming that all men have penises, etc.

- Avoiding victim-blaming language that suggests that the person was responsible for the behavior of other people or that asks what they did or didn't do to "cause" or resist the behavior.
- Seeking feedback about the language and user experience from advocates and students.
- Explaining how anonymity is protected and who will have access to their responses. Explaining how the information from the surveys will be used and how participants will be able to view the summary reports.

APPENDIX C: CUSTOMIZED AND OPTIONAL SURVEY QUESTIONS

Customizable responses

Section 3: Disclosure, reporting, & campus response
Responses to the following questions with responses may be customized by institutions without further consultation with the Council.

- Have you told any of these people who work at your school about the sexual misconduct you experienced? Please select all that apply.
    - [Schools may list people by name or role here and must include the following]
    - Made an anonymous report
    - I told someone else who works at my school
    - I didn't tell any of these people
    - Unsure/I don't know
    - Not applicable
    - Prefer not to answer

- Did the person you told at your school give you information about these on-campus resources? Please select all that apply.
    - [Schools may list on-campus resources here and must include the following response options]
    - Other on-campus resource
    - I was not given information about any on-campus resources
    - Unsure/I don't know
    - Not applicable
    - Prefer not to answer

Approved optional questions

Section 1: Demographics
After the question about current enrollment status, any or all of the following three questions may be included. Possible responses will be campus specific, and may be changed.

- How many years have you attended this school?
    - Examples of responses: freshman/sophomore/junior/senior/graduate student, first year/second year/etc., # of semesters

- Do you take classes in person, online, or both?
    - In person
    - Online
    - In person and online (hybrid)
    - Not applicable
    - Prefer not to answer

- Which of the following best describes you currently (select all that apply)?
    - I am taking classes to get an associate's degree
    - I am taking classes to get a bachelor's degree
    - I am taking classes to get a graduate degree (master's, doctorate, etc.)
    - I am taking classes to get professional certification
    - I am taking classes for personal and/or professional development (including classes such as GED, basic education, life-long learner or ESL)
    - I am taking classes for another reason [free-text]
    - Unsure/I don't know
    - Not applicable
    - Prefer not to answer

Section 5: Campus attitudes, safety, and awareness

After the set of questions prefaced by, "The following questions ask about how safe you usually feel at this school. Using the scale provided, please indicate your level of agreement with the following statements," the following questions may be included.

- I feel safe during the day when I am on campus
    - Strongly agree
    - Agree
    - Neither agree nor disagree
    - Disagree
    - Strongly disagree
    - Unsure/I don't know
    - Not applicable
    - Prefer not to answer

- I feel safe at nighttime when I am on campus
    - Strongly agree
    - Agree
    - Neither agree nor disagree
    - Disagree
    - Strongly disagree
    - Unsure/I don't know
    - Not applicable
    - Prefer not to answer

After the set of questions prefaced by, "The following questions ask about your school's response to sexual misconduct. Using the scale provided, please indicate your level of agreement with the following statements," a question about school-specific sexual misconduct prevention and awareness activities may be included.

- Have you attended or participated in any of these activities on campus?
    - [Schools may list their activities by name here]


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