



# **2017 Campus Climate Assessment Results**

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## I. Mission and Values of Maria College

As a Catholic, Mercy College, Maria is rooted in the core values of respect, integrity, and compassion. Maria takes seriously any violation or potential violation of the dignity and respect owed to each human person. As a community, we strive to be a place where everyone feels welcome, valued, and safe, because of their unique identity. Any behavior which potentially violates the sacredness of the person is taken very seriously. Survivors of sexual assault and misconduct are to be treated with particular compassion and care. We strive for justice and integrity in our processes especially in the areas of investigation, education, and awareness raising. The President, Senior Leadership, and the Title IX coordinators, work diligently to ensure all who work and study at Maria are protected, informed, and helped. The 2017 Campus Climate Survey assists us with this work.

## II. Survey Background, Purpose and Scope

Under New York State Education Law Article 129-B (“Enough is Enough”), institutions of higher education are required to adopt a set of procedures and guidelines related to domestic violence, dating violence, stalking and sexual assault, to ensure the safety of all students attending colleges in the state. These policies include a uniform statewide definition of affirmative consent, a uniform statewide amnesty policy, and expanded access to law enforcement and community healthcare resources. In accordance with this law, the Maria College 2017 Campus Climate Assessment was designed to:

- assess the prevalence of sexual misconduct, including sexual harassment and sexual assault, on the Maria College campus; and
- measure students’ and employees’ knowledge about and experience with the resources available for reporting sexual misconduct and obtaining support.

The survey included 30 items covering these areas:

- Affirmative Consent
- Bystander Attitudes and Behavior
- Title IX Coordinator Role/Function
- General Climate
- Prevalence of Sexual Harassment and Sexual Misconduct
- Sexual Misconduct Policy and Procedures
- Resources
- Use of the Reporting Process
- Institutional Judiciary Process and Penal Law

## III. Survey Timeline and Population Sample

This survey was developed by using model campus climate assessments from the United States Department of Justice and various institutions of higher education. The survey was conducted from April 4 to May 8, 2017. Of the 913 campus community members (801 students and 112 employees) invited to participate in the survey, 107 (12%) completed it. Participation in the survey was voluntary. The table below shows the participant sample and sub-sample demographics for the 93 participants who chose to self-identify:

	Total Surveyed	Participants*	Female Participants	Male Participants
Students	801	66 ( 8 %)	60 (91%)	6 ( 9%)
Employees	112	27 (24 %)	16 (59%)	11 (41%)
<b>Total</b>	<b>913</b>	<b>93 (10%)</b>	<b>76 (82%)</b>	<b>17 (18%)</b>

\*14 of the 107 (13%) participants chose to not self-identify

#### IV. Methodology

The survey was developed and administered electronically, using SurveyMonkey.com. Maria College students and employees were informed of the survey and invited to participate in it through an email notice from the College's President; this notice included an electronic link which provided participants access to the survey. To encourage participation, community members were notified that if they completed the survey, they would have the opportunity to participate confidentially in a raffle awarding five \$100.00 Visa gift cards-- one drawn for faculty/staff raffle participants and four drawn for student raffle participants. The announcement also notified campus community members that accommodations to participate in the survey for individuals with disabilities would be available and provided as needed and upon request. Community members were further encouraged to participate in the survey via subsequent reminder notices posted in the College's weekly eNews, *Monday Minutes*.

#### V. Results

##### Affirmative Consent.

Overall, respondents demonstrated a clear understanding of affirmative consent as it applies to engaging in sexual activity and whether or not persons are capable of providing consent under various circumstances.

100% of respondents indicated that they understood the definition of the term "affirmative consent" as it applies to engaging in sexual activity.

This result was supported by findings showing that 91-99% of respondents correctly identified conditions under which a person cannot be assumed to be giving consent to engage in sexual activity. These conditions and the percentage of respondents who correctly identified them are shown in the following table:

Condition	% of Participants
Person is . . . . .	
• unconscious or asleep.	99%
• incapacitated by alcohol or other substances.	97%
• under threat of psychological coercion or intimidation.	92%
• not capable of offering consent under threat of physical violence, coercion, or intimidation.	91%

Most respondents (86-96%) also showed a clear understanding of that each of these factors do not necessarily demonstrate that affirmative consent to engage in sexual activity has been given by one individual to another:

- Person A's silence during Person B's sexual advances
- Person A's lack of active resistance to Person B's sexual advances
- Person A's past consent to sexual activity with Person B

Fewer respondents, albeit still well above the majority (73-76%), correctly indicated that affirmative consent could not necessarily be assumed under the following conditions:

- Person A's agreement to a different form of sexual activity than that Person B was demonstrating an interest in engaging in.
- Person A's involvement in a current or previous dating or sexual relationship with Person B.

While these findings suggest that respondents have a general understand the meaning of affirmative consent, half (50%) of the respondents incorrectly answered "yes" to the question, "Does a person's level of intoxication change their responsibility to obtain consent to sexual activity?"

### Bystander Attitudes and Behavior

Respondents were asked to rate their ability to effectively recognize various types of sexual misconduct and intervene as a bystander. Almost all (96%) respondents reported feeling comfortable with their ability to judge whether or not a person is too intoxicated to provide consent to sexual activity, and a similarly high percentage (89%) reported that they would be able to recognize a situation that has the potential for sexual assault. Also, while most (76%) respondents reported that they would know how to intervene if they observed sexual harassment or sexual assault, nearly a third (32%) reported either that they were unsure of or would not know how to intervene if they saw someone in a sexually coercive or abusive relationship.

### Title IX Coordinator Role and Function.

Respondents were asked about their understanding of the role and function of Maria College's Title IX Coordinator. Results indicate that most, if not nearly all, respondents understand the various functions of the College's Title IX Coordinator. The following table shows a list of the College's Title IX Coordinator responsibilities, and the respective percentage of respondents who correctly identified each as one of those responsibilities.

Title IX Coordinator Function	% of Participants
• Coordinating the College's response to all complaints of possible sex discrimination.	95%
• Monitoring outcomes of complaints of sex discrimination at Maria College.	83%
• Identifying and addressing patterns of discrimination.	77%

### General Campus Climate.

Respondents were asked to rate the importance of the College's community being aware of what constitutes sexual misconduct, and the commitment and responsiveness Maria College demonstrates in providing a learning environment free of sexual misconduct.

Almost all (99%) respondents agreed that it is important for campus community members to understand what constitutes sexual harassment, sexual misconduct, and sexual assault, and a similarly high percentage (91%) of respondents agreed that Maria College does not tolerate sexual misconduct and sexual assault.

A high percentage of respondents (82%) also agreed that the College seeks to protect students from sexual harassment in the campus community, and most (75%) agreed that the College seeks to do the same for its employees.

### Prevalence of Sexual Harassment and Sexual Misconduct at Maria College.

Respondents were asked to indicate whether or not they had been a victim of, or knew a Maria student or employee who had been the victim of, any of these forms of sexual misconduct on the College's campus during the Spring, 2016-Spring, 2017 year: sexual harassment, sexual violence, dating violence, stalking perpetrated by a member of the Maria College community, and domestic violence that has been extended into Maria's campus or other learning environment. For each of these forms of sexual misconduct:

- nearly all (98-99%) respondents reported that they had not personally been a victim of it on campus; total counts and rates of respondents that indicated they had experienced a form of sexual misconduct on the Maria College campus are shown in the following table:

Category	# (%) of Respondents
Sexual harassment	1 (1%)
Sexual violence	0 (0%)
Dating Violence	1 (1%)
Stalking	0 (0%)
Domestic Violence	2 (2%)

- a similarly high percentage (90-95%) reported that they did not know a Maria student or employee who had been a victim on campus during the previous year. (Note: Most of the remaining participants (4-7%) reported they were “not sure” if they knew a Maria student or employee who had been a victim of any of these forms of sexual misconduct.); total counts and rates of respondents that indicated they knew a Maria College student or employee who had experienced a form of sexual misconduct on the Maria College campus are shown in the following table:

<b>Category</b>	<b># (%) of Respondents</b>
Sexual harassment	3 (3%)
Sexual violence	0 (0%)
Dating Violence	1 (1%)
Stalking	4 (4%)
Domestic Violence	2 (2%)

### Policy and Procedures.

Respondents who indicated that they personally experienced and reported any of the previously mentioned forms of sexual misconduct-- or knew a Maria College student or employee who had-- were asked to report on their experience with the reporting process. Of the relatively few (4-9%) respondents who had reported an incident, and/or knew a Maria student or employee who had, all indicated either that they agreed or strongly agreed that:

- The person to whom they reported the incident . . . .
  - was knowledgeable about how to respond to a report of sexual misconduct.
  - was compassionate and respectful.
  - helped them to find additional resources and support.
- They felt better after reporting the experience(s) to the College official.
- They would advise others to report similar experiences to a College official as a result of this interaction.

Respondents also were asked to rate their knowledge of their rights if they were to experience and/or report sexual misconduct at Maria College, and their familiarity with the College’s reporting policy and procedures. The following table shows the total percentage of respondents who responded with “agree” or “agree somewhat” to the respective statements listed:

<b>Sexual Misconduct Policies and Procedures</b>	<b>% of Participants</b>
• If I were to experience and/or report sexual harassment or sexual misconduct at Maria College, I understand my rights as a student or employee of the College.	89%
• I understand my rights as a student if I were to experience sexual harassment.	78%
• I have been informed of the process Maria College follows to respond to and address reports of sexual harassment and sexual misconduct and know where it is published if I want to review it .	75%
• Maria College's policies and procedures regarding sexual harassment, sexual misconduct, and sexual assault are clear.	82%
• If I want to <u>confidentially</u> disclose or report a situation involving sexual harassment or sexual misconduct, I know who I can go to on campus to do that.	72%

## Resources.

Respondents were asked to rate their awareness of on-campus resources available for those who have experienced sexual violence or sexual harassment and available reporting options. The following is a summary of findings:

- 52% of respondents reported that they know who serves as the Title IX Coordinator for Maria College; 48% reported that they do not know who this person is.
- 69% of respondents reported that they are aware of the process for filing a criminal complaint involving sexual harassment, sexual misconduct, and/or sexual assault with law enforcement; 17% reported that they are unaware of how to do this.
- 65% of respondents reported that they were aware they could file a criminal complaint with law enforcement simultaneously with pursuing the College's conduct process; 34% reported they were "unsure" about this.
- 60% of respondents reported that they had been informed of the process for reporting instances of sexual misconduct to Maria Administration; 40% reported either that they were unaware or were unsure of how to do this.
- 48% of respondents reported that they know how to anonymously report instances of sexual misconduct and sexual assault to Maria College; 51% reported either that they did not know or were unsure of how to do this.

## Use of the Reporting Process

Respondents who had personally experienced sexual misconduct at Maria College between Spring, 2016 and Spring, 2017 were asked to report whether or not they reported it and if so, to whom. Those who chose not to report it were asked to provide the reason(s) why they did not report it.

Unlike the response rate to other sections of the survey (which ranged from 94-100%), only 32 (30%) of the 107 participants responded to this part of the survey. However, that number is high, given the low number of participants who said they had reported personal experiences of sexual misconduct on the campus. 97% of these respondents indicated that they had not reported an incident; however, 65% of these respondents also reported that they had not personally experienced sexual misconduct at Maria College.

## College Judiciary Process and Penal Law

Respondents were asked about their level of understanding of differences between the College's judiciary process and that of New York State law. Key findings are summarized as follows:

- 98% of respondents correctly indicated that both the complainant and respondent are entitled to an advisor during a sexual misconduct investigation at the College.
- 89% of respondents reported that they are aware that they are protected by the College's Amnesty Policy when reporting an incident of sexual assault or sexual harassment; however, 31% of respondents incorrectly indicated that they would be protected by the College's Amnesty Policy if they were found responsible for committing sexual assault while under the influence of alcohol or drugs.
- 97% of respondents reported that they believe the College would maintain the privacy of any person making a report of sexual misconduct to the degree possible within the bounds of the law.
- 96% of respondents reported that they are aware that the College would forward a report of sexual misconduct or sexual harassment to criminal investigators if requested by the complainant.

- 99% of respondents correctly indicated that potential penalties imposed by the public court of law on an individual who is found responsible for committing a violation of sexual assault could include fines or imprisonment.
- 74-79%, respectively, of respondents demonstrated an awareness that potential sanctions a student might experience if found responsible for sexual misconduct at Maria College could include academic suspension and academic expulsion; relatively fewer (41-50%), however, were aware that these sanctions could include a written warning, mandated behavioral or substance abuse assessment, and community service.
- 80% of respondents did not correctly indicate that the preponderance of evidence standard used by Maria College in evaluating findings and determining whether or not a sexual misconduct violation has occurred is less strict than the standard used by a public court of law to determine if a criminal violation has occurred.

## **VI. Conclusion and Recommendations**

Maria College is committed to maintaining a safe environment for all of its students and employees. Results from the 2017 Climate Survey show that sexual misconduct on the Maria College campus is rare, and that the frequency of sexual assault is extremely low compared to nationally-reported norms<sup>1</sup>. They also show that in the relatively few cases where sexual misconduct has been reported to the College, that students and employees feel they have received the attention, care and resources they have needed, and have been treated with respect. Additionally, the survey's results show that most students and employees:

- have a clear understanding of the definition of affirmative consent and the factors that do not necessarily demonstrate affirmative consent to engage in sexual activity has been given by one individual to another.
- understand their rights as a victim/survivor or reporter of sexual misconduct.
- believe that Maria College's sexual misconduct policies and procedures are clear, and that they have been informed of them.
- know how to confidentially report incidents of sexual misconduct.
- believe the College would maintain the privacy of any person making a report of sexual misconduct to the degree possible within the bounds of the law.

While the survey findings have been largely favorable, some suggest that the College should increase its focus on the following in continuing to educate the campus community about its policies and procedures for preventing and reporting sexual misconduct, and obtaining support:

- How a person's level of intoxication does not change their responsibility to obtain consent to sexual activity.
- Effective bystander strategies for intervening where signs of sexual harassment, sexual assault, and/or a sexually coercive or abusive relationship are observed
- Maria College's Title IX Coordinator and his/her responsibilities
- Maria College's sexual misconduct policies and procedures, and anonymous reporting procedure.
- Measures the College uses to protect its students and employees from sexual harassment on the College's campus.
- The process for filing a criminal complaint involving sexual harassment, sexual misconduct, and/or sexual assault with law enforcement.
- The role of law enforcement agencies and community agencies in assisting victims of sexual assault.
- The preponderance of evidence standard used by Maria College in evaluating findings and determining whether or not a sexual misconduct violation has occurred.
- Potential sanctions a student might experience if found responsible for sexual misconduct at Maria College.

<sup>1</sup><https://www.cdc.gov/violenceprevention/pdf/sv-datasheet-a.pdf>