

Massachusetts Department of Higher Education

Annual Report on Campus Sexual Misconduct Incident Data

**2022 & 2023 Reporting Period Data Summary
Issued April 2025**

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I. Introduction

On January 21, 2021, [Chapter 337 of the Acts of 2020 was signed into law](#). This landmark legislation is intended to enhance the efforts of the Commonwealth's colleges and universities to identify, prevent, and respond to campus sexual violence. Entitled *An Act Relative to Sexual Violence on Higher Education Campuses* (and commonly referred to as the "2021 Campus Sexual Assault Law"), the law applies to all institutions of higher education located and authorized to grant degrees in the Commonwealth. The legislation added two major sections to chapter 6 of the General Laws: section 168D which requires all institutions to conduct sexual misconduct climate surveys at least once every four years; and section 168E which imposes specific policy, procedure and reporting requirements that enhance institutions' efforts to prevent and respond to campus sexual misconduct.

The law also includes a reporting requirement, providing that the Department of Higher Education ("DHE" or "Department") shall annually report aggregate statewide information on the "frequency and nature of sexual misconduct"¹ at all institutions of higher education located in the Commonwealth and authorized to grant degrees. Specifically, section 168E(q) of chapter 6 of the General Laws, as amended by the 2021 Campus Sexual Assault Law, provides as follows:

Annually, not later than December 1, each institution shall prepare and submit to the department of higher education a report that includes: (i) the total number of reports of sexual misconduct reported to the institution's Title IX coordinator by a student or employee of the institution against another student or employee of the institution; (ii) the number of reports made by a student or employee of the institution against another student or employee of the institution investigated by a local or state law enforcement agency, if known; (iii) the number of students and employees found responsible for violating an institution's policies prohibiting sexual misconduct; (iv) the number of students and employees found not responsible for violating an institution's policies prohibiting sexual misconduct; and (v) the number of disciplinary actions imposed by the institution as a result of a finding of responsibility for violating an institution's policies prohibiting sexual misconduct. Such incident data shall be reported in the form and manner established by the department of higher education, in consultation with the attorney general, and in a manner that complies with state and federal privacy laws. The department of higher education shall analyze the incident data and shall publish an annual report containing aggregate statewide information on the frequency and nature of sexual misconduct at institutions. The department of higher education shall file the annual report with the attorney general, the clerks of the senate and the house of representatives and the joint committee on higher education.

¹ M.G.L. c. 6, § 168E(a) defines "sexual misconduct" as *an incident of sexual violence, dating violence, domestic violence, gender-based violence, violence based on sexual orientation or gender identity or expression, sexual assault, sexual harassment or stalking*.

In furtherance of the Department’s statutory analysis and reporting responsibilities, the DHE hereby submits its annual “Incident Data Collection and Annual Report” (Section II) to the Massachusetts Attorney General, the Clerks of the Senate and House of Representatives, and the Joint Committee on Higher Education on the “frequency and nature of sexual misconduct” at campuses across the Commonwealth, as indicated in the incident data collected by the DHE, consistent with the process discussed within this report. Please note, this report includes the data reported for both the 2021 and 2022 calendar years, displayed separately in report Sections II and III, respectively.

In addition to the information provided in this report, a summary of the Department’s overall implementation process to date for the new law can be found on the [DHE Campus Safety Violence Prevention \(CSVP\) website](#)².

II. Incident Data Collection and Annual Report for the 2022 Reporting Period

The law includes a specific reporting requirement (M.G.L. c. 6, § 168E(q)), which directs all public and private institutions of higher education (“IHEs”) located in the Commonwealth and authorized to grant degrees to report annually on the prevalence of sexual misconduct incidents on campus. For the 2022 CSVP Annual Reporting cycle,³ there were 29 public and 82 private IHEs located in the Commonwealth and authorized to grant degrees. In this cycle, Massachusetts IHEs employed 132,010 people and enrolled 592,633 students. Public institutions accounted for 34,873 employees and 244,825 students, and private institutions accounted for 97,137 employees and 347,808 students.⁴

Institutions report these data annually for the prior calendar year, consistent with Clery Act reporting requirements. This section of the report reflects the 2022 data submission file for incidents that occurred in calendar year 2021: **January 1, 2021 – December 31, 2021**.

To streamline the collection of this data, DHE developed an online portal for institutions to submit these data. The portal also serves as a user-friendly mechanism to provide status updates and documentation related to Law Enforcement Agencies (LEAs) and community-based service provider Memorandums of Understanding (MOUs), registration and waiver requests related to Sexual Assault Crisis Service Centers, and sexual misconduct surveys. The data

² <https://www.mass.edu/strategic/csvp.asp>

³ The 2022 CSVP reporting period spanned incidents that occurred between January 1, 2021 – December 31, 2021.

⁴ Total employee and student data presented here from IPEDS were as of November 1, 2021 for employees, and AY21 (July 1, 2021 - June 30, 2021), for students. Eight private IHEs’ data were not available in IPEDS as of the publication of this report. There are a number of reasons for this including that such institutions were either newly-approved institutions, do not participate in Title IV federal financial aid programs and are not required to not report data to IPEDS, or are out-of-state institutions with a limited physical presence in Massachusetts but nevertheless fall under the 2021 Campus Sexual Assault Law’s definition of “institution.”

collection portal, EDvera, went live in November 2022, and as of the date of this report submission, 111 IHEs submitted a report.⁵

The DHE has reviewed all submissions and after conducting any necessary due diligence in seeking supplementary information or clarifications, pursuant to the law, the DHE has prepared this report for submission that includes data tables demonstrating aggregate statewide information on the frequency and nature of sexual misconduct at institutions.

A. Data Tables and Figures

The tables included below provide the data required to be collected, as per M.G.L. c. 6, § 168E(q).

Table 1. Total number of reports of sexual misconduct reported to the institution’s Title IX coordinator by a student or employee of the institution against another student or employee of the institution⁶

Number of reports, by reporting and responding party	Total
# of reports by students against students	1,344
# of reports by students against employees	196
# of reports by employees against students	33
# of reports by employees against employees	125
Total reports by all reporting/responding parties	1,698

Table 1 above breaks down the total number of reports of sexual misconduct by the type of reporting party and the type of responding party.

⁵ Again, noting that eight (8) private IHEs’ data were not available in IPEDS as of the publication of this report, therefore accounting for the discrepancy in the number of IHEs in IPEDS as 103 but the number reporting data is 111.

⁶ M.G.L. c. 6, § 168E(q)(i). For this year’s data collection process (reports from the 2021 calendar year), “anonymous” reports were not separated out and therefore may not have been reported/accounted for here. The DHE has added this category back into the collection process for the 2023 submission (collecting data from the 2022 calendar year).

Table 2. Number of reports made by a student or employee of the institution against another student or employee of the institution investigated by a local or state law enforcement agency, if known⁷

Number of reports investigated by an LEA, by reporting and responding party	Total
# of reports by students against students investigated by an LEA	172
# of reports by students against employees investigated by an LEA	6
# of reports by employees against students investigated by an LEA	6
# of report by employees against employees investigated by an LEA	7
Total reports investigated by an LEA by all reporting/responding parties	191

Table 2 above breaks down the total number of reports investigated by an LEA by type of reporting party and responding party.

Table 3. Number of students and employees found responsible for violating an institution’s policies prohibiting sexual misconduct⁸

Number of students and employees found responsible	Total
# of students found responsible	74
# of employees found responsible	38
Total found responsible	112

Table 3 above displays the total number of students and employees found responsible for incidents of sexual misconduct, broken down by students and employees.

Table 4. Number of disciplinary actions imposed by the institution as a result of a finding of responsibility for violating an institution’s policies prohibiting sexual misconduct⁹

Number of students and employees that received disciplinary actions	Total
# of students found responsible against which disciplinary actions were imposed by the institution as a result of a finding of responsibility	54
# of employees found responsible against which disciplinary actions were imposed by the institution as a result of a finding of responsibility	34
Total all students and employees that received disciplinary action	88

Table 4 displays the total number of students and employees that received disciplinary action(s) as a result of being found responsible for incidents of sexual misconduct.

⁷ M.G.L. c. 6, § 168E(q)(ii). For this year’s data collection process (reports from the 2021 calendar year), “anonymous” reports were not separated out and therefore may not have been reported/accounted for here. The DHE has added this category back into the collection process for the 2023 submission (collecting data from the 2022 calendar year).

⁸ M.G.L. c. 6, § 168E(q)(iii).

⁹ M.G.L. c. 6, § 168E(q)(v).

III. Incident Data Collection and Annual Report for the 2023 Reporting Period

For the 2023 CSVP Annual Reporting cycle,¹⁰ there were 29 public and 82 private IHEs located in the Commonwealth and authorized to grant degrees. In this cycle, Massachusetts IHEs employed 136,205 people and enrolled 587,395 students. Public institutions accounted for 34,923 employees and 233,900 students, and private institutions accounted for 101,282 employees and 353,495 students.¹¹

Institutions report these data annually for the prior calendar year, consistent with Clery Act reporting requirements. This section of the report reflects the 2023 data submission file for incidents that occurred in calendar year 2022: **January 1, 2022 – December 31, 2022.**

For this reporting period, the data collection portal, EDvera, went live in November 2023, and as of the date of this report submission, all applicable IHEs (111) submitted a report.¹²

The DHE has reviewed all submissions and after conducting any necessary due diligence in seeking supplementary information or clarifications, pursuant to the law, the DHE has prepared this report for submission that includes data tables demonstrating aggregate statewide information on the frequency and nature of sexual misconduct at institutions.

A. Data Tables and Figures

The tables included below provide the data required to be collected, as per M.G.L. c. 6, § 168E(q).

Table 5. Total number of reports of sexual misconduct reported to the institution’s Title IX coordinator by a student or employee of the institution against another student or employee of the institution¹³

Number of reports, by reporting and responding party	Total
# of reports by students against students	1,571
# of reports by students against employees	251
# of reports by students against unknown	823

¹⁰ The 2023 CSVP reporting period spanned incidents that occurred between January 1, 2022 – December 31, 2022.

¹¹ Total employee and student data presented here from IPEDS were as of November 1, 2022 for employees, and AY22 (July 1, 2021 - June 30, 2022), for students. Nine private IHEs’ data were not available in IPEDS as of the publication of this report. There are a number of reasons for this including that such institutions were either newly-approved institutions, do not participate in Title IV federal financial aid programs and are not required to not report data to IPEDS, or are out-of-state institutions with a limited physical presence in Massachusetts but nevertheless fall under the 2021 Campus Sexual Assault Law’s definition of “institution.”

¹² Again, noting that nine (9) private IHEs’ data were not available in IPEDS as of the publication of this report, therefore accounting for the discrepancy in the number of IHEs in IPEDS as 102 but the number reporting data is 111.

¹³ M.G.L. c. 6, § 168E(q)(i). For this year’s data collection process (reports from the 2022 calendar year), “anonymous” reports were separated out as opposed to not included for the data collected for 2021.

# of reports by employees against students	45
# of reports by employees against employees	137
# of reports by employees against unknown	66
Total reports by all reporting/responding parties	2,893

Table 5 above breaks down the total number of reports of sexual misconduct by the type of reporting party and the type of responding party.

Table 6. Number of reports made by a student or employee of the institution against another student or employee of the institution investigated by a local or state law enforcement agency, if known¹⁴

Number of reports investigated by an LEA, by reporting and responding party	Total
# of reports by students against students investigated by an LEA	162
# of reports by students against employees investigated by an LEA	7
# of reports by students against unknown investigated by an LEA	89
# of reports by employees against students investigated by an LEA	9
# of report by employees against employees investigated by an LEA	4
# of reports by employees against unknown investigated by an LEA	8
Total reports investigated by an LEA by all reporting/responding parties	279

Table 6 above breaks down the total number of reports investigated by an LEA by type of reporting party and responding party.

Table 7. Number of students and employees found responsible for violating an institution's policies prohibiting sexual misconduct¹⁵

Number of students and employees found responsible	Total
# of students found responsible	95
# of employees found responsible	42
Total found responsible	137

Table 7 above displays the total number of students and employees found responsible for incidents of sexual misconduct, broken down by students and employees.

¹⁴ M.G.L. c. 6, § 168E(q)(i). For this year's data collection process (reports from the 2022 calendar year), "anonymous" reports *were* separated out as opposed to not included for the data collected for 2021.

¹⁵ M.G.L. c. 6, § 168E(q)(iii).

Table 8. Number of disciplinary actions imposed by the institution as a result of a finding of responsibility for violating an institution’s policies prohibiting sexual misconduct¹⁶

Number of students and employees that received disciplinary actions	Total
# of students found responsible against which disciplinary actions were imposed by the institution as a result of a finding of responsibility	64
# of employees found responsible against which disciplinary actions were imposed by the institution as a result of a finding of responsibility	28
Total all students and employees that received disciplinary action	92

Table 8 displays the total number of students and employees that received disciplinary action(s) as a result of being found responsible for incidents of sexual misconduct.

B. Analysis of Data Collection Process

In preparation for implementation of this process each year, the Department engages agency and institutional partners and stakeholders to further optimize the sexual misconduct incident data collection process. Over the last several years, DHE has made only minimal changes¹⁷ to the data collection process and information collected, as the data gathered and demonstrated in this report provide the information the law strives to obtain, in a clear and concise manner.

IV. Conclusion

The 2021 Campus Sexual Assault Law has created the opportunity for the Department and the Commonwealth’s public and private higher education institutions to make significant advances in campus safety and violence prevention. Fulfilling the requirements of the law has led to increased transparency, enhanced collaboration and information sharing – all critical elements of success in addressing campus sexual misconduct and other forms of violence. Years 2 & 3 have seen continued progress in creating and maintaining safe and inclusive campus environments for students, faculty and staff. DHE has further solidified a baseline reporting process and met the statutory expectations upon which this baseline was built.

Each year since the inception of the law, the Department and its partners and stakeholders have continued to enhance and streamline the overall implementation process. DHE’s vision for Year 4 and beyond is to continue that progress with even more vigor by further

¹⁶ M.G.L. c. 6, § 168E(q)(v).

¹⁷ This includes included adding back in the “unknown” party reporting line item, at the request of several IHEs.

building upon and sharing lessons learned and best practices realized from campuses and other stakeholders. IHEs will be required to submit their incident data according to these adjustments through the Year 4 annual reporting process (the 2024 CSVP Annual Report), that will open by October 1, 2024 and be due by December 1, 2024.