

Campus Safety and Violence Prevention (CSVP) 2024 Annual Report

Amanda Robbins, Campus Safety Advisor
Alex Nally, Deputy General Counsel
September 25, 2024



MASSACHUSETTS
Department of
Higher Education

Agenda

- Overview and Implementation Update: Massachusetts Campus Sexual Misconduct Law
- 2024 Annual Incident Data Collection
- Year-to-date MOUs Status Update
- Sexual Misconduct Survey Update
- Resources and EDvera Portal Demo
- Questions

Overview: Campus Sexual Assault Law

- *An Act Relative to Sexual Violence on Higher Education Campuses* ~ 337 Mass. Acts 2020 (Jan. 2021)
- Focuses on campus responses to sexual violence
- Applies to both public and private IHEs
- Effective Date: August 1, 2021
- Two major sections:
 - IHE Policies, Procedures & Reporting (G.L. c. 6, §168E)
 - Campus Climate Surveys (G.L. c. 6, §168D)

BHE/DHE Responsibilities

Specifically, under this new legislation, the BHE/DHE is responsible for the following:

- Appointing a **campus safety advisor** to facilitate and advance statewide campus safety at public and private IHEs.
- **Annual report** publication with aggregate statewide information on frequency/nature of sexual misconduct at IHEs; includes the collection and assessment of such data
- Reviewing and granting MOU waiver requests for agreements between IHEs and **community-based sexual assault crisis service centers**
- Promulgating regulations regarding IHEs' entrance into **MOUs with local law enforcement agencies** to coordinate responses to sexual misconduct
- Convening a Task Force on **sexual misconduct climate surveys**

IHE Responsibilities

Specifically, under this new legislation, the IHE's are responsible for the following:

- Provide regular prevention & awareness programming for students and employees
- Provide training to officials involved in response, investigation and disciplinary processes
- Designate **confidential resource providers**
- Provide options for anonymous reporting
- Include amnesty provisions
- Adhere to **annual reporting requirements**
- Enter into **MOUs with local law enforcement agencies (LEAs)**
- Enter into, or request waiver for, agreements with **community-based sexual assault crisis service centers and domestic violence programs**
- Conduct **sexual misconduct climate surveys** no less than once every 4 years

DHE Annual Report

- DHE is responsible for the collection and assessment of the incident data points required under the law
- The result will be an **Annual Report** publication with aggregate statewide information on frequency/nature of sexual misconduct at IHEs
 - Report submitted to the Massachusetts Attorney General, the Clerks of the Senate and House of Representatives, and the Joint Committee on Higher Education
- The first [report](#) (with Year 1 Data) was submitted in December 2022
- The Year 2 & 3 reports are under review

2024 Incident Data Collection Process

- 2024 CSVP Annual Report will be live in [Edvera](#): in the next couple of weeks
- **No changes** to the incident data
 - Incident Reporting Time Period for the 2024 submission is **Calendar year 2023: January 1, 2023 – December 31, 2023.**
 - Federal Title IX regulations being implemented in August 2024 will NOT affect this report's data collection/submission.
 - DHE is reviewing regs and the MA law/incident data categories to assess any conflicts and/or changes needed to the CSVP annual report for the 2024 reporting period (if needed, changes would apply to incidents reported Aug 1, 2024, and beyond).
- **No substantial changes** to questions related to the MOUs', confidential resource providers and sexual misconduct surveys. Minor clarifications have been added/adjusted.
- Additional clarifications and adjustments have been added to the 2024 FAQ and Guidance document.

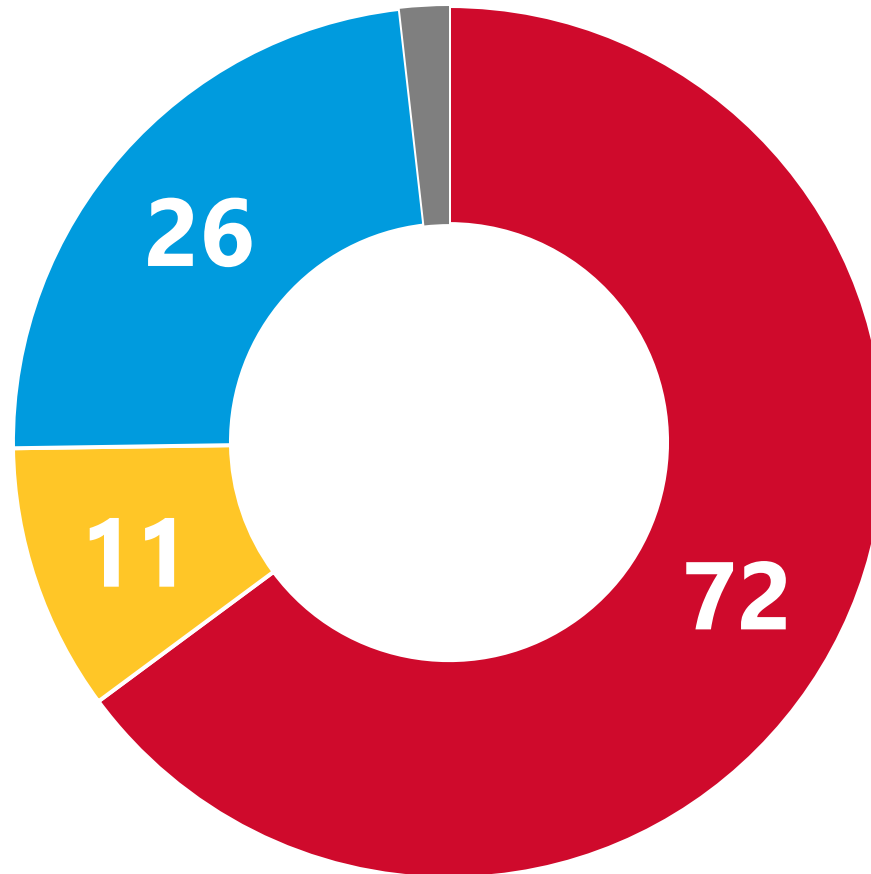
*NEW: 2024 CSVP Annual Report is due by **December 1, 2024***

MOUs with Local Law Enforcement Agencies (LEAs)

- DHE promulgated [610 CMR 14.00](#), which governs the adoption of a memorandum of understanding between each institution of higher education with a physical location in the Commonwealth and a local law enforcement agency for purposes of determining each entity's roles and responsibilities regarding preventing and responding to incidents of on- and off-campus sexual misconduct.
- Per 610 CMR 14.00, each institution shall, to the extent feasible, enter into an MOU with each local law enforcement agency having jurisdiction to report as a first responder to an incident of sexual misconduct occurring on or around each campus of the institution.
- AICUM-developed, and DHE-accepted MOU template, is available on the [DHE CSVP website](#)
- Other nationally recognized templates are also on the CSVP website
- **Reminder:** Most of the LEA MOUs were executed for a **3-year period**, which may be coming to an end soon. Please remember to review and renew if needed before the next annual report submission.
- All institutions are expected to substantially comply by December 1, 2024
- Additional FAQs answered in the 2024 FAQ document

2021 Campus Sexual Assault Law: Implementation Status

Law Enforcement MOUs



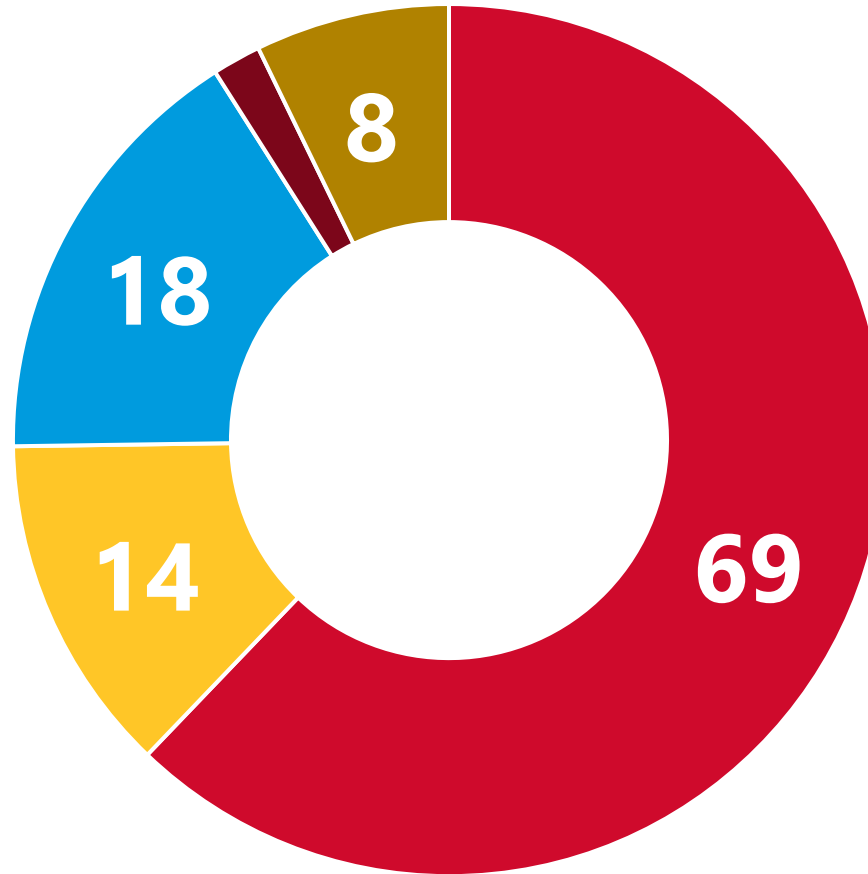
■ Complete ■ Partial ■ Incomplete ■ Not Applicable

MOUs with Community-Based Crisis Service Centers

- Under the statute, an institution that **does not provide its own sexual assault crisis service center** shall enter into and maintain an MOU with a [community-based sexual assault crisis service center funded by the department of public health](#) and a [community-based domestic violence program funded by the department of public health](#).
- Institutions that already have such services in place on-campus may be exempt from this statutory requirement.
- **Reminder:** Most of the SACSC/DVP MOUs were executed for a **3-year period**, which may be coming to an end soon. Please remember to review and renew if needed before the next annual report submission.
- Change made in portal to clarify whether an IHE has both an SACSC AND DVP MOU
 - Law requires both sexual assault services and domestic violence services to be made available to students and employees. A single provider may not be able to satisfy both requirements; you may need to execute an MOU with more than one provider.
- All institutions are expected to substantially comply with the SACSC and DVP MOU requirement by December 1, 2024
- DHE is working with Jane Doe, Inc. on additional guidance and support

2021 Campus Sexual Assault Law: Implementation Status

SACSC/DVP MOUs



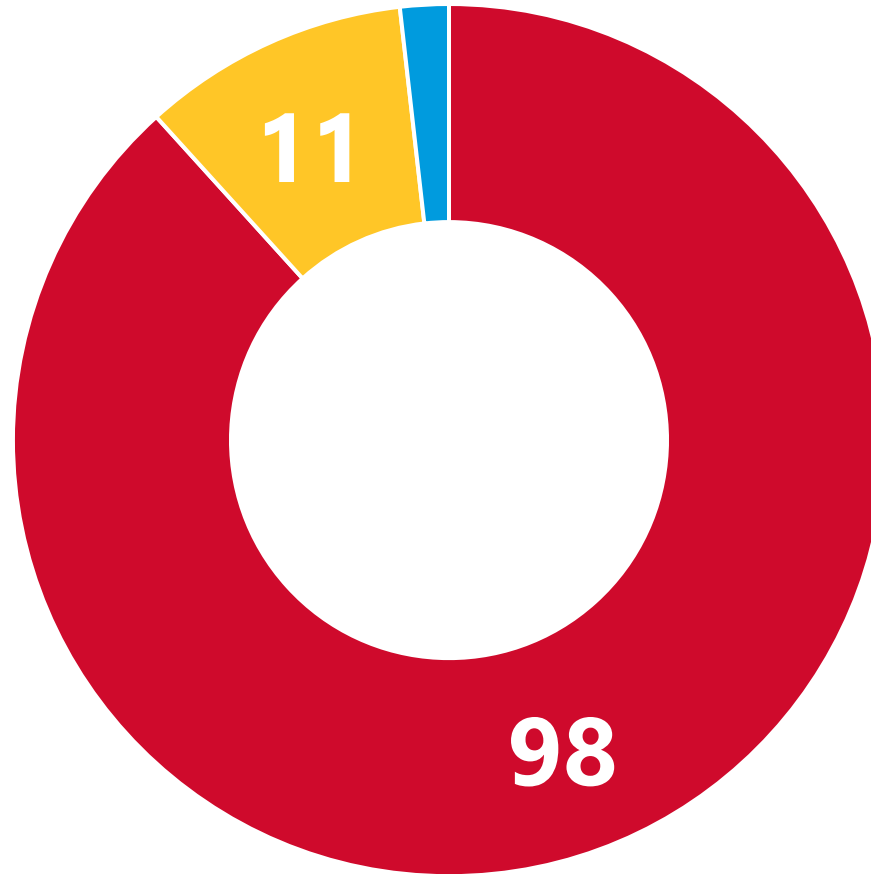
■ Complete ■ Partial ■ Incomplete ■ Not Applicable ■ Provide Own

Confidential Resource Provider(s) (CRP)

Clarifications/Reminders:

- If your campus is using an external organization/community provider, you **must name a specific person to the CRP role and advertise** that contact to your campus community.
 - The person could be an employee of that organization, but it cannot just be their intake line. The person named has to have specific knowledge of the campus policies and grievance procedures as well as how to access supportive measures and other campus specific pieces.
- Additionally, the confidentiality clause in an SACSC/DVP MOU covers the privilege that the organization has for its staff and how they are not going to release information to the campus, it is **not** suggesting their staff is now the CRP - that designation should be reflected with explicit language in the MOU (and very likely accompanied by compensation).

2021 Campus Sexual Assault Law: Implementation Status Confidential Resource Providers



■ Complete ■ Incomplete ■ Not Applicable

Sexual Misconduct Surveys

- [Task Force model questions and recommendations](#) were approved by the Commissioner in the May 2022
- Under the law, IHEs have until **Aug 1, 2025** to conduct its first survey in compliance with the law
- Model Questions have been input into a survey tool using a Qualtrics platform
- IHEs using a **survey that differs from the model questions** will need to submit a justification to DHE, through the Edvera reporting process (guidance added to the FAQ document)
- DHE will convene discussions to assess challenges and successes
- DHE will also provide technical assistance to IHEs regarding evaluation and publication of survey results, and implementing responsive improvements

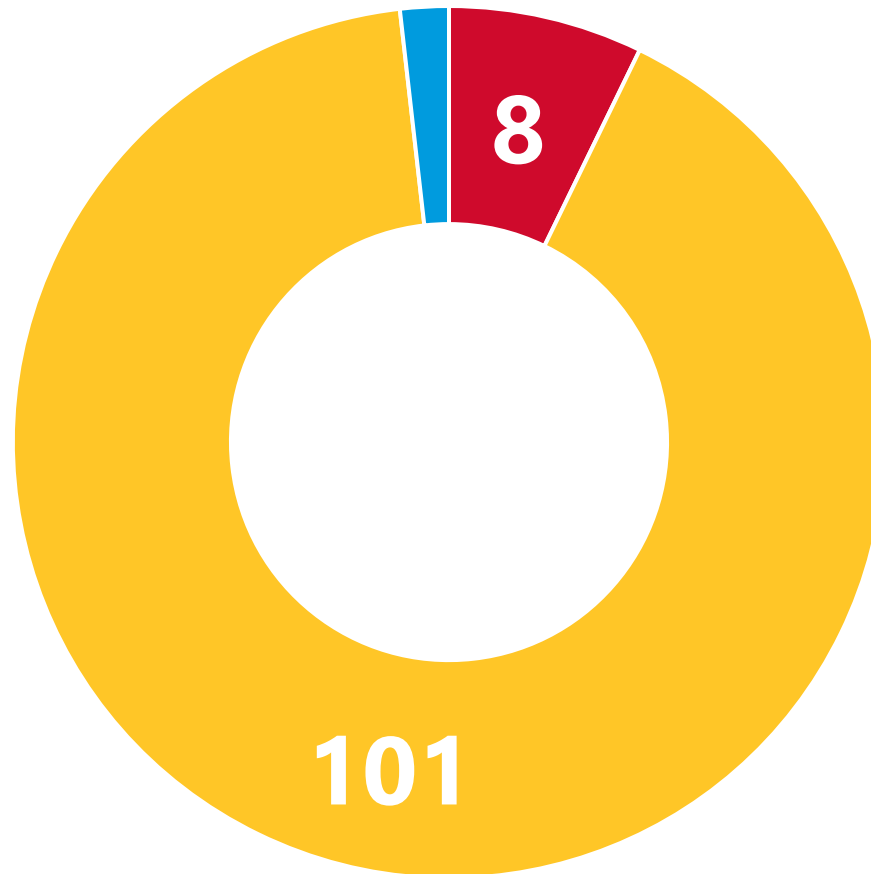
Sexual Misconduct Surveys

■ Federal survey requirement

- Bureau of Justice Statistics (BJS) is managing the federal climate survey effort, with a 3rd party
- This award is a three-year project and will finish in September 2026. At that point, the final instrument and other supporting materials will be handed over to Department of Education for implementation. **Therefore, 2027-28 is probably the earliest that the feds will be able to get their survey out to the schools.**
- Noted in the award notification is the institutions that will be included in the requirement, which fall into five categories:
 1. 4-year predominantly white institutions (PWIs)
 2. minority-serving institutions (including historically black colleges and universities [HBCUs], Hispanic-serving institutions, and tribal colleges and universities)
 3. community/junior colleges
 4. vocational/trade schools
 5. online-only institutions

2021 Campus Sexual Assault Law: Implementation Status

Sexual Misconduct Climate Surveys



■ Complete ■ Incomplete ■ Not Applicable

Sexual Misconduct Surveys

- Question regarding the requirement in the law that states: *Within 120 days after completion and analysis of a sexual misconduct climate survey, **each institution shall post a summary of the results on the institution's website.***
 - The [Task Force Report](#) has a section on *Generating Meaningful and Representative Results* that includes suggestions on data analysis and reporting results
- **Low response rate**
 - DHE will not require a redo before the 4-year requirement. In this instance, however, a redo within 2 years may be recommended
 - We may reach out for more information in an effort to develop additional guidance
 - Reference the [Task Force Report](#), particularly the section on *Generating Meaningful and Representative Results* for more response rate guidance
- **Reminder:** Any institution planning to use Qualtrics to administer their survey—DHE has pre-loaded the model questions into a QSF (survey tool) that we can share upon request

2024 CSVP Annual Report Resources

- The 2024 CSVP Annual Report documents are available for your reference:
 - [2024 CSVP Annual Report FAQs & Guidance](#)
 - [2024 Annual Report Start Guide](#)
 - [2024 Incident Data Template](#)
 - 2024 Annual Report Template – coming soon
- All CSVP contacts will receive a message when the Edvera portal is live for report submissions.

Edvera Portal Demo

Edvera portal: <https://madhe.edvera.com/>

Questions?

Amanda Robbins, DHE Campus Safety Advisor

arobbins@dhe.mass.edu

DHE CSVP Website: <https://www.mass.edu/strategic/csvp.asp>