

# TASK FORCE ON CAMPUS SEXUAL MISCONDUCT CLIMATE SURVEYS

Minutes reviewed by  
members but not formally  
approved due to this being  
the last Task Force meeting

## Minutes – July 12, 2023

The ninth meeting of the Task Force on Campus Sexual Misconduct Climate Surveys was called to order at 1:30 p.m. via video conference as permitted for advisory bodies under the Open Meetings Act, 5 ILCS 120/79(d)(D0(ii).

The following Task Force members were present: Ginger Ostro (Chair), Brenda Angulo, Madeleine Behr, Natalie Bennett, Megan Greeson, Alison Hill, Patricia Hinds, Jaya Kolisetty, Jasmine Rounton, Mindy Schneiderman, Radhika Sharma, Kathryn Stutz, Samir Tanna, Jarrett Williams, and Senator Jil Tracy.

The following Task Force members were absent: Elizabeth Cook, Representative Norine Hammond, Julia Howland, Jessica Magliocco, Representative Katie Stuart, and Nabilah Talib.

Others present: Ashley Lewis (IBHE), Melissa Van (IBHE) and David Antonacci (IBHE).

The meeting was recorded, and the recording has been posted on the IBHE website.

### **A. Call to Order and Approval of Meeting Minutes**

- **Call Meeting to Order by Chairperson Ginger Ostro**

Chairperson Ostro called the meeting order, explained the Open Meetings Act (OMA) protocol, and stated that the meeting would be recorded, and explained how to make public comment.

- **June 7, 2023 Meeting Minutes**

Chairperson Ostro confirmed that we had a quorum of members. The June 7, 2023 meeting minutes were approved by a roll call vote.

### **B. Public Comment Discussion**

Ashley Lewis stated that the public comment period took place from June 20<sup>th</sup> to June 30, 2023. The public comment notice was posted on the IBHE's website. The public comment section that was added to the Task Force's website had a link to both the draft and the public comment form. The notice of public comment was sent out to leadership at 2-year and 4-year universities, public and private, and PBVS schools. By the end of the public comment period, 27 public comments were submitted. Out of the comments, 8 were from four-year or graduate-only institutions, 5 from community colleges, and 2 were from advocacy organizations. The public comments were divided up into base survey-specific comments or general comments.

### **C. Base Survey-Specific Comments**

Ashley Lewis said that there were 4 common themes in the public comments that were base-survey specific. These are: (1) Clarification on students that the survey applies to (minor, not in

U.S., part-time); (2) Clarification on where incident took place; (3) Remove or update the phrase “behaved inappropriately” from question introduction; (4) Increase question flexibility.

- Discussion about clarification on students that the survey applies to (minor, not in U.S., part-time)
  - Natalie Bennett believes that parental consent is needed if we administer the survey to minors. Megan Greeson shared that the task force did not read the survey with minors in mind and shared that there are unique laws around reporting child sexual abuse. We should not link any survey answers to anything identifiable. Since we are not going through IRB, she does not believe we need parental consent. Madeleine Behr acknowledged that sexual violence is not exclusive to those 18 and above and does not prefer to exclude minors. The Sexual Violence in Higher Education Act refers to any person in the higher education realm and is not prohibitive of minors. Though Behr is more hesitant on including this student population if it were to ever trigger a mandatory reporting situation. Chairperson Ostro recommended for the Task Force to put in guidance on how including students under 18 was not the intention.
  - Regarding the comment on international students, no one was able to expand on these laws. Megan Greeson assumed that all students included the international population as well. She noted that it is important for the Task Force to figure out if there are any laws for international students that would put the institution at risk. Mindy Schneiderman stated that there is confusion if this is referring to online students located outside of the U.S. She suggested to add a question such as “Are you currently located in the United States?” into the survey. If the student is located outside of the U.S., there can be a prompt thanking them for their time. Madeleine Behr stated that if there is not a legal prohibition for international students, she wants study abroad student, international students, and online students to be accounted for due to the rate of sexual harm that can happen during study abroad programs and online harassment. Radhika Sharma seconded everything stated by Madeline Behr. Chairperson Ostro summarized that unless there are laws prohibiting student who study abroad, are fully online, and international students taking online courses in the U.S., they should be included in taking the survey. The Task Force will follow up on the legal language of the privacy laws. Chairperson Ostro raises the issue of part-time students mentioned by community colleges. Kathryn Statz said that part time students are to be included according to the statute. Statz asked if it is being framed in terms of dual-credit part-time specificity. Chairperson Ostro read the dual-credit question to be about minors as they would still be in high school. Based on her analysis, Ashley Lewis believes that schools want clarification on not only part-time students, but a non-traditional part-time student (i.e. taking one course). Chairperson Ostro read a comment in the chat that part-time students, no matter the amount of classes they are taking, should not be excluded from the survey. Megan Greeson asked if the survey has a question asking about the student’s full-time or part-time status. Senator Jil Tracy and Mindy Schneiderman agree that there is no harm, and that it would be informative.

**Commented [LA1]:** Are you sure on this? I thought she was fine excluding minors, she just wanted to point out that sexual abuse happens to minors

**Commented [VM2R1]:** She prefers not to exclude them, a couple sentences after she was hesitant on adding them is there was any mandatory reporting though

- Regarding the audience modification/question rephrasing comment, Mindy Schneiderman shared that some of the language we use is higher level and suggests that the survey design group should go over it and ensure the language is understandable by everyone. Natalie Bennett questioned whether the definition of student was limited to undergraduate students. Mindy Schneiderman clarified that it was for all students. Madeleine Behr shared the student definition from the statute as any person enrolled, whether part-time, full-time or as an extension student, including those who have taken a leave of absence, or have withdrawn from higher education due to being a victim. Megan Greeson recommended the Task Force add that language to the implementation plan.
- Discussion about clarification on where incident took place
  - Kathryn Statz believes there is disconnect because the Task Force is named Campus Sexual Misconduct Climate Survey Task Force but the statute says to ask people about their experiences as a student. She suggests the Task Force provide clarifying language in the introductory portion to address this. Mindy Schneiderman shared that Northern Illinois University wrestled with defining on-campus versus off-campus because their fraternities and sororities are a couple of blocks away from campus. They decided to let students decide whether they thought the incident occurred on campus or not. Otherwise, each university or college will have to provide a map. Wherever the incident occurs, Mindy believes we want to capture this with the survey. Madeleine Behr stated the statute for the misconduct survey requires questions be included about when and where incidents of sexual misconduct occurred such as on campus, off campus, abroad, or online. Chairperson Ostro believes that everyone agrees that the survey needs to capture the incident wherever the student and suggests that the survey group take a closer look.
- Discussion about remove or update the phrase “behaved inappropriately” from question introduction
  - [Regarding the comment on “behaved inappropriately,” Chairperson Ostro asked if the task force wants to look at switching this language out as we go back into the survey. Mindy Schneiderman agreed.](#)
- Discussion about increase question flexibility
 

Ashley Lewis clarified that she was not able to input every comment that talked about this on the presentation slide as there was not enough room.

  - Mindy Schneiderman believes that we are going to have to go through the survey because we are including the word “university” which would not apply to all institutions as well as referring to housing when there are students that do not live on campus. Chairperson Ostro stated that this was similar to the comment on “residential housing” and that the Task Force needs to distinguish between campus and home community.
  - Regarding the consent comment, Megan Greeson shares that every institution has their own definition of consent. She states that if the Task Force wants a reliable measure of capturing consent across all institutions there needs to be one definition. She suggests reminding students in the survey of the definition in

the survey could be different than their institutions' definition. Alison Hill's professional recommendation is that institutions can go above and beyond with the consent definition but should meet a minimum threshold of the definition in the survey. Megan Greeson suggested that the survey group review specific language and the definition.

- Jaz Routon raised concern over the public comment about religious objections to gender identity, sexual orientation, and consent comment because if the task force allows survey questions to be editable then we are allowing for further harm against sexual and gender minority students. They would like to see these questions remain in the survey regardless. Jaz Routon does not see why there should be flexibility on people's identities. Madeleine Behr agrees that these questions remain in the survey and shares that the statute requires we ask demographic information to identify at-risk groups and that it specifically refers to sexual orientation and gender identity. Chairperson Ostro clarifies that institutions must use our base survey and may add questions, but they cannot change the base survey.

#### D. General Comments

Ashley Lewis said that there were 3 common themes in the public comments that were about the survey and its implementation generally. These are: (1) Annual survey administration not feasible; (2) Institutions need guidance on reporting and other issues; and (3) Base survey is too long and other language changes. Lewis points out that there were only 20 questions that do not directly address the statutory mandate and even if they were removed the survey would be 70 questions long.

- Discussion about annual survey administration not feasible
  - Natalie Bennett noticed that the survey length was a constant refrain in the public comments. She asked how the Task Force should handle this critique that the annual survey is burdensome. She recognizes that the statute expects the survey to be annual but asks what the Task Force can do in terms of our recommendations. Chairperson Ostro shares that the Task Force can acknowledge and recommends a review or consideration of this, but that the statute still requires it. The Task Force cannot change anything in the statute. Mindy Schneiderman believes this should be addressed because cost and resource-wise, this is not doable for smaller institutions. Even for larger institutions, Northern Illinois University does this survey every 2 years. Senator Jil Tracy worries that not every student is being assessed if the survey is not done annually. Kathryn Statz shares that a student who answered the survey the year before would face the same set of questions and experience further harm. She would like for the Task Force to incorporate this feedback in the recommendations and revisit this in a year's time based on the percentage of completion or other objective. Senator Jil Tracy asked if the survey would report an incident that was already reported. Chairperson Ostro clarified that a timeframe is put on the survey. Mindy Schneiderman shared that this does not mean the student is going to complete it if they completed it the year before and that it would possibly lower the response rate if done annually. Megan Greeson asked about the federal survey and Ashley Lewis shared that it would

Commented [LA3]: At some point I make sure to point out that there were only 20 questions that do not directly address the statutory mandate and even if they were removed the survey would be 70 questions long. Can we make sure this gets in somewhere?

be biannual. Chairperson Ostro clarified that the concern of the annual survey be one of the Task Force's considerations, but that it does not necessarily mean any legislative changes will take place. Megan Greeson would like the Task Force to revisit the pros and cons associated with both options. Chairperson Ostro recommended that we look at this again when the Task Force reconvenes in two years after the administration of the survey. Mindy Schneiderman reminded the Task Force that not everyone is going to answer all of the 90 survey questions. She believes that more people are going to answer half of the questions, not even that. She believes we are looking at a little over 25% of students that will answer the 90 questions. She believes that how long it takes to complete the survey is a better measurement.

- Discussion about institutions need guidance on reporting and other issues
  - Regarding the comment on reporting requirements, Megan Greeson shared that we are asking a lot of institutions that do not have the technical expertise for the survey. Chairperson Ostro shares that reporting is not something IBHE can provide support for. Mindy Schneiderman suggests the Task Force provide recommendations on analyzing data. She mentioned that the task force has yet to address how institutions are going to report the data. Megan Greeson asked if after we put out the Task Force report and base survey if we can then give institutions suggestions on reporting in about a few months before they need to send the data out. Chairperson Ostro stated that the extension was something we could look at.
  - Chairperson Ostro asked the Task Force to weigh in on the comment of IRB approval. Mindy Schneiderman shared the issue is that some institutions do not have an IRB. They would have to pay for an outside IRB to review the materials. Northern Illinois University's IRB said it was exempt and they do not have to go through a review. Chairperson Ostro questioned if the Task Force needs to weigh in on this IRB comment and we should just acknowledge this is institution specific. Mindy Schneiderman agrees it is up to the individual institution. Megan Greeson shared that federal research policies require people to get IRB approval if you meet the definition of research. They also state if you are doing evaluation not research, to inform interventions and services, that that does not meet the bar of research and IRB is not required. Greeson believes a best practice is still applying for IRB so the IRB is the one that says whether it is research or evaluation. She does not believe each institution in Illinois will do this. She worries that if every institutions goes for IRB approval that the IRB may than want to weigh in on question working and then the task force no longer has a base survey. Greeson suggests the implementation working group consider providing more guidance around maintaining confidentiality and providing incentives. Mindy Schneiderman clarified that as long as the findings are not published and made for public knowledge that is not research. We are using the survey findings to evaluate interventions and services. Schneiderman does not believe that the task force need to get IRB approval and clarified that it does not count as publishing findings if IBHE was to summarize and synthesize the data. Megan Greeson is

concerned that we have no control over what institutions do with the data and whether they decide to publish findings. Schneiderman shares that that is after the fact and once the data is collected, if an institution were to decide to publish findings that they would have to go for IRB review. IRB for the survey and publishing data are different. Chairperson Ostro recommends that the Task Force includes what we have heard in the implementation and state that the survey intent is to evaluate intervention and services. Megan Greeson suggested that Ashley Lewis research how other states are handling this. Guidance may be helpful because other states would be subject to the same federal policies around what constitutes research and what requires the IRB approval.

- Mindy Schneiderman shared that for Northern Illinois University's general public surveys that more and more bots are completing, especially when they announce they are offering incentives. Individuals taking the survey multiple times becomes another issue. Chairperson Ostro suggested the task force give institutions guidance, to be aware of and alert to strategies mitigating this risk. Natalie Bennett believes we should mention this in the report when addressing technical design and development of the survey. Chairperson Ostro clarified for Schneiderman that institutions are responsible for looking at data quality and that the task force can give examples on how to avoid this.
- Base survey is too long and other language changes
  - 20 questions not strictly addressing statute requirements (including opt-in questions)
  - Base Survey would still be 70 questions
  - The Task Force did not discuss this section since the topic was discussed with the annual survey requirement.

#### **Updates the Task Force Report**

- Appendix chart showing the questions that meet each statutory requirement
- Survey instructions that explains use of skip logic etc.
- Task Force Member ideas for additions to the Report should be sent to Ashley Lewis by July 21, 2023

#### **E. Public Comment**

- **Call for Public Comment by Chairperson Ostro**

Chairperson Ostro announced at the beginning of the meeting how to sign up to give public comment. Ashley Lewis called for public comment and no one requested to speak.

#### **F. Next Steps**

- Additional July Task Force Meeting
  - Tuesday, July 25, 2023 from 2-3:30 pm
- Survey Building Working Group Meetings
  - Friday, July 14, 2023 from 3-4 pm
  - Wednesday, July 19, 2023 from 11-12 pm

