

# AAU CAMPUS CLIMATE SURVEY ON SEXUAL ASSAULT & SEXUAL MISCONDUCT

## DEFINITIONS

### Sexual Assault and Sexual Misconduct

The AAU's survey focused on **nonconsensual sexual contact** involving both sexual penetration and sexual touching or kissing. Survey respondents were asked whether one or more of these contacts occurred as a result of four tactics:

- 1) physical force or threat of physical force,
  - 2) being incapacitated because of drugs, alcohol or being unconscious, asleep or passed out,
  - 3) coercive threats of non-physical harm or promised rewards, and
  - 4) failure to obtain affirmative consent.
- Tactics 1 & 2 generally meet legal definitions of rape (penetration) and sexual battery (sexual touching or kissing).
  - Tactics 3 & 4 generally are violations of student codes of conduct.

**NOTE:** The four different types of nonconsensual sexual contact included in the AAU survey reflect the different definitions that are used by institutions of higher education, as well as what has been used in previous published studies on campus sexual assault and sexual misconduct. The AAU survey was designed to estimate sexual assault and sexual misconduct using various definitions to allow shaping of institutions of higher education's policy according to the type of behavior and tactic.

### Penetration

- When one person puts a penis, finger, or object inside someone else's vagina or anus
- When someone's mouth or tongue makes contact with someone else's genitals

### Sexual Touching or Kissing

- Kissing
- Touching someone's breast, chest, crotch, groin, or buttocks
- Grabbing, groping or rubbing against the other in a sexual way, even if the touching is over the other's clothes

### Physical Force

Incidents when someone is:

- "... holding you down with his or her body weight, pinning your arms, hitting or kicking you, or using or threatening to use a weapon against you."

## AAU CAMPUS CLIMATE SURVEY ON SEXUAL ASSAULT & SEXUAL MISCONDUCT

### DEFINITIONS

#### Incapacitation

When someone is:

- “unable to consent or stop what was happening because you were passed out, asleep or incapacitated due to drugs or alcohol”

#### Coercion

Incidents involving threats of serious non-physical harm or promising rewards. This was defined for respondents on the survey as:

...threatening serious non-physical harm or promising rewards such that you felt you must comply? Examples include:

- threatening to give you bad grades or cause trouble for you at work
- promising good grades or a promotion at work
- threatening to share damaging information about you with your family, friends or authority figures
- threatening to post damaging information about you online

#### Absence of Affirmative Consent (AAC)

This definition and associated survey items were developed to capture emerging student codes of conduct which make it a violation if both partners in a sexual encounter do not explicitly consent. To develop the questions, affirmative consent policies from institutions in the AAU and the Consortium on Financing Higher Education (COFHE) were reviewed. To the AAU’s knowledge, this is one of the first surveys to measure this type of tactic.

The question on AAC was introduced with the following definition:

Since you have been a student at [University], has someone had contact with you involving penetration or oral sex without your active, ongoing voluntary agreement? Examples include someone:

- initiating sexual activity despite your refusal
- ignoring your cues to stop or slow down
- went ahead without checking in or while you were still deciding
- otherwise failed to obtain your consent

#### Sexual Harassment

Harassment was defined as a series of behaviors that interfered with the victim’s academic or professional performances, limited the victim’s ability to participate in an academic program, or created an intimidating, hostile or offensive social, academic or work environment. This definition is in line with campus policies, as well as those of the Equal Employment Opportunity Commission’s definition regarding “hostile environment” and the US Department of Education.

## AAU CAMPUS CLIMATE SURVEY ON SEXUAL ASSAULT & SEXUAL MISCONDUCT

### DEFINITIONS

The specific behaviors referenced were taken from several different scales measuring harassment:

- Made sexual remarks or told jokes or stories that were insulting or offensive to you?
- Made inappropriate or offensive comments about your or someone else's body, appearance or sexual activities?
- Said crude or gross sexual things to you or tried to get you to talk about sexual matters when you didn't want to?
- Emailed, texted, tweeted, phoned, or instant messaged offensive sexual remarks, jokes, stories, pictures or videos to you that you didn't want?
- Continued to ask you to go out, get dinner, have drinks or have sex even though you said, "No"?

### **Intimate Partner Violence (IPV)**

Section of survey intended to capture violence associated with relationships that would not be captured in the sexual violence section. Questions about IPV were administered to anyone who said they had been in any partnered relationship since enrolling in college.

Partnered relationships included:

- Casual relationship or hook-up
- Steady or serious relationship
- Marriage, civil union, domestic partnership or cohabitation

The question wording for the IPV items is a combination of wording used in the University of New Hampshire 2012 survey as cited in the White House Task Force Report and the National Intimate Partner and Sexual Violence Survey (NISVS) conducted by the Centers of Disease Control and Prevention.

To be classified as a victim, respondents had to say that a partner had done one of the following:

- Controlled or tried to control you? Examples could be when someone:
- Kept you from going to classes or pursuing your educational goals
- Did not allow you to see or talk with friends or family
- Made decisions for you such as, where you go or what you wear or eat
- Threatened to "out" you to others
- Threatened to physically harm you, someone you love, or themselves?
- Used any kind of physical force against you? Examples could be when someone
  - bent your fingers or bit you
  - choked, slapped, punched or kicked you
  - hit you with something other than a fist
  - attacked you with a weapon, or otherwise physically hurt or injured you

## AAU CAMPUS CLIMATE SURVEY ON SEXUAL ASSAULT & SEXUAL MISCONDUCT

### DEFINITIONS

#### Stalking

Stalking was based on definitions and behaviors used in the NISVS, the National Crime Victimization Survey and the National Violence Against Women's Survey. Respondents were asked whether someone:

- Made unwanted phone calls, sent emails, voice, text or instant messages, or posted messages, pictures or videos on social networking sites in a way that made you afraid for your personal safety
- Showed up somewhere or waited for you when you did not want that person to be there in a way that made you afraid for your personal safety
- Spied on, watched or followed you either in person or using devices or software in a way that made you afraid for your personal safety

To be considered stalking, the respondent had to additionally say that these behaviors, either singly or in combination, occurred more than once and was done by the same person.

#### TGQN

Individuals identifying as transgender, genderqueer, non-conforming, questioning, and as something not listed on the survey