

2026–2027 HEDS Sexual Assault Campus Climate Survey New York State Module

This is an optional module you can add to your survey to better fulfill the requirements of New York's law (2015-S5965) regarding campus climate assessments. Please note that you may need to alter or remove question 6 if you do not use the preponderance of evidence standard. The survey needs to address the awareness of the differences, if any, between your institution's policy and penal law.

The next few questions cover content that is required by New York State law. Please continue with the survey and answer these questions. Thank you.

In the next question, we use definitions based on the U.S. Department of Justice's definitions of domestic violence, dating violence, and stalking (<https://www.justice.gov/ovw>) as indicated by New York State law.

1. Since starting at [Institution Name], have you experienced any of the following while you were (a) on campus; (b) off campus at an event or program connected with [Institution Name], including study abroad and internships; or (c) at a social activity or party near campus such as at an apartment, restaurant, or bar:

	Yes	No	I suspect, but I am not certain.
Domestic violence (Includes violence committed by a current or former spouse or intimate partner; a person with whom the victim shares a child in common; a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner; or someone who should be protecting the victim according to domestic/family violence laws.)	☐	☐	☐
Dating violence (Means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined by considering: the length of the relationship; the type of relationship; and the frequency of interaction between the persons involved in the relationship.)	☐	☐	☐
Stalking (Means engaging in a course of conduct directed at a specific person that would cause a reasonable person to: fear for their safety or the safety of others; or suffer substantial emotional distress.)	☐	☐	☐

2. Are you aware that [Institution Name]'s Title IX Coordinator leads [Institution Name]'s response to reports of sexual assault, domestic violence, dating violence, stalking and other forms of gender-based misconduct?

- ☐ Yes
☐ No

“Affirmative consent” is a knowing, voluntary, and mutual decision among all participants to engage in sexual activity. Consent can be given by words or actions, as long as those words or actions create clear permission regarding willingness to engage in the sexual activity. Silence or lack of resistance, in and of itself, does not demonstrate consent. The definition of consent does not vary based upon a participant's sex, sexual orientation, gender identity, or gender expression.

3. Are you aware that [Institution Name]'s standards for student conduct require all parties to obtain “affirmative consent” prior to engaging in sexual activity?

- ☐ Yes
☐ No

4. Do you know how to access resources on and off campus if you've experienced domestic violence, dating violence, stalking, or sexual assault (e.g., counseling, health, and academic assistance)?

- ☐ Yes
☐ No

5. Do you know how to report domestic violence, dating violence, stalking, or sexual assault to [Institution Name] and to law enforcement?

- ☐ Yes
☐ No

For institutions that use the preponderance of evidence standard.

In legal terms, a preponderance of evidence means that a party has shown that its version of facts, causes, damages, or fault is more likely than not the correct version, as in personal injury and breach of contract suits. This standard is easier to meet than the “beyond a reasonable doubt” standard of evidence applied in criminal law. The “preponderance of evidence” standard applies to all civil cases unless otherwise provided by law.

6. Are you aware that [Institution Name] uses a “preponderance of evidence” standard to adjudicate sexual misconduct cases, and that this evidentiary standard is different than that used in the criminal justice system?

- ☐ Yes
- ☐ No

7. Are you aware that a student who reports an incident of sexual misconduct or is accused of sexual misconduct has the right to be accompanied by an advisor of their choice who may assist and advise them throughout the judicial or conduct process, including all meetings and hearings?

- ☐ Yes
- ☐ No

8. Are you aware that you have the right to a prompt response to any complaint of sexual misconduct and to have the complaint investigated and adjudicated in an impartial, timely, and thorough manner by people who receive annual training on conducting investigations, effects of trauma, impartiality, and rights of the parties involved?

- ☐ Yes
- ☐ No

9. If you reported an incident of sexual misconduct to [Institution Name], how satisfied were you with the process?

- ☐ Very satisfied
- ☐ Satisfied
- ☐ Neither satisfied nor dissatisfied
- ☐ Dissatisfied
- ☐ Very dissatisfied
- ☐ Not applicable

If you are using the HEDS Campus Sexual Violence Survey for Advanced Degree Students, the following two questions will be part of the module.

10. If you have observed a situation that you believe was sexual assault since starting at [Institution Name], did you intervene?

- ☐ Yes, I intervened.
- ☐ I considered intervening but did not feel safe doing so.
- ☐ I considered intervening but did not feel comfortable doing so.
- ☐ I considered intervening but did not know how to do so.
- ☐ I did not intervene.
- ☐ I have not observed a situation that I believe was sexual assault.

This question only appears to those who answered “Yes, I intervened” in the question above.

11. How did you intervene? (Select all that apply)

- ☐ I stepped in and separated the people involved in the situation.
- ☐ I asked the person who appeared to be at risk if they needed help.
- ☐ I confronted the person/people who appeared to be causing the situation.
- ☐ I created a distraction to cause one or more of the people to disengage from the situation.
- ☐ I asked others to step in with me and defuse the situation.
- ☐ I told someone in a position of authority about the situation.
- ☐ Other

Some of these questions are available for use thanks to a New York college that generously agreed to share them.