

# Public Comments Received During the 60-day Comment Period

May 2017

## School Survey on Crime and Safety 2017-2018

ED-2017-ICCD-0039

Comments on FR Doc # 2017-05806

**Document:** ED-2017-ICCD-0039-0006

**Name:** Seth Galanter

I strongly commend NCES for continuing to collect important data regarding harassment and sexual misconduct in schools and against student (Question 30, 33, and 35).

My suggestions are of a technical nature and are reflected in the attached file.

I submit these comments on my own behalf.

1. Question 35 collects data about occurrences of “harassment” based on sex, sexual orientation, gender identity, religion, and disability. But it does not ask about occurrences of “harassment” based on race/color/national origin/ethnicity. Instead, it asks about the occurrences of “Student racial/ethnic tensions.”

While I understand that that phrase may have been in earlier NCES collections (and thus is important for trend analysis), the different wording may make respondents think they are being asked about something other than student-on-student harassment (although it is unclear whether it is something more or less), and may make it difficult to compare the responses received on this question to the responses on the various other harassment questions.

Further, Question 32, about hate crimes, uses the categories “race or color” and “national origin or ethnicity.” The failure to use all these terms in Question 35 might suggest to the respondents that the harassment question is narrower than the hate crime questions in terms of the relevant categories.

I suggest adding questions about race/color and national origin/ethnicity harassment that tracks the other harassment questions (using the categories from Question 32), along the lines of:

Student **harassment\*** of other students based on race or color

Student **harassment\*** of other students based on national origin or ethnicity

2. The current proposed definitions of harassment are

Harassment – Harassing conduct may take many forms, including verbal acts and name-calling, as well as non-verbal behavior, such as graphic and written statements, or conduct that is physically threatening, harmful, or humiliating.

Sexual harassment – conduct that is unwelcome, sexual in nature, and denies or limits a student’s ability to participate in or benefit from a school’s education program. All students, regardless of sex or gender identity, can be victims of sexual harassment, and the harasser and the victim can be of the same sex. The conduct can be verbal, nonverbal, or physical.

Although both definitions are correct in different contexts, there does not seem to be a good reason to have one of the elements – “denies or limits a student’s ability to participate in or benefit from a school’s education program” – applicable to sexual harassment and not other forms of harassment.

By adding this element to the general definition of harassment, the inter-harassment results will be comparable. Further, it will not require respondents to report de minimis incidents of harassment, but will seek the respondents’ educational judgment to report only that harassing conduct that is sufficiently serious to interfere with the educational environment.

In addition, the definition of Sexual Harassment has more specific examples of potentially harassing conduct, which may be helpful to the respondents.

For these reasons, I suggest the definition of Harassment be aligned to track more closely the definition of Sexual Harassment, so as state:

Harassment – conduct that is unwelcome and denies or limits a student’s ability to participate in or benefit from a school’s education program. All students can be victims of harassment and the harasser can share the same characteristics of the victim (e.g., a sexual harasser can be of the same sex as the victim; a racial harasser can be the same race as the victim). The conduct can be verbal, nonverbal, or physical and can take many forms, including verbal acts and name-calling, as well as non-verbal conduct, such as graphic and written statements, or conduct that is physically threatening, harmful, or humiliating.

I further suggest that the definition of Sexual Harassment be amended to change the last sentence to read as follows, drawing the more general language of the Harassment definition.

The conduct can be verbal, nonverbal, or physical and can take many forms, including verbal acts and name-calling, as well as non-verbal conduct, such as graphic and written statements, or conduct that is physically threatening, harmful, or humiliating.

3. Finally, Questions 30 and 33 seek information about Sexual Misconduct between staff and students regardless of location, as well as Sexual Assault (including threatened rape) and Rape (including attempted rape) on school grounds regardless of whether students were involved.

It may be helpful to make clear in the definitions, if it’s true, that Sexual Assault and Rape are both forms of Sexual Misconduct and that, therefore, some incidents of staff-student behavior on school grounds may be reported in response to Questions 30 a & b as well as Question 33.

Thank you for your consideration of these matters.

I submit these comments on my own behalf. Please feel free to contact me if you have any questions at the email address below.

Seth Galanter  
[Seth.Galanter@gmail.com](mailto:Seth.Galanter@gmail.com)

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Dear Mr. Galanter,

Thank you for your feedback posted on May 11, 2017 responding to a 60-day request for comments on the proposed School Survey on Crime and Safety: 2017-2018. The National Center for Education Statistics appreciates your interest in the SSOCS survey. I have provided a response to each of your comments below.

- 1) Thank you for bringing this to our attention and we agree that “racial/ethnic tensions” is a term that is open to interpretation and not quite the same as “harassment.” Your suggestion to include subitems on student harassment of other students based on race or color and national origin or ethnicity to mirror the other subitems in this question, as well as to mirror the hate-crime question, is something that we will consider and test for SSOCS:2020. As with all new and revised items, in order to make such a change, we will need to test the proposed items with principals to ensure comprehension and interpretation before including in a full scale collection. At this point in the survey schedule, we are unable to accommodate additional testing but will consider doing so for SSOCS:2020.
- 2) We agree that there are components in each definition that should be included in both. We have revised the definitions to be consistent (these will be viewable in the revised Appendix B at <https://www.reginfo.gov/public/do/PRASearch> upon OMB approval of this study; we recommend searching using the study’s OMB control number: 1850-0761).

- 3) Thank you for providing this suggestion. We have added a bulleted instruction to Item 33 indicating that Sexual Misconduct includes Rape and Sexual Assault and counts in Item 30 a & b should be taken into consideration when responding to Item 33 (will be viewable as in (2) above).

Sincerely,

Rachel Hansen  
School Crime & Safety  
Cross-Sectional Surveys Branch  
National Center for Education Statistics  
U.S. Department of Education  
Office: 202-245-7082

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**Document:** ED-2017-ICCD-0039-0010

**Name:** Paulina Oberg

(1) Is this collection necessary to the proper functions of the Department? YES - Absolutely - Data should be made public as well

(2) will this information be processed and used in a timely manner? YES - Time and resources should be provided to complete this responsibility

(3) is the estimate of burden accurate? I oppose the wording of "burden". Reporting occurrences is a responsibility, not a burden. See my reply to Question 5 as to why the collection and use of this information is worth the effort. For example, we have had an increase in students committing suicide. If we had ongoing statistical data as to trends of escalating issues, perhaps warning signs could have helped save these students' lives.

(4) how might the Department enhance the quality, utility, and clarity of the information to be collected? There needs to be clear definitions and no vague language that would allow interpretation

(5) how might the Department minimize the burden of this collection on the respondents, including through the use of information technology? An easy to use online occurrence data input system would allow respondents to enter incident information immediately/same day. This sort of technological tool would provide the school principal and superintendent real-time trends that can be sorted by every data point, for example: incident type, staff reporting, location, day of week, time of day, race, gender, ages of parties involved, Free & Reduced Lunch recipient, GPA, Sp Ed, 504, Known medical conditions of parties involved, length student has attended this school, teachers of parties involved, tardy rate, attendance, etc. Being able to look at trends as they are developing allows the principle to take action to change the trend.

Imagine, that there is a developing pattern of a particular security guard negatively interacting with students with IEPs or that a particular teacher's students have a higher than average rate of bullying. This information would be very useful from an HR prospective. Children's behavior is commutation and deciphering what they are trying to communicate requires as much insight and reference points as possible.

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Dear Ms. Oberg,

Thank you for your feedback posted on May 22, 2017 responding to a 60-day request for comments on the proposed School Survey on Crime and Safety: 2017-2018. The National Center for Education Statistics appreciates your support in the SSOCS survey. I have provided responses to your comments below.

- 1) NCES staff endeavor to release a summary of findings to the public within one year of the last date of data collection. Additionally, restricted-use and public-use data files and data documentation will be made available.

- 4) SSOCS includes many terms that require definitions and has a dedicated page of definitions for the respondent to refer to when responding to survey items. This ensures consistency in interpretation of the survey items.
- 5) Lastly, upon approval, SSOCS:18 will test a web option for respondents to ease the amount of effort required in responding to counts that are available in established administrative data systems at the local level. While survey responses are used by the Department to depict a national picture of the status of crime and safety in our nation's schools, principals can compare their schools' data with similar schools at the national level. The data can also inform principals of various practices and programs that could potentially be implemented in their schools.

Sincerely,

Rachel Hansen  
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