

VALENCIA COLLEGE

# Safeguarding Our Community District Board of Trustees

November 20, 2019

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Lauren Kelly, Director, Equal Opportunity

## Purpose of this session

- To review the College's response to allegations of sexual assault, interpersonal violence & stalking
- To review College policies and procedures relating to discrimination/harassment and child abuse/neglect

# Valencia College Policies

- 6Hx28:2-01: Discrimination, Harassment & Related Misconduct (Including Sexual and Gender-Based Harassment, Sexual Assault, Sexual Exploitation, Interpersonal Violence, Stalking, Complicity, and Retaliation)
- 6Hx28:10-09: Child Abuse Reporting

6Hx28:2-01  
Discrimination,  
Harassment & Related  
Misconduct

# Discrimination/Harassment Policy

- Lists prohibited behavior and scope of policy
- Outlines reporting obligations/expectations for employees
- Lists reporting and response (grievance) procedures
- Provides contact information for how to report behavior
- Provides resources for victims/survivors

## Prohibited behavior and scope of policy

- Sexual assault
- Interpersonal (domestic & dating) violence
- Stalking
- Sexual harassment
- Gender-based harassment
- Sexual exploitation

## Prohibited behavior and scope of policy

- Scope includes on and off-campus behavior if the conduct occurs in the context of an employment or education program or activity of the College, has continuing adverse effects on campus, or has continuing adverse effects in an off-campus employment or education program or activity.

# Prohibited behavior and scope of policy

- The policy and procedures apply to the conduct of and protect College students, employees, interns, volunteers, and visitors.



## Reporting obligations for employees

- Title IX Coordinator
  - Ryan Kane, AVP Equity & Access
- Equal Opportunity Team
  - Lauren Kelly, Director
  - Ben Taylor, Assistant Director
  - Trisha Whitmire, Assistant Director
  - Courtney Demings, Coordinator

# Reporting obligations for employees

- Deputy Title IX Coordinators
  - Deans of Students
  - Directors, Student Services
  - Assistant Directors, Student Conduct
  - Director & Assistant Directors, Safety & Security
  - Director & Assistant Directors, Equal Opportunity
  - Regional Assistant Directors, ODHR

## Reporting obligations for employees

- “Responsible Employees”: A responsible employee is a Valencia employee who has the authority to address sexual misconduct, who has the duty to report incidents of sexual misconduct, or who a member of the Valencia College community could reasonably believe has such authority or duty

# Reporting obligations for employees

- Responsible Employees include:
  - All supervisors
  - All members of safety & security
  - All advisors (including student groups, student trips, and NSE faculty)
  - Counselors
  - Faculty Program Chairs/Discipline Coordinators
  - Employees serving in tutoring roles or positions

# Training for Responsible Employees

- All Responsible Employees notified at time of hire
- 2 hour, in-person training developed and facilitated by Equal Opportunity team
- Addresses topic areas including how report, how to assist reporting parties, and available internal & external resources
- Multiple trainings offered each month

# Training for Campus Security Authorities

- Outlined as per The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act)
- Includes all “Responsible Employees”
- Annual online training, developed by Valencia team
- Outlines reporting obligations for designated crimes based on type and geography

## Training for other employees

- All other employees who are not “responsible employees” complete an online training focusing on general awareness and resources.
- Developed internally and employees are assigned at time of hire
- Deputy Title IX Coordinators, Appeals Officers and Safety & Security receive additional training

## Student training/education

- Primary Prevention training on sexual assault, relationship violence & stalking launched January, 2019
- Developed by Valencia team, in partnership with DOJ grant
- Online training sent to all academic students during first enrollment semester



## Reporting Options

- Direct outreach via phone/email
- Online reporting tools:
  - [www.valenciacollege.edu/EO](http://www.valenciacollege.edu/EO)
  - Student Dispute Resolution Forms
  - Safety & Security website
- Safety & Security reports
- Reports from UCF

# Grievance Procedures

- All reports of discrimination and harassment are reviewed by the Equal Opportunity Team, with the support and supervision of the AVP Equity & Access/Title IX Coordinator
- Outreach to reporting party (typically within 1-2 business days)
- Internal & external (including confidential) resources offered

# Grievance Procedures- Initial Assessment

- Conducted to determine if allegations are under scope of policy
- Determine if any interim protective measures should be applied
- Determine initial facts of report, identities of reporting and responding parties
- Introductory fact finding (*investigation*) with appropriate parties
- Determination reviewed by AVP Equity & Access

# Grievance Procedures- Determination to proceed

- Remedies Based Approach
  - Voluntary approach without disciplinary action.
- Investigation
  - Formal approach
  - Conducted by EO team
  - Interviews of relevant individuals
  - Information gathered and analyzed
  - Formal Investigation Report created

## Grievance Procedures- Determination of Responsibility

- Facts gathered in investigation report reviewed by reporting and responding parties
- Investigator makes determination if evidence suggests policy violation occurred
- Recommendation reviewed by AVP Equity & Access

## Grievance Procedures- Determination of Responsibility

- Responding and Reporting Parties notified of next steps
- Investigation Report forwarded to VP, ODHR or VP Student Affairs (or designee) for review and findings
- Reporting & Responding Parties have additional opportunity to meet with VP or designee before final decision made

## Grievance Procedures- Determination of Responsibility

- All parties notified in writing regarding finding of responsibility
- If found responsible, responding party has opportunity to appeal
- Appeal Officer identified and deadline given for appeal

# Grievance Procedures-Appeal

- Basis for appeal:
  - New information that could affect the finding by the investigator(s) and that was not reasonably available through the exercise of due diligence at the time of the investigation; and/or
  - Material deviation(s) from written procedures that significantly affected the outcome



## Grievance Procedures-Appeal

- Appeal officer will make determination if appeal is not within scope, appeal is denied, or should be sent back to VP or designee for further review/consideration
- Decision of appeal officer is final

# Grievance Procedure-Disciplinary Action

- Immediate supervisor, VP/Campus President are notified for employees found responsible. Supervisor (with consultation from EO) makes determination of disciplinary action
- Deans of Students are notified for students found responsible. Dean of Students (with consultation from EO) make determination of disciplinary action
- Disciplinary action can be appealed/grieved under applicable policy

**BE  
THE  
ONE  
TO**

**RESPECT**

**BOUNDARIES.**

Training and Education

VALENCIA COLLEGE

# Student Education

- Be The One online training
  - Launched January 2019 for all (academic) students
  - Developed with Valencia College faculty, staff & students
  - “Ted Talk” format
  - More than 23,000 students have completed to date’
- Additional Education
  - Skillshops on each campus: sexual assault, relationship violence, stalking, bystander intervention, etc.



**BE THE ONE TO  
WAIT FOR A YES.**

## Educational/Awareness Efforts

- Be The One Campaign
  - Established in 2016
  - Multiple touch points/tactics
  - Development of website
- Annual Notice of Non Discrimination
- New employee onboarding/handbook
- Highlights in The Juice, The Grove, etc.

# Community Resources

- **Victim Services Center of Central Florida** 407-497-6701  
[www.victimservicecenter.org](http://www.victimservicecenter.org)
  - (Confidential 24 hour Sexual Assault Hotline)
  - Services Provided - Crime Victim Services, Sexual Assault Services, Therapy & Support Services, Outreach and Prevention Services
- **BayCare Student Assistance Program** 800-878-5470  
[www.baycare.org/sap](http://www.baycare.org/sap)
  - (Available to students who are currently enrolled in Valencia College credit classes)
  - Services Provided: Academic Stress, Alcohol/Drug Use, Peer Pressure, Problems at Home, Work/Study Schedule
- **Florida Council Against Sexual Violence** 888-956-7273  
[www.fcasv.org](http://www.fcasv.org)
- **RAINN (Rape, Abuse & Incest National Network)** 800-656-4673  
[www.rainn.org](http://www.rainn.org)



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WAIT FOR A YES.**

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# Community Resources



- **Employee EAP Services** 866-248-4094  
– [Liveandworkwell.com](http://Liveandworkwell.com)



- **Harbor House of Central Florida** 407-886-2856  
[www.harborhousefl.com](http://www.harborhousefl.com)  
– (Confidential 24 hour Domestic Violence Hotline)  
– Guiding Principles: Safety, Justice, Healing



- **Help Now of Osceola Inc.** 407-847-8562  
[www.helpnowshelter.org](http://www.helpnowshelter.org)  
– (Confidential 24 hour Domestic Violence Hotline)  
– Provides a temporary safe shelter for survivors of domestic abuse facing eminent danger.



- **National Domestic Violence Hotline** 800-799-7233  
[www.thehotline.org](http://www.thehotline.org)

**BE THE ONE TO  
WAIT FOR A YES.**

# 6Hx28:10-09: Child Abuse Reporting



## Reporting Obligations

**Any Person.** Section 39.201, Florida Statutes requires any person who knows, or has reasonable cause to suspect, that a child is abused, abandoned, or neglected, to report such knowledge or suspicion to the Florida Department of Children and Family Services (DCF).

# Reporting Procedures

- Reports of suspected child abuse/neglect are reported to the General Counsel's Office
  - This includes reports of child sexual abuse
- The General Counsel, on behalf of the College, will contact DCF and local law enforcement, as appropriate, based on the nature of the report
- As appropriate, this procedure may run concurrently with the Discrimination/Harassment procedures

# Reporting Obligations

- In addition to the mandates set forth in Sections 39.201 and 39.205, Florida Statutes (described in Section III.A. above) which apply to any person; Section 39.205(3), Florida Statutes requires Valencia Administrators, upon receiving information from faculty, staff, or other institution employee of known or suspected child abuse, abandonment, or neglect committed on college property, or during a college-sponsored event or function, to report such knowledge or suspicion to DCF; and prohibits Valencia Administrators from knowingly and willfully preventing another person from doing so.

Additional  
Questions/Thoughts?