

Policy Title:	Mandatory Reporting of Sexual Misconduct or Relationship Violence Policy
Applicability:	Faculty, Staff, Administrators
Oversight Division:	Human Resources
Purpose:	The purpose of this Policy is to inform members of the College community of their obligation as mandatory reporters of possible sexual misconduct or relationship violence of students.
Effective Date:	September 1, 2014

Policy Statement

In order to adequately care for and protect students who may have experienced sexual misconduct or relationship violence, and to protect the community of students enrolled at the College, faculty, staff, and administrators have reporting duties.

Policy

Faculty, staff, and administrators who become aware of a claim or report of sexual harassment, including sexual misconduct, attempted or actual sexual assault, intimate partner violence (dating or domestic violence), stalking, sexual exploitation, or sexual coercion perpetrated by a student, an employee, a contracted or sub-contracted employee, a volunteer, or a user of College facilities, against a student, are obligated to report the matter at the earliest possible time and within twenty-four (24) hours after you receive information that someone has experienced this conduct to the Title IX Coordinator (401-865-2676) or the Office of Safety and Security (401-865-2391).

Faculty, staff, and administrators are designated as “Responsible Employees” because they (a) have authority to redress sexual violence, (b) have the duty to report incidents of sexual violence or other student misconduct, or (c) are persons students could reasonably believe have this authority or duty. These disclosures trigger a mandatory report; however, relevant information will be shared on a need-to-know basis only and confidentiality will be protected to the extent possible under the law and College policy. The report should include all relevant information available to the reporter at the time, including: the date, time, and location of the incident; the date the incident was reported; and, the identities of the reporter, the victim (if not the reporter), and, if known, the alleged perpetrator. When victims report an incident to a “responsible employee,” they have the right to expect the College to take immediate and appropriate steps to investigate and to resolve the matter promptly and equitably.

The College recognizes the significant trust relationship employees and others may develop with a student and the difficult situation facing you when that student asks you to keep the disclosure confidential. To help mitigate this difficulty, students have been informed that all faculty, staff, and administrators must share their information with the College, and that they can report

confidentially to designated offices and individuals if they do not want their information to be shared. These confidential sources are outlined below.

If you believe a student or other reporting person is about to disclose to you her/his experience of sexual harassment, sexual misconduct, sexual assault, intimate partner violence, stalking, sexual exploitation or coercion, you can explain to that student, before she/he makes the disclosure, that you must share the information with the College so that she/he can receive care, support, and resources, and learn about options for having the situation adequately and respectfully addressed and resolved by the College. You can explain that even though you are obligated to share the information with College officials trained to respond, her/his privacy will be respected, and identities and details will be shared only with those who need that information. You can tell the reporter that someone will explain the College's processes in detail and that she/he will be involved in decisions about what happens as a result of the disclosure to the extent possible. If the reporting person does not wish to disclose to you or to some other mandatory reporter, you can refer the person, or offer to accompany the person, to a confidential reporting source – licensed and pastoral counselors in the Personal Counseling Center (“PCC”) and the Chaplain’s Office, staff in the Student Health Center, and/or a VASE Coordinator (Victim Advocacy, Support, and Education). Students may initiate contact with licensed and pastoral counselors in the PCC and the Chaplain’s office on a 24/7 basis; after hours and on weekends, students may call the following number (401-865-1333) for immediate assistance on a confidential basis.

You also can inform the reporter that she/he can file an anonymous report online via the College’s Silent Witness Program.

Whether the student or reporter decides to disclose to you or to a confidential source, please assure the person that she/he will receive care and support as requested.

Employees who are within one of the two categories described below are exempt from this Reporting Policy.

1) Licensed and pastoral counselors in the Personal Counseling Center (401-865-2343) and the Chaplain’s Office (401-865-2216) are not required to report information about an incident to the Title IX Coordinator without a victim’s permission. Thus, a victim can seek assistance and support from these sources without triggering a College investigation that could reveal either the victim’s identity or that the victim has disclosed the incident. These disclosures are deemed to be “privileged and confidential communications.”

2) Professionals working in the Student Health Center (401-865-2244) and the VASE Coordinator (Victim Advocacy, Support, and Education) (401-865-1177) generally can talk to a victim without revealing to anyone else personally identifying information about an incident. These disclosures are deemed to be “confidential communications.” These employees, however, will provide to the Title IX Coordinator a limited report – the nature, date, time, and general location of the incident – that does not identify the victim and that excludes details about the incident.

Willful failure to comply with this Policy will result in disciplinary action, up to and including dismissal. Any person participating in good faith in making a report pursuant to this Policy is protected from retaliation and immune from disciplinary action.

The College's Title IX Coordinator is the Assistant Vice President for Student Development (Dr. James Campbell, Slavin 2013, 401.865.2676, James.Campbell@providence.edu). The Title IX Deputy Coordinators are: the Assistant Dean of Students (Tiffany Gaffney, Slavin 105, 401.865.2191, tgaffne1@providence.edu); the Assistant Vice President for Athletics/Executive Associate Athletic Director/SWA (Jill LaPoint, Alumni Hall, 401.865.2588, jlapoint@providence.edu); and, the Senior Employment/Employee Relations Specialist (Malin Marin-Bean, Harkins 302, 401.865.2987, mmarin@providence.edu).

Cross-referenced Policies, Statements, Memoranda of Understanding, and Publications:

Sexual Misconduct or Relationship Violence Policy and Grievance Procedures; Notice of Non-Discrimination; Memorandum of Understanding with Day One-The Sexual Assault and Trauma Resource Center (in progress); Anti-Harassment Policy and Grievance Procedures; Child Abuse or Neglect Reporting Policy; Hazing Policy; Family Educational Rights and Privacy Act (FERPA) Guidance; *Student Handbook*; Sexual Assault Prevention Charter with the U.S. Army Cadet Command (in progress)