

Policy Title: Mandatory Reporting of Sexual Misconduct Policy

Applicability: Employees (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 of students. Sexual Misconduct is defined in the College's [Sexual Misconduct Policy](#).

Effective Date: September 1, 2014; revised August 17, 2020

Policy Statement

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

Policy

Employees (faculty, staff, and administrators) who become aware of a claim or report of sexual harassment, including 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 Public Safety (401-865-2391).

Relevant information, about or from the report, 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.

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 listed below.

If you believe a student or other reporting person is about to disclose to you her/his experience of sexual harassment, you can explain to that student, before they make the disclosure, that you must share the information with the College so that they 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, their 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 they 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 the PC/Day One Advocate. 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 they 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 they 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 the reporting party’s permission. Thus, a reporting party can seek assistance and support from these sources without triggering a College investigation that could reveal either the reporting party’s identity or that the reporting party 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 PC/Day One Advocate (401-280-0564) generally can talk to a reporting party 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 reporting party 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).

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

Sexual Misconduct Policy and Grievance Procedures; Notice of Non-Discrimination; Memorandum of Understanding with Day One-The Sexual Assault and Trauma Resource Center; 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