




NORTHWEST FLORIDA STATE COLLEGE BOARD OF TRUSTEES POLICY

TITLE: Sexual Abuse/Violence Prevention/Title IX	NUMBER: HR 24.00
AUTHORITY: Florida Statute: FS 1001.64(23) ; SBR 6A-14.099 Title IX of the Educational Amendments of 1972	SEE ALSO: •
DATE ADOPTED: 03/20, 8/2020 REVISED: 10/2020	BOARD SECRETARY: 

PURPOSE OF POLICY

Ensure the responsibility for all persons to report known or suspected incidents of sexual harassment, sexual abuse, dating violence, domestic violence, stalking, sexual violence and other crimes of violence by, or upon, any member of the College community, specifically including college students, employees, and guests.

LOCAL LANGUAGE

It is the policy of the Board that Northwest Florida State College shall prohibit, as being incompatible with the mission of the College, the commission of all forms of sexual abuse or violence, as well as any other crimes of committed against any member of the College community, in particular the student body.

The President shall establish written procedures to implement this policy. These procedures shall include, but are not limited to:

- (a) Information identifying such laws and legislation that prohibit such misconduct;
- (b) Proper reporting requirements and responsibilities for College faculty and staff;
- (c) Information regarding the rights of complainants, victims, and the respondents and the supportive services available to them;
- (d) Administrative procedures for the investigation by the college of cases involving sexual harassment, sexual abuse, dating violence, domestic violence, stalking, sexual violence and other crimes of violence;
- (e) Administrative proceedings, disciplinary actions, and penalties that may be imposed;
- (f) Annual training for all College Administrators, as defined by State Board Rule [SBR 6A-14.099](#), that are responsible for implementing and/or reporting any portion of this policy on issues relating to sexual abuse, other forms of sexual violence, and other crimes of violence and in understanding the processes of reporting such incidents that also protect the safety of reporting parties and promote accountability.

Title IX of the Education Amendments of 1972

Northwest Florida State College is an equal access/equal opportunity institution which does not discriminate on the basis of sex, race, color, marital status, age, religion, national origin, disability, veteran's status, ethnicity, pregnancy, gender identity, sexual orientation, or genetic information.

As such Northwest Florida State College is in compliance with Title IX and in the event a formal complaint is filed with the Title IX Coordinator, the college will offer supportive measures as required under Title IX to the complainant and respondent in a case.

Annual training for Title IX will be given to all employees with specialized training given to those who are asked to serve in the role of Investigator, Advisor or Decision Maker as applicable. These roles may or may not be outsourced including should an appeal be filed by either party.

Key terms:

Title IX Coordinator: The Title IX Coordinator is the person who takes a complaint from a student or employee. They will explain the process to the Complainant regarding how a hearing will be conducted, Respondents rights to due process, offer supportive services and determine if the complaint meets the criteria for a Title IX complaint. The Title IX Coordinator will inform both the Complainant and the Respondent of the process and ensure that each party is given a copy of the complaint.

Investigator: Once the college receives a formal complaint as verified by the Title IX Coordinator, the Investigator will conduct a thorough unbiased investigation into the allegations by interviewing all witnesses and gathering all statements of fact and evidence. Once that has been completed the Investigator will submit a copy of the investigative report to the Decision Maker and both parties along with a copy of all evidence or statements from witnesses submitted.

Advisor: Either party in a formal Title IX complaint may chose an advisor. The Advisor's role in a formal complaint is to cross examine a witness with relevant questions to the complaint only. The college will provide guidance to those individuals who are asked to serve as Advisors in the event an employee is chosen to serve by either party.

Decision Maker: Decision Makers will be responsible for reviewing evidence and the investigative report submitted by the investigator. They will serve in the role as the decision maker, in the event a formal complaint is filed, in a hearing setting, make determinations regarding relevancy of questions, serve as an impartial and unbiased listener with no prejudgment of a complainant or respondent in a case and make decisions regarding whether college policy was violated. They will also ensure rules of decorum are followed in a hearing. This role may or may not be filled by an individual outside of the college. If an employee of the college is chosen to serve in this role, proper training will be given.

Hearing: Under Title IX rules any individual filing a formal complaint will be required to participate in a "live hearing". This is to allow the Complainant and Respondent both due process to address any allegations of sexual harassment. Both the complainant and respondent will be allowed an Advisor to cross examine the other party in the hearing before a Decision Maker. The Decision Maker will make the decision as to whether any questions are deemed relevant in the case before either party is permitted to answer. Each party is allowed to present relevant evidence and witnesses in the hearing they believe supports their case. Any such evidence or names of witnesses must be submitted to the Title IX Coordinator before the hearing is to take place.