

1) **Where can we find the names/contact information for our institution's Title IX/311-A Coordinators?**

Contact information for Title IX/Policy 311-A Coordinators is included at Appendix C to [Policy 316](#), *Protection of Minors and Mandatory Reporting of Child Abuse and Neglect*, as well as in Appendix A to the Chancellor's Implementing Procedures of Policy 311: *Non-discrimination and Prevention of Harassment and Related Unprofessional Conduct*, and Appendix A to the Chancellor's Implementing Procedures for VSCS Policy 311-A: *Sexual Misconduct, Domestic Violence, Dating Violence, Sexual Assault and Stalking*. This information is usually updated annually, however, as personnel change during the academic year, the most up-to-date list is available [here](#) at the VSCS's Resolve website.

2) **I have always thought that because I am a teacher (even at the college level) I am a mandated reporter. Can you clarify?**

Under Vermont state law a mandated reporter is any:

- Health care provider, including any chiropractor, dentist, emergency medical personnel, hospital administrator, intern, licensed practical nurse, medical examiner, osteopath, pharmacist, physician, physician assistant, psychologist, registered nurse, resident physician, and surgeon
- Individual who is a) employed by a school district or an approved or recognized independent school or b) contracted and paid by a school district or an approved or recognized independent school to provide student services, including any school superintendent, school principal, headmaster of an approved or recognized independent school, school teacher, student teacher, school librarian, and school guidance counselor
- Agency of Human Services employee, contractor, or grantee who has contact with clients
- Camp administrator, counselor, and owner, including any residential and nonresidential camp and recreational program
- Childcare worker
- Clergy member
- Mental health professional
- Police officer
- Probation officer
- Social worker

The Department for Children and Families (DCF) has advised the VSCS that “school district” and “independent school” mean grades K-12. Therefore, **college-level faculty are mandated reporters only if they are teaching early college students/minors in programs such as VAST** (a recognized independent school), or if they otherwise hold any of the positions in the list above.

However, everyone is encouraged to report suspected incidents of child abuse to DCF's Family Services Division, even if they are not mandated reporters.

More information about mandated reporting in Vermont can be found at:

<https://dcf.vermont.gov/protection/reporting/mandated>

3) Do the VSCS's policies cover only the sexual abuse of minors, or do they apply to all students?

VSCS Policy 316 specifically addresses the sexual abuse of minors, however, Policy 311 and Policy 311-A address and prohibit sexual harassment and sexual violence against VSCS students and employees, as well as others on our campuses. Please note that the reporting requirements for VSCS employees extend to situations that include adult victims of sexual abuse. These requirements are outlined in Policy 311-A's Implementing Procedures (§ V. (B)). You can review Policy 311 and Policy 311-A and their Implementing Procedures [here](#).

4) Is Policy 316 limited to sexual abuse of a minor?

No – Policy 316 covers abuse and neglect of minors, as defined by state law, as well as sexual abuse. See [Policy 316](#) at Definitions (“An abused or neglected Minor is defined as a child whose physical health, psychological growth and development, or welfare is harmed or is at substantial risk of harm by the acts or omissions of his or her parent or other person responsible for the Minor’s welfare. An ‘abused or neglected child’ also means a Minor who is sexually abused or at substantial risk of sexual abuse by any person or a Minor who has died as a result of abuse or neglect.”). The online training on VSCS Policy 316 primarily focused on sexual abuse of minors because that form of abuse is often hard to detect.

5) How do you know if a student in your class is a minor?

If you have a reasonable suspicion that a student in your class is being sexually abused, you are required to report this to the Title IX/Policy 311-A Coordinator, regardless of the student’s age. However, as noted in response to Question 2, above, if you are a VTC faculty member and have VAST students in your class, you would be considered a mandated reporter with respect to the alleged abuse and neglect of a VAST student and would be required to report this incident to DCF within 24 hours. Information on which students are Early College and VAST students will become available to all faculty and staff with the Fall 2020 planned launch of Aviso, the system’s new advising software. Aviso has a tag for all Early College and VAST students that is visible to faculty members looking at the rosters for their classes. The tags are also visible to academic support staff and others with permission to see the record of a student. In the meantime,

the Title IX/Policy 311-A Coordinator can assist you in determining whether the allegedly abused student is a minor.

6) If you report an incident to the appropriate people at the VSCS, is it also mandatory for you to report it to DCF?

Yes - if you are a mandated reporter under Vermont state law, you are required to report the suspected abuse or neglect to the Family Services Division of the Department for Children and Families within 24 hours at 1-800-649-5285. If you are not a mandated reporter, you are encouraged to submit a report to DCF. *See* Question 2 above.

As set forth in Policy 316, mandated reporters and non-mandated reporters alike are required to report any knowledge or reasonable suspicion they may have about suspected abuse or neglect of a minor to a Policy311-A/Title IX Coordinator, Office of Public Safety, or General Counsel.

7) Can you submit an anonymous report if the allegations involve a supervisor or administrator and you are concerned about retaliation?

As noted above in response to Question No. 6, internal reports of suspected violations of Policy 316 must be made to the Policy311-A/Title IX Coordinator, Office of Public Safety, or General Counsel. If the reporter has a legitimate fear of retaliation if the report is made to these individuals, the reporter can report the allegations anonymously using the Whistleblower Hotline. See Policy 316, Appendix C and VSCS Policy 211: *Whistleblower Policy for Reporting Fraudulent, Illegal or Improper Activities*. A copy of the Whistleblower Policy's FAQs can be found [here](#). Reporters using the Whistleblower Hotline may be asked questions and requested to provide additional information (anonymously) so that the allegations can be investigated.

8) What are the reporting requirements if the suspected abuse and neglect of a minor is occurring away from the VSCS and is not being perpetrated by a VSCS employee or affiliate of the VSCS?

Report it! Even if you are not a mandated reporter, you may report your reasonable suspicion of child abuse and neglect to DCF. DCF encourages all Vermonters to report their concerns about children's safety. See <https://dcf.vermont.gov/protection/reporting>.

9) What do we do if we think we saw something but have no proof or other witnesses?

Report it! Under Vermont law and under VSCS Policy 316, reasonable cause to suspect abuse or neglect of a child means that, based upon an individual's rational observations,

professional training or experience, the individual has a suspicion that a child is being abused or maltreated. “Reasonable suspicion” may be based upon witnessing a single incident, upon what a minor says, upon what an adult says about a child, upon an explanation of an injury that makes no sense, or upon a combination of warning signs.

10) What is the process after someone reports under VSCS Policy 316 (i.e., what are the next steps in the reporting system)?

Investigations of sexual abuse of a minor reported pursuant to Policy 316 shall be conducted consistent with the procedures set forth in the Chancellor’s Implementing Procedures for VSCS Policy 311-A: *Sexual Misconduct, Domestic Violence, Dating Violence, Sexual Assault and Stalking*, or any revision to such policy or procedures. See [here](#). If a provision of such procedures is inconsistent with the purpose of this Policy, General Counsel may waive or amend such provision, on a case by case basis, for good cause.

11) What is the definition of minor in Vermont and under VSCS Policy 316?

Under both Vermont state law and VSCS Policy 316, a minor is any individual under the age of 18. See [Policy 316](#) at Definitions and Appendix A (State law).

12) Who is covered by Policy 316? What about students who work with minors?

Policy 316 applies to all members of the VSCS community, including faculty, staff, full-time and part-time employees, students, volunteers, trustees, officers, contractors, third party vendors and visitors. Any member of the VSCS community who interacts with, supervises, chaperones, or otherwise oversees minors in VSCS-sponsored programs, activities, and residential facilities (including students) is required to receive training.

13) Why do we have a minors’ policy for our colleges? I don’t interact with minors in my job at the VSCS.

As a college system, we have minors on our campuses every day for a variety of reasons including as camp participants, students (such as VAST or early college), and as visitors. In the incidents at universities such as Penn State and Michigan State, children who were on campus for sports programs where subjected to abuse. While some employees may not regularly interact with minors on campus, they likely have co-workers who do, which is why it is important for everyone to be familiar with VSCS Policy 316 and how to report potential instances of child abuse.

14) Does VSCS Policy 316 mandate that two adults be with children at all times?

While VSCS Policy 316 does not specify the number of adults who should be present in situations involving minors—as discussed during the training, Larry Nassar abused most of his victims in the presence of adults—it does include guidelines for one-on-one interactions with minors. See [Policy 316](#) at Appendix D.

15) What is the percentage of girls abused versus boys?

While the statistics vary (many instances of child abuse go unreported), the important thing to remember is that all children, regardless of gender, can be victims of child abuse.