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Lake Sumter State College

DISTRICT BOARD OF TRUSTEES

THURSDAY, FEBRUARY 20, 2020
SUMTER CENTER

Leesburg Campus
9501 U.S. Highway 441
Leesburg, FL 34788

South Lake Campus
1250 N. Hancock Road
Clermont, FL 34711

Sumter Center
1423 County Road 526 A
Sumterville, FL 33585

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Lake-Sumter State College
DISTRICT BOARD OF TRUSTEES
Thursday, February 20, 2020
Sumter Center, Room 4108

5:00 p.m.—BOARD MEETING

I. CALL TO ORDER Mr. Wahl

II. PLEDGE OF ALLEGIANCE and MOMENT OF SILENCE

III. PUBLIC COMMENT

**(If you wish to make a Public Comment at this meeting, at least 15 minutes before
the start of the meeting, please see Recording Secretary for a Speaker's Card.)**

CONSENT CONSIDERATIONS (Tab A) Mr. Wahl/Dr. Sidor

ACTIONS and ACKNOWLEDGEMENTS

- 566 Action: Minutes of January 22, 2020 Regular Meeting
567 Action: Curriculum Revisions
568 Action: Human Resources Transactions
569 Action: Monthly Fiscal Report for January 2020
570 Acknowledgement: Facilities Report
571 Action: Articulation Agreements with Lake Technical College

SCHEDULED INFORMATION REPORTS (Tab B)

- 572 President's Update Dr. Sidor
 - Meetings/Activities/Misc.
 - Legislative Update
 - Vice Presidents Report
573 Committee Reports.....Mr. Wahl
 - Executive Committee
 - Foundation Liaison
574 Board Attorney's Report..... Mrs. Anita Geraci-Carver

NEW BUSINESS (Tab C) Mr. Wahl/Dr. Sidor

- 575 Information: Mid-Year Review/2019-2020 Finances Dr. Bigard
576 Action: Raise Inventory Threshold to \$5,000 Dr. Bigard
577 Information: Sexual Misconduct Policy Requirements Dr. Bigard

OTHER CONSIDERATIONS Mr. Wahl/Dr. Sidor
 As Needed by Chairman/President

ADJOURNMENT Mr. Wahl

CALENDAR NOTES

Next Executive Committee Meeting	Tuesday, March 10, 2020	Leesburg Campus
Next Board Meeting	Wednesday, March 25, 2020	Leesburg Campus
Tax Wise Giving Conference	Friday, March 6, 2020, 8 a.m.	South Lake Campus, SH 137, Mojock Room
Shamrock Shuffle	Saturday, March 14, 2020	South Lake Campus
Spring Break	March 16-20, 2020	Campuses Closed
LSSC Foundation Gala	Saturday, April 11, 2020, 5 p.m.	The Villages Savannah Center
Commencement	Wed., April 29, 2020, 6 p.m.	Leesburg Convocation Center
Nurse Pinning	Thurs, April 30, 2020, 5 p.m.	Leesburg Convocation Center
Commencement	Friday, May 1, 2020, 1 p.m.	Clermont ARC



Lake Sumter
State College

OFFICE OF THE PRESIDENT

Present to the Board: February 20, 2020

TO: Lake-Sumter State College
District Board of Trustees

FROM: Stanley M. Sidor
President

RE: 566 – Minutes of January 22, 2020 Board Meeting

OVERVIEW:

Attached are the minutes of January 22, 2020 meeting.

ANALYSIS:

The minutes are for the board's approval.

RECOMMENDATION:

It is recommended that the Board approve this item as written.

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**DISTRICT BOARD OF TRUSTEES
LAKE-SUMTER STATE COLLEGE
LEESBURG, SUMTERVILLE, CLERMONT
JANUARY 22, 2020**

The regular meeting of the District Board of Trustees, Lake-Sumter State College, was called to order at 5:09 p.m. on January 22, 2020, in Building 2, Floor 3, Room 327 at the South Lake Campus, by Ms. Emily Lee, Vice Chairman. In attendance was Mr. Bryn Blaise, Mrs. Marcia Butler, Mrs. Jennifer Hill, Mrs. Jennifer Hooten, Mr. Bret Jones, and Mr. Tim Morris. Ms. Lee welcomed those in attendance and invited them to join in the Pledge of Allegiance followed by a moment of silence.

CONSENT CONSIDERATIONS- ACTIONS and ACKNOWLEDGEMENTS

Tim Morris moved and Bret Jones seconded the motion to approve as presented agenda items numbers 553 through 558 as follows:

**Minutes of November 20, 2019, Regular Board Meeting & Workshop
2020-553**

**Human Resources Transactions
2020-554**

Appointments of:

Matthew Swithers	effective date 01/02/2020
Jenni Kotowski	effective date 12/01/2019
Katrina Bennett	effective date 12/01/2019
Michelle Nash	effective date 01/06/2020
Laurie Jacobs Carneiro	effective date 01/13/2020
Allison Wilkinson	effective date 12/01/2019
Latisha McCray	effective date 01/02/2020
Sean Wright	effective date 12/02/2019

Resignation of:

Laurie Kaminski	effective date 11/08/2019
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Retirement of:

David Goff	effective date 04/30/2020
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**Curriculum Revisions
2020-555**

**Monthly Fiscal Report for December 2019
2020-556**

**Facilities Update
2020-557**

Purchases over \$25,000

2020-558

The motion was passed with the following vote: Voting “yea” – Blaise, Butler, Hill, Hooten, Lee, Jones, and Morris.

The meeting was recessed for dinner 5:13 p.m. and reconvened at 5:35 p.m.

SCHEDULED INFORMATION REPORTS

President’s Update

2020-559

Dr. Sidor shared that he attended a Pre-Legislative meeting on January 7th with college wide Presidents and the Commissioner of Education, Richard Corcoran. The purpose of the meeting was to set up the agenda so that everyone comes into the Legislative Session on the same page.

Topics discussed: New funding formula, Governors Budget of request \$24 million, Governor not opposed to a supporting a larger increase if the House and Senate are in support, COP has a \$50 million request to increase base.

The Commissioner agreed to take on a few other Council of Presidents priorities such as Fund Balances and Reserve. Dr. Bigard reported that College of Business Administration was charged by COP to come up with talking points on how to address the new fund balance requirements. A workgroup has already been initiated and will recommend to Dr. Murdaugh that we identify large colleges and small colleges similar to what is being seen in the funding model. We will have to split based on FTE, small colleges are anything 2,500 FTE or smaller or \$25 million budget. We want to remain a small college, which will allow us to maintain an unencumbered balance of 5-20%.

Dr. Sidor reported on a \$18.6 million request from the Risk Management Consortium to rebuild our reserves. He also reported on the nursing shortage that Tech Centers state wide have asked to permission to start offering associate degrees in nursing.

Claire Brady

Dr. Brady reported that we are settling into the new semester, clubs and organizations are getting organized and events are starting to happen on all three campuses.

Our first duo of classes launched in Four Corners at Pinecrest Academy to strong enrollment numbers. Spring semester brings many college events and programs including the annual High School Counselors conference, student leadership awards, academic ceremonies, and of course our two Commencement ceremonies.

This spring we will launch the Order of the Lakehawk, a new expanded version of the previous President’s award that will recognize the very best of our student body and an enduring connection to the College.

Spring Enrollment Highlights:

- Overall Headcount 4,754 (+2.5%)
- Overall FTE 1,350 (+1%)

- Fee paying headcount (-2.6%)
- Fee paying FTE 1,160 (-3.2%)
- Non-& reduced fee-paying headcount (+15%)
- Non-& reduced fee-paying FTE 381 (+13%)

She also reported that Kelly Hickmon has been promoted to Assistant Dean and Jenni Kotowski to Executive Director Enrollment Manager. Jenni Kotowski was also recently selected by the Chancellor's office and the Florida Student Success Center to serve as a Florida College System Navigator in the state-wide Guided Pathways initiative.

Associate Dean Mark Duslak learned that his co-authored article titled "Examining Academic Advising Professional Socialization through Collaborative Autoethnography" will be published in the Journal of Academic Advising.

Doug Wymer

The ACEN accreditation site visit for the RN to BSN program will be conducted February 26-27, 2020. A team of three evaluators will review and verify evidence for program and college information across 52 standards presented in the Accreditation Self-Study Report. Two full days of meetings are scheduled between the evaluation team, college executives and administrators, general education faculty, BSN nursing faculty, current BSN students and the public. The rigor and continuity of the curriculum will also be reviewed. We will receive the team's assessment of the evaluation the morning of February 27th. The team's report is then reviewed by ACEN's evaluation Review Panel, who will render a final decision on accreditation in the Fall 2020. Dr. Lange and Dr. Walter are confident the program will be granted accreditation.

The Center for Teaching and Learning continue to pursue their goal of becoming more than just a tutoring center for students. While that focus will always be there, they aspire to become a nexus to facilitate student, faculty, and staff learning. To that end, they have three seminars planned this spring including Sleep Hygiene, Introduction to American Sign Language, and Game-Based Learning.

The HSCA staff hosted 9th and 10th Grade Summits in January on the South Lake Campus. The HSCA freshmen and sophomores attended sessions facilitated by various faculty, staff, and HSCA Senior Ambassadors on topics such as Orientation to SLS 1401 Career Planning, Communication, Values, Nursing Careers, Deciding on a College Major, and a Microscope Lab in Biology. HSCA has also hosted three Information Sessions to recruit the 6th cohort of students to the 4-year program. Thus far, over 130 8th grade students have attended the sessions with another 45 RSVPs for this evening and 35 RSVPs for Thursday evening. The 4-year program application deadline is Feb. 7. Recruitment events for the 2-year HSCA program begin next Tuesday evening and interest is strong. These 10th grade students are recruited from all Lake County High Schools, including those in the north end of the county. Incoming 2-year HSCA students will join the 115 current sophomores that are in the HSCA 4-year program that will attend LSSC full time in fall 2020 assuming they have college ready placement test scores.

On January 15, nine students were recognized for their completion of the Corrections Leadership Academy. Students in the Corrections Leadership Academy completed 15 credit hours in courses ranging from Legal Aspects of Corrections to Correctional Administration. Students earning this

achievement will now be recognized by their institutional administration as leaders. The 15 credit hours students earned through the Leadership program are applicable towards the AS in Criminal Justice Technology and many of these students have already made the commitment to complete their AS degree here at LSSC.

Dr. Albee-Levine has been asked to be the community college representative on the Florida Advisory Council on Climate and Energy (FACCE). This Council will advise the Agriculture Commissioner and provide perspective on a broad range of energy industry issues based on the information and findings of the Department of Agriculture Florida Energy and Climate Plan. The council will also provide information and assistance regarding policies and programs on such issues as energy efficiency and conservation, renewable energy, climate change, sea-level rise, and alternative vehicle technologies.

We are closing in on the end of the work on the SACSCOC Compliance Certification that is due in early March. We have 70 standards to write to, making a case for our compliance with each one.

Status	Number of Standards
Complete	34
Need Documents	10
In Peer Review	11
Nearly Done	15

The final push is on to complete the editing and formatting as well as chasing down the remaining documents needed to illustrate our narratives. This has been a huge undertaking, has involved a significant number of personnel, and consumed an uncountable number of hours. We will complete by the March 2 deadline.

Dr. Heather Bigard

Dr. Bigard thanked each member of the board who attended the Holiday Luncheon and she thanked the committee for the work they did planning the successful event. She also reported that Katrina Bennett has been promoted to Executive Director of Financial Aid and Institutional Compliance.

She also reported that we will be moving forward with the expansion of the HR Department by hiring an Executive Director for Organizational Development focusing on training and development of the Lakehawk Leadership Academy.

Construction will begin on the Disc Golf Course on the Leesburg Campus. We will also begin establishing hours for the nature trail and begin clean-up efforts.

ATHLETICS

Mike Matulia, Director of Athletics

- 24 student-athletes received academic honors (3.5 or higher)
- 29 additional student-athletes achieved between 3.0-3.49
- Over 50% of the student-athletes were over a 3.0!

- FCSAA retention project report: 92% retention rate from the fall of 2018 – fall 2019.
- Beach Volleyball will begin competition February 8th at Hickory Point Beach Courts
- Baseball home opener is Friday, January 24 at 1pm
- Softball home opener is Friday, January 31 at 1pm
- Disk Golf Course construction begins on the 27th of January
- Collaborating with Student Affairs to implement a new automated monitoring system in Starfish.

BUSINESS SERVICES

Melinda Barber, AVP Finance

- FY19 Audit underway
- FY21 Budget request worksheets distributed to budget managers Spring priorities
- Nursing stipend payroll automation (FLAC)
- Transition Accounts Payable document storage from paper to digital files attached to data record.

STRATEGIC INNOVATION AND DIGITAL EDUCATION

Michael J. Nathanson, Executive Director

- Launched Four Corners Site with two classes
- Developed Final Kaltura Training
- Chaired COP Distance Learning Advisory Committee
- Attended Community College Legal Conference
- Continued Ongoing Online Course Quality Program
- Completed 360 Degree Virtual Reality video
- Worked with faculty to launch Spring term

FACILITIES

Rick Palmer, Executive Director of Facilities

- Completed the Leesburg Library foundation repair which should prevent future settling of the building corners if we successfully divert the rainwater from those locations.
- Completed the Gym/Magnolia Room roof restoration (Baker Roofing).
- Completed the South Lake Campus wayfinding signs installation (Laurentano Sign Group).
- Launched the South Lake Math Emporium HVAC Variable Refrigerant Flow (VRF) Install Project (95% complete).
- Launched the South Lake HVAC (50-ton) Air Handler and Condensing Unit #1 Replacement Project (90% complete).
- Launched the Leesburg Building M Parking Lot Paving Project (85% complete).
- Launched the Leesburg SSB HVAC Variable Air Volume (VAV) Install Project (95% complete)

HUMAN RESOURCES

Pam Fletcher, Director of Human Resources

- Implemented Spring 2020 Snack Bites educational series for employee professional and

personal development. January offerings include Stress Management and Tools for Collaboration. Developed content for Cross-Cultural Communications training for the College community to be delivered in February 2020

- Revised the exit interview process to include in-person exit interview with the Director of Human Resources to collect data on employee engagement. Summary data will be reported to Cabinet on a quarterly basis. Administered exit interview surveys to former employees who voluntarily separated in 2017, 2018, and 2019. Compiled a summary report and analysis of data to the President and Executive Vice President in December 2019.
- Broadened talent sourcing tools (particularly for diversity sourcing): LinkedIn postings, HBCU Connects postings, Latinos in Higher Ed, Florida A&M University Career Fair participation (January 2020), and University of Florida Career Fair participation (Spring 2020)
- Implemented updated payroll deductions for 2020 Employee Benefits Changes.
- The 2020 Success Coaching Program, a program supporting employee development and engagement, will commence in January.
- Launched the streamlined, electronic Student EAR process.

INFORMATION TECHNOLOGY

Doug Guiler, Chief Information Officer

- FY19 Audit underway
- Working with President's Office to streamline Board Packet Process
 - Integrating new South Lake internet connection Spring Priorities
- Nursing stipend payroll automation (FLAC)
- Tighter integration between Banner & Foundation's Raiser's Edge systems
- Continue migration/upgrade to Banner 9 self-service
- Continue migration from Accutrack to Starfish for attendance tracking
- Continue implementation of Banner Workflow

Committee Reports

2020-560

Executive Committee

Emily Lee reported that the Executive Committee met and discussed items on the agenda.

Foundation Liaison

The Annual Board Meeting and Annual Campaign Kick-off was held on January 7, 2020. Nine community members were inducted as directors: Cathy Adrid, Chief of Staff with Lake County Tax Collector, Karina Acevedo, Advanced Medical Uniforms Owner, Lori Davis, AVP of Residential Lending, Sheriff Bill Farmer, Sumter County Sheriff, David Langley Attorney at Crawford, Modica, and Holt, Leslie Rotarius, realtor at Catherine Hanson Realty, Sandra Stephenson, Community member and past board and gala organizer, Mike Stimson, Chief Nursing Officer at Adventhealth Waterman, Jill Swidler, Senior Director of Development at Montverde Academy, Tim Morris, Trustee liaison and Cynthia Nash, Faculty liaison. The Annual Campaign is currently at \$76,715 with a goal of \$100,000. Please consider making your gift today.

The Performing Arts series is coming along nicely. We are at 85% of capacity. The next show is scheduled for February 1 & 2 with the Quebe Sisters. The Golden Dragon Acrobats is scheduled for March 28 & 29. We are finalizing contracts for the line-up for the 2020-2021 show season.

The Foundation received some significant gifts at year end. We received a \$25,000 gift from the Arthur J. & Esther A. Ohlsson Trust, \$158,000 from the Seron Trust, \$6,000 from the Rogers Foundation, \$9,000 from the Manser Trust, \$20,000 from Hans & Cay Jacobsen Foundation for the BSN, and in January we received \$464,000 from the Cecilia Kissner trust and \$26,000 from a private donor. The majority of these gifts are to support scholarships.

The Foundation received a \$15,000 grant from the Westgate Foundation to assist with the Veteran's Programs, a grant from the Charles and Mary McLin Foundation for \$30,000 over the next three years for the Medical Lab Tech program, and we were approved for the United Way Grant to support the Rise Math Academy for \$7,500.

Dr. Rhonda Tracy, our contract grant writer submitted an apprenticeship grant for Electrical for \$299,000 last week. She is now working on the Governor's grant funding the Line worker program and the CDL.

The Shamrock Shuffle is right around the corner, March 14, on the South Lake Campus. Please consider running, walking or sponsoring the event. Last year, we finished with 177 participants. We have a South Lake team from the LSSC Foundation Board working to move the event to the next level.

The Gala is scheduled for April 11. The theme is Feelin' Groovy. The presenting sponsor is Ernie Morris Enterprises. We are grateful for your support. Jenkins Auto Group is our new premier scholarship sponsor and will be giving a 2020 Honda Accord for a three-year lease. We are asking for a donation of \$100 for a ticket.

Please join me in congratulating Allison Wilkinson in her new role as Development Officer. Her new role will have increased responsibilities working with donors and events.

Please welcome Rachel Morris to the LSSC Foundation Office as the part-time assistant. Rachel is currently a LSSC Ambassador and a student.

Strategic Communications has had a busy month, here are some of the highlights:

- Support enrollment and retention efforts for Spring 2020 through communication campaigns
- Launching employee intranet
- Created or supported campaigns and projects for Foundation, Human Resources, Equity & Diversity, Campus Safety, Admissions, QEP, TEDxLSSC, Student Affairs, Continuing Education, Workforce Programs, Smoke Free campus, and student theatre shows.
- Spring goals include launching a quarterly magazine with the Foundation, new campaigns on social media, and projects in the College's strategic plan.
- Supporting all marketing efforts for HSCA Collegiate academy.

Board Attorney's Report

2020-561

Mrs. Geraci-Carver reported she has no new updates at this time.

ACTION AFTER PUBLIC COMMENT

Second Reading Board Rule 2.01 The College Mission Statement

2020-562

The revision of Rule 2.01 is before the Board for a Second Reading and Public Hearing. Ms. Lee suspended the meeting and opened it for comment. After no comment the meeting was reconvened.

Bryn Blaise made a motion to accept Board Rule 2.01, Bret Jones seconded, motion carried.

The motion was passed with the following vote: Voting "yea" – Blaise, Butler, Hill, Hooten, Jones, Lee, and Morris.

NEW BUSINESS

Student Course and other Fees

2020-563

Dr. Sidor reported on the five fees the college is allowed to charge for tuition, capital improvement, activity and services, financial aid, and technology. Based on the fee chart below the system is fairly well compressed dues to no tuition fee increases for the last five years.

Fees:	Minimum	Maximum	Lake-Sumter
Tuition	\$72.92	\$82.78	\$79.83
Activity & Services	\$0	\$8.28	\$7.56
Financial Aid	\$3.00	\$5.34	\$5.03
Technology	\$3.50	\$4.14	\$4.06
Capital Improvement	\$5.67	\$15.88 (avg. \$10.19)	\$7.88

Under the recommended fee policy that will come from the Department of Education we would have room to raise the Capital Improvement fee by \$2.00 per statutes. Dr. Sidor asked the staff to work with the facilities group to come up with a three-year recommendation as to what we would do with a \$4 - \$6 increase in capital improvement fees.

The District Board of Trustees agreed for the staff to work on the recommendation.

Facilities Space Utilization Plan

2020-564

Dr. Bigard reported on the space utilization on utilities. She reviewed the upfront cost between Demo buildings vs. Non-Demo. Dr. Sidor presented options of looking to lease the building at the expense of the lessee. After a lengthy discussion he asked the board for a motion to move forward with the optimization plan.

Tim Morris made a motion to accept the recommendation to move ahead with the Space Optimization Plan, Jennifer Hill seconded, and motion carried.

The motion was passed with the following vote: Voting “yea” – Blaise, Butler, Hill, Hooten, Jones, Lee, and Morris.

Change Date of February 2020 Board Meeting

2020-565

Dr. Sidor explained that in order for the College Trustees to attend the FLVC Summit on February 19th in Daytona Beach the scheduled board meeting will need to be moved to Thursday, February 20th at the Sumter Center, Room 4108.

Tim Morris made a motion to change the board meeting date to February 20th, Jennifer Hill seconded and motion carried.

The motion was passed with the following vote: Voting “yea” – Blaise, Butler, Hill, Hooten, Jones, Lee, and Morris.

OTHER CONSIDERATIONS

As Needed by Chairman/President

- ✓ Vice Chairman Lee reviewed the events on the calendar. She announced that the next Board meeting will be on Thursday, February 20, 2020, at 5 p.m. for the regularly scheduled meeting at the Sumter Center.

There being no further business, the meeting was adjourned at 7:50 p.m.

Respectfully submitted,

ATTEST:

Peter F. Wahl, Chairman

Stanley M. Sidor, Ed. D.
Secretary/College President

Recording Secretary: Claudia Morris

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Lake-Sumter
State College

OFFICE OF THE PRESIDENT

Present to the Board: February 20, 2020

TO: Lake-Sumter State College
District Board of Trustees

FROM: Stanley M. Sidor
President

RE: 567 – Curriculum Revisions

OVERVIEW:

For the purpose of complete institutional review, curriculum changes are submitted monthly to the District Board of Trustees for approval.

ANALYSIS:

The attached curriculum changes are for credit course modifications, credit course deletions, credit program additions, and credit program deletions.

RECOMMENDATION:

It is recommended that the Board approve this item as written.

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Date:

Curriculum and Instruction Committee Proposals

The following items have been approved by the Curriculum and Instruction committee:

Committee Chairperson

Sign below to approve these proposals

Vice-President, Academic Affairs

President

Curriculum and Instruction Committee

Credit Program Modification Rationale

CPM ASN Nursing Program

Substantive changes to the ASN Nursing Program were presented by Dr. Barbara Lange and approved by the committee. Content in the program has been realigned to enhance currency and learning. The new realigned courses present material in a logical sequence, where students study the major systems of the body in every term, progressing from chronic to acute to critical health conditions. This assures that the students are better prepared for the licensing exams. Also, bridge students will now be able to share semesters 3 & 4 with the ASN students, allowing for a smoother integration of that cohort. In order to accomplish these changes, a number of courses were deleted and replaced by new aligned courses:

NEW COURSES

NUR1006C	Professional Transition/Chronic Care Management (Bridge)
NUR1021C	Nursing Foundations (General)
NUR1520C	Mental Health Alterations (Bridge & General)
NUR1052C	Chronic Health Alterations (General)
NUR2213C	Acute Health Alterations (Bridge & General)
NUR2440C	Maternal/Child/Family Health Alterations (Bridge & General)
NUR2214C	Critical Alterations in Health (Bridge & General)
NUR2832L	Health Alterations Practicum (Bridge & General)
NUR2940L	Acute Care Clinical Practice (General) 2 cr (For General teach-out if needed)
NUR2941L	Critical Care Clinical Practice (General) 1 cr (For General teach-out if needed)

DELETED COURSES

NUR2003C	Nursing Transition (Bridge)
NUR2721C	Alterations in Health I Transition (Bridge) (For Bridge teach-out if needed)
NUR2601C	Alterations in Health II Transition (Bridge) (For Bridge teach-out if needed)
NUR2801L	Clinical Practicum (Bridge & General)
NUR1020C	Nursing Foundations (General)
NUR1211C	Alterations in Health 1 st Year (General)
NUR2220C	Alterations in Health III (General)
NUR2224C	Alterations in Health IV (General)
NUR2463C	Maternal Child Health (General)

Key for Curriculum and Instruction Committee Proposals

CCA – Credit Course Addition

CCD – Credit Course Deletion

CCM – Credit Course Modification

CPA – Credit Program Addition

CPD – Credit Program Deletion

CPM – Credit Program Modification



Lake Sumter
State College

OFFICE OF THE PRESIDENT

Present to the Board: February 20, 2020

TO: Lake-Sumter State College
District Board of Trustees

FROM: Stanley M. Sidor
President

RE: 568 - Human Resources Transactions

OVERVIEW:

It is the intent of the College to keep the District Board informed of appointments, separations, resignations, and other Human Resources transactions among employees in the faculty, administrator, managerial, professional administrative, professional crafts-trades, and professional technical categories.

ANALYSIS:

Please review attached summary.

RECOMMENDATION:

The District Board acknowledges receipt and review of this information.

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FACULTY

APPOINTMENT None
 RETIREMENT None
 RESIGNATION None
 SEPARATION None
 OTHER None

EXECUTIVE

APPOINTMENT None
 RETIREMENT None
 RESIGNATION None
 SEPARATION None
 OTHER None

ADMINISTRATIVE-GENERAL

RETIREMENT

<u>Name</u>	<u>Position</u>	<u>Classification</u>	<u>Effective Date</u>
Doug Guiler	Chief Information Officer	AG3-1	06/30/2020

APPOINTMENT None
 RESIGNATION None
 SEPARATION None
 OTHER None

ADMINISTRATIVE-MANAGERIAL

APPOINTMENT

<u>Name</u>	<u>Position</u>	<u>Classification</u>	<u>Effective Date</u>
Amber Laster	Math Emporium Coordinator, SL	AM1-1	02/03/2020

RETIREMENT None
 RESIGNATION None
 SEPARATION None
 OTHER None

ADMINISTRATIVE-STUDENT SUPPORT

APPOINTMENT None
 RETIREMENT None
 RESIGNATION None
 SEPARATION None
 OTHER None

PROFESSIONAL

APPOINTMENT None
 RETIREMENT None
 RESIGNATION None
 SEPARATION None
 OTHER None

SUPPORT

APPOINTMENT None
 RETIREMENT None
 RESIGNATION None
 SEPARATION None
 OTHER None

TECHNICAL

APPOINTMENT None
 RETIREMENT None
 RESIGNATION None
 SEPARATION None
 OTHER None

CRAFTS

APPOINTMENT None
 RETIREMENT None
 RESIGNATION None
 SEPARATION None
 OTHER None



Lake Sumter
State College

OFFICE OF THE PRESIDENT

Present to the Board: February 20, 2020

TO: Lake-Sumter State College
District Board of Trustees

FROM: Stanley M. Sidor
President

RE: 569 – Monthly Financial Report

OVERVIEW:

Each month a report is provided to the District Board of Trustees accounting for the activity in the major operating fund (Fund 1) of the College. This report is prepared by the offices of the Vice President of Business Affairs and the Controller, and is intended to keep the Board apprised of the financial condition of budget and the operating funds of the College. On a quarterly basis, a College-wide Balance Sheet and budget reports for Funds 2, 3, 5 and 7 are also provided.

ANALYSIS:

The Monthly Fiscal Report (YTD January) of the General Operation Fund is attached to this agenda item. Revenue and expenditures are in good order.

RECOMMENDATION:

It is recommended that Board approve this item as written.

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Division of Business Affairs

MEMORANDUM

To: Dr. Sidor, President
District Board of Trustees

From: Dr. Bigard, Executive Vice President

Date: February 20, 2020

Re: Monthly Fiscal Report – YTD January 2020

Each month a fiscal report is prepared to appraise your office and the District Board of Trustees on the status of the College budget. The Fiscal Status Report of the General Operating Fund (Fund1) provides a comparative summary of budget-to-actual revenues and expenses for the current period.

FUND 1 OPERATING BUDGET

We are currently seven months into our fiscal year or 58.3% completed.

Revenues

Total revenue booked to date is \$15,850,634, or 61% of the total budget of \$26,006,986.

- Tuition and fee revenue is trending slightly lower than the budgeted amount of \$9.7 million.
- State support revenue is received throughout the fiscal year in installments. We have received a total of \$7,629,603 in General Revenue and Performance Funding and \$0 in Lottery funds.
- Other Income and Other Support actuals are projected to be close to budgeted amounts.

Expenses

Actual expenses to-date total \$13,335,697 or 52% of the total budget of \$25,803,899.

- Salaries and benefits to-date are \$9,990,008 or 51% of budget.
- Operating and capital expenses to-date are \$3,345,689 or 57% of budget.

Year-End Projection

Revenues are projected to exceed expenses by \$1,100,801.

Lake-Sumter State College
Fiscal Status Report - Fund 1
General Current Fund
July 1, 2019 - January 31, 2020

	FY 2018-19		FY 2019-2020			
	Annual Budget	YTD Actual 1/31/2019	Annual Budget	YTD Actual 1/31/2020	Percent of Budget Earned/Spent	Projected 6/30/2020
REVENUES & BUDGETED FUND BALANCE						
Student Fees						
Fall						
Tuition	\$ 2,788,927	\$ 2,893,097	\$ 2,932,139	\$ 2,906,025	99%	\$ 2,904,284
Technology Fees	161,613	144,677	140,679	145,338	103%	145,326
Distance Learning	165,035	173,190	181,288	177,778	98%	177,732
Dual Enrollment	265,910	264,311	302,316	306,203	101%	265,843
HSCA Dual Enrollment	338,368		538,150	538,150	100%	538,150
Lab Fees	66,420	69,529	92,641	71,847	78%	74,803
Spring						
Tuition	\$ 2,424,793	\$ 2,587,320	\$ 2,521,690	\$ 2,467,848	98%	2,372,746
Technology Fees	138,700	129,374	120,581	123,426	102%	118,669
Distance Learning	160,343	158,805	159,370	158,160	99%	151,258
Dual Enrollment	299,853	303,324	302,316	412,733	137%	378,649
HSCA Dual Enrollment	338,368	0	538,150	487,770	91%	487,770
Lab Fees	35,763	39,886	79,021	49,480	63%	48,895
Summer						
Tuition	\$ 925,680	\$ (12,671)	\$ 1,051,258	\$ -	0%	\$ 1,030,233
Technology Fees	36,308	(646)	51,156	-	0%	51,156
Distance Learning	79,933	(810)	121,376	-	0%	\$ 118,948
Dual Enrollment	-	(19,651)	-	-	0%	-
HSCA Dual Enrollment	-	-	-	-	0%	-
Lab Fees	5,083	-	19,080	-	0%	19,080
Miscellaneous Fees	121,827	112,569	169,225	138,732	82%	208,270
Continuing Education	478,414	85,770	389,696	106,160	27%	403,479
Total Student Tuition and Fees	\$ 8,831,338	\$ 6,928,074	\$ 9,710,133	\$ 8,089,651	83%	\$ 9,495,291
State CCPF Support	\$ 10,730,454	\$ 6,259,393	\$ 12,606,690	\$ 7,353,870	58%	\$ 12,606,690
State Performance Funding	713,266	419,284	455,985	275,733	60%	455,985
State Lottery	3,212,033	-	1,753,669	-	0%	1,753,669
Miscellaneous State Support	219,836	-	144,151	-	0%	144,151
Federal Support Indirect Cost	80,000	42,912	80,000	25,590	32%	70,000
Foundation Support	425,633	3,785	169,000	20,000	12%	169,000
Contracts	87,800	18,200	195,306	71,123	36%	195,306
Miscellaneous Revenue	121,977	57,900	-	14,666	0%	29,333
Total Revenues	\$ 24,422,337	\$ 13,729,548	\$ 25,114,934	\$ 15,850,634	63%	\$ 24,919,425
Transfers In	606,797	-	892,052	-	0%	892,052
Total Revenues and Transfers In	\$ 25,029,134	\$ 13,729,548	\$ 26,006,986	\$ 15,850,634	61%	\$ 25,811,477
EXPENDITURES						
Personnel Expenditures						
Salaries and Wages	14,041,337	7,224,039	14,759,698	7,356,289	50%	14,085,909
Benefits	4,934,606	2,558,005	4,641,097	2,633,719	57%	5,042,755
Current Operating Expenditures	5,455,129	3,153,788	5,899,585	3,345,689	57%	5,582,012
Capital Outlay Expenditures	-	6,042	-	-	0%	-
Contingency	397,494	-	503,519	-	0%	-
Total Expenditures	\$24,828,566	\$12,941,874	\$25,803,899	\$13,335,697	52%	\$ 24,710,676
Transfer to Fund 7	-	-	-	-		-
Excess of Revenues over (Expenditures)	\$ 200,568	\$ 787,673	\$ 203,087	\$ 2,514,937		\$ 1,100,801



Lake Sumter
State College

OFFICE OF THE PRESIDENT

Present to the Board: February 20, 2020

TO: Lake-Sumter State College
District Board of Trustees

FROM: Stanley M. Sidor
President

RE: 570 - Facilities Monthly Report

OVERVIEW:

The Facilities Department prepares a monthly report on the status of capital projects and major repairs.

ANALYSIS:

A report on the status on facility projects is attached.

RECOMMENDATION:

Acknowledge the current facilities project report.

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Facilities Report

February 2020

<u>PROJECT</u>	<u>BUDGET</u>	<u>FUNDING</u>	<u>STATUS</u>	<u>COMMENTS</u>
Infrastructure Project Phase II (Leesburg)	\$724,600	Infrastructure	In Progress	Progress to date: Project is in progress - in the final check-list phase. The Contractor is creating final payment request (which is expected to be submitted to the Board of Trustees in time for requesting approval in the March 25 th meeting).
Wayfinding Signage (All campuses)	\$65,000	LOCAL	In Progress	Progress to date: New wayfinding signage for South Lake campus received from Lauretano Sign Group and installed. Leesburg "Phase 2" sign work (fabrication/installation & relocation) is in progress.
SSB Second Floor HVAC Replacement (Leesburg)	\$210,000	LOCAL	Completed	Progress to date: Phase I of project – Purchase and install of 21 VAV boxes and associated Controls is completed.
Grounds and Irrigation	\$65,000	Infrastructure	In Progress	Progress to date: Renovated Median area next to Gym (irrigation, plants, mulch), completed grass overseeding on all campuses, completed heavy pruning of tall shrubs on all campuses, completed multiple sprinkler head repairs and layout improvements.
South Lake Building #1 HVAC #1 Replacement & Resize Math Emporium Air Handler	\$160,000	LOCAL	Completed	Progress to date: South Lake Building #1 replacement for HVAC System #1 (Air Handler and Condensing Unit) completed. Math Emporium Air Handler installed and fully operational (operational support/end-user training for Facilities staff being scheduled).
LE Building M Parking Lot	\$148,293	Infrastructure	Completed	Progress to date: Paving of un-paved area, sealing existing paved areas, re-stripping complete parking lot and installing curbing completed.
Leesburg Boiler Replacements (William Johnson Admin, Student Services, Library)	\$88,900	New Capital Fee	In Progress	Progress to date: Bids received for William Johnson Admin building, the Student Services building and the Library building. Award made
SL Sidewalk Installation	\$180,000	Infrastructure	In Progress	Progress to date: Requirements developed and submitted to Springstead Engineering for creating AutoCAD site plan.

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Lake Sumter
State College

OFFICE OF THE PRESIDENT

Present to the Board: February 20, 2020

TO: Lake-Sumter State College
District Board of Trustees

FROM: Stanley M. Sidor
President

RE: 571 – Lake Technical College Articulation Agreement

OVERVIEW:

Each year we collaborate with our partners at Lake Technical College to review and make any necessary revisions to the articulation agreement. This year's revisions include minor language cleanup and updating of the program list for both institutions. A summary of the changes can be found below.

Summary of Lake Technical College and Lake-Sumter State College Articulation Agreement Changes

Page 1:

1. LTC: #3. Be accepted into Lake-Sumter State College within five years of completing one of the specified industrial-related postsecondary ~~certificate programs~~ license or certificates.
2. LSSC: Delete: ~~AS in Health Information Technology~~

Page 12: Added: LTC:

Automotive Service Technology 1 – 1050
Automotive Service Technology 2 – 750
Diesel Systems Technician 1 – 1050
Diesel Systems Technician 2 – 750
Heating, Ventilation, Air-Conditioning & Refrigeration Technology 1 & 2 - 750 & 600

Page 14:

Added:

2. LTC: Submit a certified copy of an active **National or** Florida Paramedic or LPN license.

Page 15:

LSSC: Deleted page: **Associate in Science in Health Information Technology** (program deleted)

ANALYSIS:

This articulation agreement provides multiple pathways for LTC students into LSSC programs.

RECOMMENDATION:

It is recommended that the Board approve this item as written.

In a continuing effort to provide opportunities for students to transition into Lake-Sumter State College's postsecondary programs, Lake-Sumter State College (LSSC) and Lake Technical College (LTC) agree to cooperate in the development and implementation of a discipline specific agreement for the following programs:

Transfer Process:

The transferring student must have compiled a GPA of 2.0 or better and must furnish a certificate of completion for one of the approved postsecondary certificate programs at Lake Technical college, along with an official signed copy of their student record.

To have articulated courses reported on the official Lake-Sumter State College transcript, transferring students must:

1. Meet regular College entrance requirements.
2. Complete the College Application and pay the College Admission Fee.
3. Be accepted into Lake-Sumter State College within five years of completing one of the specified industrial-related postsecondary license or certificates.
4. Declare a major in the articulated program.
5. Comply with the appropriate placement, course prerequisites, and requirements of the College, including successful completion of college preparatory courses, if required.
6. Successfully complete nine (9) credit hours of required course work with a C or better in each course at Lake-Sumter State College while enrolled on either a part-time or full time basis.
7. Complete Articulation Credit Transfer Form with Workforce Development for review and approval.
8. Provide a copy of current, program-related licensure and/or earned industry certification.

Course Offerings

The Parties understand that the available courses may change on an annual basis. The Parties agree that revisions to the available course list may be made with the approval of LTC or its designee and LSSC Career Pathways Consortium Committee. A list of programs for the 2020-2021 year is attached as Exhibit A. Included are the following programs offered at LSSC: Associate in Science (AS) in Management Technology, AS in Business Administration, College Credit Certificate (CCC) in Business Specialist, CCC in Business Operations, CCC in Business Management, AS in Computer Information Technology, CCC in Medical Office Management, AS in Criminal Justice Technology, and CCC in Criminal Justice Technology Specialist.

Educational Program Review Process:

LSSC and LTC faculty and staff with responsibility for supervision and coordination of the programs meet annually to review program documentation, program and course outcomes alignment, and LTC student learning outcomes attainment data.

This review ensures that the articulated credit is of high quality as determined by LSSC faculty and administration, is comparable in content and rigor to course content delivered at LSSC, and is consistent with the LSSC mission.

Terms of this Agreement:

This agreement shall be reviewed annually and shall be in effect from July 1, 2020 through June 30, 2021 or until either party identifies a need for revision or terminates this agreement with thirty days written notice. Any modifications, additions, or deletions to this agreement must be in writing and signed by the signatories of this document or their successors.

APPROVED:
LAKE TECHNICAL COLLEGE

APPROVED:
LAKE-SUMTER STATE COLLEGE

Mr. Richard D. Keith Date
Chairperson

Mr. Peter Wahl Date
Chairperson

Dr. Diane Culpepper Date
Executive Director

Dr. Stanley Sidor Date
President

EXHIBIT A

Accounting Operations >AS in Business Administration Course Equivalence

Lake Technical College Program	Receiving Program at Lake-Sumter State College
Accounting Operations PSAV Certificate (900 Hours)	Associate in Science in Business Administration

Both parties endorse the Provisions of the Agreement as specified below.

For students who have completed the 900 hour Accounting Operations PSAV Certificate Program at Lake Technical College, LSSC will award the following credits:

- Nine (9) college credit hours in the Associate in Science in Business Administration.

College credit will be awarded for the following LSSC courses:

From: LTC Accounting Operations PSAV Certificate (900 Hours)	
To: LSSC Associate in Science in Business Administration	
CGS 1100 Business Computer Applications	3 credits
QMB 1001 Business Math	3 credits
FIN 2100 Personal Finance (as an elective)	3 credits
Total	9 credits

Accounting Operations > CCC in Business Administration Certificates Course Equivalence

Lake Technical College Program	Receiving Program at Lake-Sumter State College
Accounting Operations PSAV Certificate (900 Hours)	Business Specialist CCC Business Operations CCC Business Management CCC

Both parties endorse the Provisions of the Agreement as specified below.

For students who have completed the 900 hour Accounting Operations PSAV Certificate Program at Lake Technical College, LSSC will award the following credits:

- Six (6) college credit hours in one or more Business Administration CCC program.

College credit will be awarded for the following LSSC courses:

From: LTC Accounting Operations PSAV Certificate (900 Hours)	
To: LSSC One or more Business Administration CCC	
CGS 1100 Business Computer Applications	3 credits
QMB 1001 Business Math	3 credits
Total	6 credits

Accounting Operations > CCC in Medical Office Management Course Equivalence

Lake Technical College Program	Receiving Program at Lake-Sumter State College
Accounting Operations PSAV Certificate (900 Hours)	Medical Office Management CCC

Both parties endorse the Provisions of the Agreement as specified below.

For students who have completed the 900 hour Accounting Operations PSAV Certificate Program at Lake Technical College, LSSC will award the following credits:

- Three (3) college credit hours in the Medical Office Management CCC.

College credit will be awarded for the following LSSC courses:

From: LTC Accounting Operations PSAV Certificate (900 Hours)	
To: LSSC Medical Office Management CCC	
CGS 1100 Business Computer Applications	3 credits
Total	3 credits

Administrative Office Specialist >AS in Business Administration Course Equivalence

Lake Technical College Program	Receiving Program at Lake-Sumter State College
Administrative Office Specialist PSAV Certificate (1050Hours)	Associate in Science in Business Administration

Both parties endorse the Provisions of the Agreement as specified below.

For students who have completed the 1050 hour Administrative Office Specialist PSAV Certificate Program at Lake Technical College, LSSC will award the following credits:

- Six (6) college credit hours in the Associate in Science in Business Administration.

College credit will be awarded for the following LSSC courses:

From: LTC Administrative Office Specialist PSAV Certificate (1050 Hours)	
To: LSSC Associate in Science in Business Administration	
COS 1100 Business Computer Applications	3 credits
OST 2336 Business Communications	3 credits
Total	6 credits

Administrative Office Specialist > CCC in Business Administration Equivalence

Lake Technical College Program	Receiving Programs at Lake-Sumter State College
Administrative Office Specialist PSAV Certificate (1050 Hours)	Business Specialist CCC Business Operations CCC Business Management CCC

Both parties endorse the Provisions of the Agreement as specified below.

For students who have completed the 1050 hour Administrative Office Specialist PSAV Certificate Program at Lake Technical College, LSSC will award the following credits:

- Six (6) college credit hours in the appropriate Business Administration CCC program.

College credit will be awarded for the following LSSC courses:

From: LTC Administrative Office Specialist PSAV Certificate (1050 Hours)	
To: LSSC Business Administration Technical Certificate	
CGS 1100 Business Computer Applications	3 credits
OST 2336 Business Communications	3 credits
Total	6 credits

**Administrative Office Specialist >
CCC in Medical Office Management College Course Equivalence**

Lake Technical College Program	Receiving Program at Lake-Sumter State College
Administrative Office Specialist PSAV Certificate (1050 Hours)	Medical Office Management CCC

Both parties endorse the Provisions of the Agreement as specified below.

For students who have completed the 1050 hour Administrative Office Specialist PSAV Certificate Program at Lake Technical College, LSSC will award the following credits:

- Six (6) college credit hours in the Medical Office Management CCC.

College credit will be awarded for the following LSSC courses:

From: LTC Administrative Office Specialist PSAV Certificate (1050 Hours)	
To: LSSC Medical Office Management CCC	
CGS 1100 Business Computer Applications	3 credits
OST 2336 Business Communications	3 credits
Total	6 credits

**Correctional Officer & Law Enforcement Officer >
AS in Criminal Justice Technology Course Equivalence**

Lake Technical College Programs	Receiving Program at Lake-Sumter State College
Correctional Officer PSAV Certificate (420 Hours)	Associate in Science in Criminal Justice Technology
Law Enforcement Officer PSAV (770 hours)	

Both parties endorse the Provisions of the Agreement as specified below.

For students who have completed the above listed programs, LSSC will award the following credits:

From: LTC Correctional Officer PSAV Certificate (420 Hours)	
To: LSSC Associate in Science in Criminal Justice Technology	
CJC I 000 Introduction to Corrections	3 credits
CJE 2946 Criminal Justice Practicum	3 credits
CJE 2331 Ethics in Criminal Justice	3 credits
CCJ 1020 Introduction to Criminal Justice	3 credits
Total	12 credits

From: LTC Law Enforcement Officer PSAV Certificate (770Hours)	
To: LSSC Associate in Science in Criminal Justice Technology	
CJE 2331 Ethics in Criminal Justice	3 credits
CJL 2102 Criminal Procedure and Evidence	3 credits
CJE 2600 Criminal Investigation	3 credits
CJL 2100 Criminal Law	3 credits
CJE 2946 Criminal Justice Practicum	3 credits
CCJ 1020 Introduction to Criminal Justice	3 credits
CCJ 1001 Introduction to Criminology	3 credits
CJE 2500 Police Operations	3 credits
CJE 1002 Introduction to Law Enforcement	3 credits
Total	27 credits

**Correctional Officer & Law Enforcement Officer >
CCC in Criminal Justice Technology Specialist Course Equivalence**

Lake Technical College Programs	Receiving Program at Lake-Sumter State College
Correctional Officer PSAV Certificate (420 Hours)	Criminal Justice Technology Specialist CCC
Law Enforcement Officer PSAV (770 hours)	

Both parties endorse the Provisions of the Agreement as specified below.

For students who have completed the above listed programs, LSSC will award the following credits:

From: LTC Correctional Officer PSAV Certificate (420 Hours)	
To: LSSC Criminal Justice Technology Specialist CCC	
CJE 2331 Ethics in Criminal Justice	3 credits
CCJ 1020 Introduction to Criminal Justice	3 credits
Total	6 credits

From: LTC Law Enforcement Officer PSAV Certificate (770 Hours)	
To: LSSC Criminal Justice Technology Specialist CCC	
CJE 2331 Ethics in Criminal Justice	3 credits
CJL 2102 Criminal Procedure and Evidence	3 credits
CJL 2100 Criminal Law	3 credits
CCJ 1020 Introduction to Criminal Justice	3 credits
CCJ 1001 Introduction to Criminology	3 credits
Total	15 credits

**Enterprise Desktop and Mobile Support Technology >
AS in Computer Information Technology Course Equivalence**

Lake Technical College Program	Receiving Program at Lake-Sumter State College
Enterprise Desktop and Mobile Support Technology (1050 Hours)	Associate in Science in Computer Information Technology

Both parties endorse the Provisions of the Agreement as specified below.

For students who have completed the 1050 hour Enterprise Desktop and Mobile Support Technology PSAV Certificate Program at Lake Technical College, LSSC will award the following credits:

- Nine (9) college credit hours in the Associate in Science in Computer Information Technology.

College credit will be awarded for the following LSSC courses:

From: LTC Enterprise Desktop & Mobile Support Technology Certificate (1050 Hours)	
To: LSSC Associate in Science in Computer Information Technology	
CET 2180 A+ Hardware	3 credits
CET 1179C A+ Software	3 credits
CET 1485 Networking Essentials	3 credits
Total	9 credits

**Lake Technical College Related Programs >
AS in Management Technology Course Equivalence**

This agreement provides an opportunity for a student who has completed one of the approved related postsecondary certificate or apprenticeship training programs to advance their career. The Associate in Science in Management Technology provides individuals currently working in industry an opportunity to pursue college level education that is appropriate for supervisory and management roles and upward mobility in their respective fields.

Lake Technical College Programs With clock hour length	Lake-Sumter State College Program
Accounting Operations - 900	Associate in Science in Management Technology (24-27 credits: see Maximum Award of Credit section)
Administrative Office Specialist - 1050	
Air-Conditioning, Refrigeration, & Heating Technology 1 & 2 (HVACR)- 750 & 600	
Automotive Collision Technology Technician - 1400	
Automotive Service Technology 1 – 1050	
Automotive Service Technology 2 – 750	
Cosmetology - 1200	
Diesel Systems Technician 1 – 1050	
Diesel Systems Technician 2 – 750	
Enterprise Desktop & Mobile Support Technology - 900	
Heating, Ventilation, Air-Conditioning & Refrigeration Technology 1 & 2 - 750 & 600	
Medical Assisting - 1300	
Paramedic - 1100	
Pharmacy Technician - 1050	
Practical Nursing - 1350	
Professional Culinary Arts & Hospitality - 1200	
Welding Technology - 1050	

Maximum Award of Credit:

This agreement makes it possible for a student to receive the following semester hours of college credit towards the Associate in Science in Management Technology at Lake-Sumter State College in accordance with commonly accepted good practices in higher education. Under no circumstances will more than 27 credits be awarded to any student.

Lake Technical College Program	Credit Awarded toward Technical Skills Training Requirement of this Degree
Clock hour programs 900-1,450 hours in length	24 credits will be awarded
Clock hour programs more than 1,500 hours in length	27 credits will be awarded

College credit will be awarded for the following LSSC course:

MNA 1949 Practicum for Management Technology	24 - 27 credits
----------------------------------------------	-----------------

**Lake Technical College Related Programs >
AS in Management Technology Course Equivalence**

Faculty Eligibility for Award of Credit:

Faculty currently teaching at Lake Technical College in one of the approved industrial-related postsecondary certificate programs are eligible for the award of credit toward the Management Technology A.S. degree.

Faculty must meet the following criteria:

1. Requirements in items 1 through 7 in the Transfer Process section of this agreement.
2. Furnish a Certificate of Completion from Lake Technical College, or from another institution with the same program, or furnish a copy of a current and valid Florida license and/or industry certification in the field of the industrial program (this does not include a teaching certificate), or at least six years' experience comparable to the Certificate of Completion validated by Lake Technical College.
3. Provide a letter from Lake Technical College identifying this faculty member as an eligible candidate for this program.

Paramedic or Practical Nursing (PN) > AS in Nursing Course Equivalence

Lake Technical College Programs	Receiving Program at Lake-Sumter State College
Paramedic (1100 Hours)	Associate in Science in Nursing - Bridge Track (17 credits)
Practical Nursing (1350 Hours)	

Both parties endorse the Provisions of the Agreement as specified below. This agreement is designed for students who desire a career in nursing.

For students who have completed the 1100 hour Paramedic or the 1350 hours Practical Nursing PSAV Certificate Program at Lake Technical College, LSSC will award the following credits:

- Seventeen (17) college credit hours in the Associate in Science in Nursing.

College credit will be awarded as stated below:

Articulated Credits for Paramedic	
Articulated credits	17 credits
Total	17 credits

Articulated Credits for Practical Nursing:	
Articulated credits	17 credits
Total	17 credits

Transfer to Associate in Science in Nursing:

1. Complete the nursing program prerequisites as identified in the current LSSC College Catalog and Student Handbook and Nursing Information Packet (www.lssc.edu/nursing).
2. Attend a Nursing Information Session.
3. Apply to the Associate in Science in Nursing program in accordance with Nursing Department guidelines as identified in the Nursing Information Packet.
4. Receive official acceptance notification into the Nursing RN program at LSSC.
5. Submit the appropriate Articulation Credit Transfer Form.
6. Submit a certified copy of an active National or Florida Paramedic or LPN license.



Lake Sumter
State College

OFFICE OF THE PRESIDENT

Present to the Board: February 20, 2020

TO: Lake-Sumter State College
District Board of Trustees

FROM: Stanley M. Sidor
President

RE: 572- Scheduled Reports/President/Vice Presidents

OVERVIEW:

Each month the college President and Vice Presidents presents the Trustees with an updated report on Lake-Sumter State College business and events surrounding the college.

ANALYSIS:

The report contains information in reference to Legislative Updates, meetings, and other miscellaneous items.

RECOMMENDATION:

It is recommended that the Board acknowledge or accept this item as written.

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**Lake Sumter
State College**

Division of Business Affairs

**Update for the President and Board of Trustees
February 20, 2020**

Dr. Heather Bigard, Executive Vice President, Chief Financial and Operations Officer

- Attended the Legal Affairs Conference 1/13/20 - 1/15/20, hosted by Valencia College.
 - Proposed changes to Title IX rules will likely impact the way investigations are managed, including a new “hearing” model.
 - Discussed First Amendment property rights, employment law, governance, and managing technology contracts.
- Attended the Council of Business Affairs Meeting in Daytona 2/5/20- 2/7/20.
 - Focused report on hurricane preparedness and recovery from Dr. John Holdnack, President of Gulf Coast State College.
 - Discussed the tiered funding model and fund balances with Chancellor Hebda.
 - Sum-of-the-digits is not in the higher education budget for the second year in a row. LSSC funding was around \$380,000.
 - Florida Retirement System rates are increasing and will impact our budget for 2020-21.

CAMPUS SAFETY

Rebecca Nathanson, Director of Campus Safety and Auxiliary Operations

- Issued 229 new parking decals since January 1 using new LAND on-line application
- 30% increase in use of Lake-Sumter Safe app
- ALICE training dates have been announced for April

FACILITIES

Rick Palmer, Executive Director of Facilities

- Completed the South Lake Building 1 HVAC (50-ton) Air Handler and Condensing Unit #1 Replacement Project.
- Completed the South Lake Building 1 Math Emporium Air Handler Resize Project.
- Completed the Leesburg Building M Parking Lot Paving Project.
- Completed the Leesburg SSB HVAC Variable Air Volume (VAV) Install Project.
- Launched the Leesburg Disc Golf Project (20% complete).
- Launched the South Lake Sidewalk Install Project (engineering drawing phase).
- Launched the Leesburg SSB/WJ/Library Boiler Replacements Project (Awarded).

FINANCIAL AID

Katrina Bennett, Executive Director of Financial Aid and Institutional Compliance

- The *High School Scholarship Application* is now available. This scholarship is for Lake and Sumter County graduating seniors who plan to attend LSSC for Fall 2020. The application deadline is March 22, 2020.
- Attended a Legal Conference January 13-15, 2020.
- Hosted a Financial Aid night at South Sumter High School on February 18, 2020.

HUMAN RESOURCES

Pam Fletcher, Director of Human Resources

- Developed Cross-Cultural Communications Training for employee Snack Bite program (2/25 and 2/26/2020)
- Hosting the annual Employee Wellness Fairs at Leesburg (2/19/2020) and South Lake (2/20/2020)
- Hosting Spring Employee Appreciation Event at South Lake-Sumter State College (2/21/2020)
- Conducted Success Coaching Program Orientation (1/30/2020)
- Human Resources and Payroll Teams will complete training on new compensation program (2/20/2020)



Lake Sumter
State College

OFFICE OF THE PRESIDENT

Present to the Board: February 20, 2020

TO: Lake-Sumter State College
District Board of Trustees

FROM: Stanley M. Sidor
President

RE: 573- Committee Reports

OVERVIEW:

The District Board of Trustees serve on Committees that address different areas of the college. Currently, there are six committees: Executive Committee, Facilities Committee, Strategic Planning Committee, Sumter Partnership, and the LSSC Foundation, Inc. Liaison.

ANALYSIS:

The Board Chairman will appoint each Trustees to a committee and select a chair person for each one. Once a meeting has occurred the chair of each committee will update the full Trustee Board at the monthly DBOT meeting.

RECOMMENDATION:

It is recommended that the Board acknowledge or accept this item as written.

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**LAKE-SUMTER STATE COLLEGE
EXECUTIVE COMMITTEE MEETING OF
THE DISTRICT BOARD OF TRUSTEES
FEBRUARY 11, 2020**

Attendees: Mr. Pete Wahl (Chair), Dr. Stan Sidor (President), Dr. Heather Bigard (Vice President, Administrative and Financial Services), and Ms. Emily Lee (Vice Chair)

Agenda Review

- Mr. Wahl reviewed the February agenda for additions, corrections, and deletions.
- Dr. Sidor plans to update the board on the East Lake Property, Dedicated Education Unit, and current Legislative activity.
- The consent items were reviewed and discussed with no changes.
- New Business Items include mid-year review of 2019/2020 finances, proposal to increase inventory threshold to \$5,000, and a review of information on Sexual Misconduct Requirements for Insurance Coverage.

Next Executive Committee Meeting:

March 10, 2020

8:30 a.m.

President's Office, SSB 210, Room 207

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Lake-Sumter
State College

OFFICE OF THE PRESIDENT

Present to the Board: February 20, 2020

TO: Lake-Sumter State College
District Board of Trustees

FROM: Stanley M. Sidor
President

RE: 574 – Board Attorney Report

OVERVIEW:

Each month the college attorney Anita Geraci-Carver presents the District Board of Trustees with an updated report on any legal matters on behalf of Lake-Sumter State College.

ANALYSIS:

The report contains information in reference to legal matters, and other miscellaneous items.

RECOMMENDATION:

It is recommended that the Board acknowledge or accept this item as written.

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Lake Sumter
State College

OFFICE OF THE PRESIDENT

Present to the Board: February 20, 2020

TO: Lake-Sumter State College
District Board of Trustees

FROM: Stanley M. Sidor
President

RE: 575 – Mid-year review

OVERVIEW:

Each year, a review is presented to the Board that includes projections through June 30 for Operating Fund 1, as well as Fund Balances for Funds 1, 2, 3 and 7.

ANALYSIS:

Will be presented.

RECOMMENDATION:

It is recommended that the Board acknowledge this item when presented.

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Lake Sumter
State College

OFFICE OF THE PRESIDENT

Present to the Board: February 20, 2020

TO: Lake-Sumter State College
District Board of Trustees

FROM: Stanley M. Sidor
President

RE: 576 - Accounting Threshold for Tangible Personal Property

OVERVIEW:

Effective July 1, 2011 the [Florida Board of Governors Regulation 9.002 Recording and Marking of Property](#) raised the value of tangible personal property for inventory purposes to \$5,000. For equipment purchased with grant funds, the Federal Uniform Guidance §200.33 Equipment sets the capitalization threshold which requires maintenance of an individual property record at \$5,000.

ANALYSIS:

Physical inventory would be reduced from 2,166 items to 337 items. Of the 1,829 items removed from inventory, 1,110 would continue to be controlled by IT.

RECOMMENDATION:

Approve the change in threshold for Tangible Personal Property to \$5,000.

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Lake Sumter
State College

OFFICE OF THE PRESIDENT

Present to the Board: February 20, 2020

TO: Lake-Sumter State College
District Board of Trustees

FROM: Stanley M. Sidor
President

RE: 577- Information: Sexual Misconduct Policy Requirements

OVERVIEW:

Effective January 1, 2020 United Educators require several assurances related to sexual harassment to maintain coverage.

ANALYSIS:

The following documents are provided to inform you of these changes, as well as how Lake-Sumter State College is maintaining compliance within the area.

RECOMMENDATION:

It is recommended that the Board acknowledge or accept this item as written.

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Sexual Abuse Policy Review February 20, 2020

Introduction:

The Florida College System Risk Management Consortium (FCSRMC) contracts with United Educators (UE) for sexual abuse coverage. Effective January 1, 2020, United Educators requires several assurances related to sexual harassment to maintain coverage. Lake-Sumter State College has conducted a comprehensive compliance audit of current policies and procedures related to sexual misconduct and abuse for review by the Board of Trustees.

Status of Compliance Requirements:

The following questions and answers were included in the policy renewal application. The last column verifies how Lake-Sumter State College maintains compliance.

Question	Yes or No	How LSSC Maintains Compliance
1. Does the educational institution have written policy language addressing sexual abuse of minors by faculty, staff, and volunteers affiliated with the institution?	Yes	Administrative Procedure 02-21, Board Rule 2.02 and 2.06
2. Does the policy require reporting to the educational institution of sexual abuse of a minor by faculty, staff, and volunteers affiliated with the institution?	Yes	Administrative Procedure 02-21, Board Rule 2.02 and 2.06
3. Does the policy require reporting to law enforcement, child protective services, or similar agency of sexual abuse of a minor by faculty, staff, and volunteers affiliated with the institution?	Yes	Administrative Procedure 02-21, Board Rule 2.02 and 2.06
4. Does the educational institution train on the reporting obligations contained in its policy protecting minors from sexual abuse by faculty, staff, and volunteers affiliated with the institution?	Yes	Mandatory Training is required every year, training delivered online, and monitored by Human Resources.
5. Does the educational institution have written policy language addressing sexual abuse of college students by faculty, staff, and volunteers affiliated with the institution?	Yes	Administrative Procedure 02-21, Board Rule 2.02 and 2.06
6. Does the policy require or encourage reporting to the educational institution of any sexual abuse of a college student by faculty, staff, and volunteers affiliated with the institution?	Yes	Administrative Procedure 02-21, Board Rule 2.02 and 2.06
7. Does the educational institution train on the reporting obligations contained in its policy protecting college students from sexual abuse by faculty, staff, and volunteers affiliated with the institution?	Yes	Mandatory Training is required every other year, training delivered online, and monitored by Human Resources.
8. Does the educational institution investigate every report of suspected sexual abuse of a minor by faculty, staff, and volunteers affiliated with the institution?	Yes	Administrative Procedure 02-21, Board Rule 2.02 and 2.06
9. Does the educational institution investigate every report of suspected sexual abuse of a college student by faculty, staff, and volunteers affiliated with the institution?	Yes	Administrative Procedure 02-21, Board Rule 2.02 and 2.06
10. Does the educational institution have a dispensary, clinic, infirmary, student health center, athletic facility, or similar facility maintained by the institution principally for use by its students?	Yes	Athletic Facilities

11. Does the educational institution have written policy language addressing sexual abuse of college students and minors that applies to medical personnel working at the dispensary, clinic, infirmary, student health center, athletic facility, or similar facility?	Yes	Administrative Procedure 02-21, Board Rule 2.02 and 2.06
12. Have you provided to the educational institution's President/Head of School, Head of Student Affairs/Life, and the Board Chair a copy of the United Educators publication "Safeguarding Our Communities from Sexual Predators: What College Presidents and Trustees Should Ask?"	Yes- 02/20/20	Letters will be distributed during the Board Meeting.

United Educators defines the following positions as mandatory reporters.

- President, chancellor or head of school
- Provost or Chief Academic Officer
- VP of finance, chief financial officer, VP of administration or chief business officer
- VP of legal affairs or general counsel
- VP of student affairs
- Title IX coordinator
- Athletic director
- Director of any dispensary, clinic infirmary, student health center, athletic facility or similar facility maintained by (the institution) to provide medical, athletic training, psychological or mental health counseling services principally for use by the (institution) employees or students.

In addition to the above, Lake-Sumter State College's Administrative Procedures 02-21 identifies all college employees as mandatory reporters.

Documents included for your review are:

- "Client Alert, Important Notice of Coverage Changes: United Educators on Sexual Abuse"
- "Safeguarding Our Communities from Sexual Predators: What College Presidents and Trustees Should Ask"
- "FAQs Rated to United Educators Sexual Abuse Coverage Endorsement"
- "Action Guide for Improving Sexual Abuse Prevention and Response Efforts"
- Administrative Procedure 2-21

Additional Action/Follow up:

Follow up

1. A new Administrative Procedure, "Minors on Campus", is being developed and will completed by May 1, 2020. The purpose of this document is to provide guidelines for appropriate supervision of non-student minors who are involved in College-sponsored programs, or programs operated by outside-entities that are held at the College.
2. The Equal Employment Opportunity Commission (EEOC) will be conducting an on-campus training on Respectful Workplace on March 25 and 26th. The training is mandatory for supervisors and voluntary for other staff and faculty.
 - a. Training Purpose: Rather than dwelling on legal standards and what NOT to do, this training will focus on WHAT TO DO – the words and actions that promote respect and fairness, and participant's responsibility for contributing to respect in the workplace.

Client Alert

Important Notice of Coverage Changes: United Educators on Sexual Abuse



Gallagher

Insurance | Risk Management | Consulting

UE Coverage Changes on Sexual Abuse

Please read: Important Notice of Coverage Changes

AJG Higher Education Team

June 24, 2019

The discussion set forth is only an insurance/risk management perspective and is **not** legal advice. We do not provide legal advice, as we are not qualified to do so. We highly recommend that you seek the advice of legal counsel in order to become fully apprised of the legal implications related to these issues. Coverage language quoted in this document is intended to be representational of anticipated coverage terms, based upon sample endorsements provided to Gallagher by United Educators. Nothing in this document changes any coverage terms or policy conditions on policies issued by United Educators.

Note for readers: Bolded terms in blue print are terms defined by United Educators in their policies; blue text is actual or expected UE policy language. Our comments are in black text.

Executive Summary

Recently, United Educators (UE) introduced three new endorsements dealing with how sexual abuse coverage will be provided in all CGL, Buffer, GLX and GLU policies with an effective date on or after May 1, 2019. Below is a brief description of the intent of these endorsements, followed by a more detailed review of the changes to coverage introduced by the endorsements.

1. Sexual abuse coverage endorsement—provides an affirmative coverage grant for sexual abuse subject to all terms and conditions detailed in the endorsement.
2. Sexual abuse temporary conditional coverage—same coverage terms and conditions as provided in the above endorsement with the stipulations that coverage is available only for one year (less if UE was to so stipulate) with extension of coverage contingent upon the insured complying with UE's risk management guidelines relative to sexual abuse.

3. Sexual abuse exclusion—used when an insured's internal policies and procedures concerning sexual abuse, child molestation and sexual assault do not meet UE's minimum underwriting guidelines. The endorsement effectively excludes coverage for sexual abuse as defined in the endorsement.

This notice provides an analysis of the coverage changes and recommended steps you and your institution can take to ensure coverage for sexual abuse. To assist you in informing reporting officers, board members and other stakeholders of these important coverage changes, we have included in this notification sample messages and copies of the sexual abuse coverage endorsements that we recommend sharing with these individuals.

We strongly encourage you to have legal counsel review these endorsements. Further, we strongly recommend that you engage senior leadership in a discussion of coverage implications and responsibilities they have as reporting officers.

Coverage Changes and Existing Obligations

Before beginning our analysis, we would like to point out that there are limited options in the market for higher education institutions to obtain coverage for sexual abuse. To the best of our knowledge, UE is the only carrier that has the ability to provide \$40 million of coverage limits for this exposure. Additionally, UE's commitment to continuing to provide this coverage and their efforts to educate member institutions on approaches to managing this risk and other key risks impacting higher education is unmatched in the insurance industry.

Insurance policies are complex legal contracts, whose terms, conditions and endorsements work together to define the scope of coverage as well as to create obligations on the part of both the insurer and the insured. Our comments regarding the scope of coverage and coverage limitations are meant to assist you in your review of coverage. They are not legal advice. Gallagher is not a law firm and, therefore, we do not provide legal advice. In addition, Gallagher is not an agent of United Educators and, therefore, we do not speak on their behalf. UE is solely responsible for interpreting coverage in policies issued by them.

For purposes of this notification, we reviewed the terms of the **Sexual Abuse Coverage Endorsement** that would be attached to the GLX policy. The same language is used in all UE's sexual abuse coverage endorsements, with minor changes for numbering and specific policy references.

Limits of Liability

Item 2 of the endorsement reflects the limit of liability coverage provided for sexual abuse. As of the publication of this report, Gallagher has not seen UE sublimit coverage for this risk, but if they were to do so, the revised limit would be shown in this section.

Consistent with how sexual molestation coverage was provided in earlier policies, UE continues to offer coverage for sexual abuse on an occurrence basis subject to an annual aggregate.

Definitions

Insurance policies use defined terms, often shown in bold ink or in italics, to denote a word(s) that may have a significant impact on the scope of coverage. They should be carefully reviewed when interpreting the policy's coverage intent. Items 3 and 4 of the endorsement makes several changes to the coverage definitions.

1. The endorsement removes the existing definition of **Sexual Molestation** replacing it with the term **Sexual Abuse**, and adds these definitions:

- **Child Molestation** means any actual or alleged illegal or otherwise wrongful sexual conduct with a minor. This definition is consistent with the previously defined offense of Sexual Molestation.
- **Serial Sexual Misconduct** means any actual or alleged illegal or otherwise wrongful sexual conduct:
 - a. With more than one victim and
 - b. Committed by or alleged to have been committed by any perpetrator who is not a student of an included entity.
- Sexual Abuse means:
 - c. Any **Child Molestation**
 - d. Any **Serial Sexual Misconduct**

The term "sexual assault," while appearing in the endorsement, is not defined in the policy. When terms are not defined, they are interpreted as to their meaning in common use.

2. The definition of **Reporting Officer** is amended to include the position equivalent of any of the institution's:
 - a. President, chancellor or head of school
 - b. Provost or Chief Academic Officer
 - c. VP of finance, chief financial officer, VP of administration or chief business officer
 - d. VP of legal affairs or general counsel
 - e. VP of student affairs
 - f. Title IX coordinator
 - g. Athletic director
 - h. Director of any dispensary, clinic, infirmary, student health center, athletic facility or similar facility maintained by [the institution] to provide medical, athletic training, psychological or mental health counseling services principally for use by the [institution's] employees or students

The last three positions—(f), (g) and (h) are the additions to the current definition of Reporting Officer. These changes tie into the wording of the new or amended exclusions.

New Exclusions or Changes in Exclusions

Number 5 in the Sexual Abuse Coverage Endorsement amends GLX policy exclusion 11.g.

1. Currently, 11.g. excludes coverage for **Sexual Molestation if a Reporting Officer** had knowledge of such molestation and failed to report it to proper authorities when they had a legal duty to do so. The new exclusion removes the legal duty and simply excludes any liability related to or arising out of **Child Molestation** when known to a **Reporting Officer who did not engage in Child Molestation** but failed to report it to law enforcement, child protective services or any equivalent state agency.

The importance of this is that everyone who is defined as a **Reporting Officer must** report incidents of **Child Molestation** to law enforcement, child protective services or any equivalent state agency in a timely way or coverage may be denied.

2. A new exclusion includes any liability related to or arising out of **Serial Sexual Misconduct** if the **Educational Organization** fails to follow its internal policies for investigation and response after any **Reporting Officer** who did not engage in **Serial Sexual Misconduct** had actual knowledge of the **Serial Sexual Misconduct**.

Simply put, if the institution does not follow its own policies for investigating Serial Sexual Misconduct once a Reporting Officer knows of the misconduct, coverage is excluded. UE has softened the impact of this exclusion slightly with the inclusion of the word “actual” before knowledge—this may shield institutions from situations where rumors circulated about Serial Sexual Misconduct by an individual but nothing was ever proved. This in no way negates the importance of advising Reporting Officers that they should report all rumors, open secrets or even gossip about individuals who have a pattern of sexual misconduct to the institution's Title IX officer for a complete and thorough investigation in accordance with the institution's abuse prevention policies.

3. Liability for any person who actually engaged in Sexual Abuse or sexual assault is excluded unless they are found innocent after a final civil adjudication. If the accused is found innocent, defense costs will be reimbursed.

This is not a change from previous coverage; it is separated out for clarity.

4. Liability for any person who knew about **Child Molestation** but failed to report it to law enforcement, child protective services or any equivalent state agency is excluded unless the accused person is found innocent after a final civil adjudication. If found innocent, defense costs will be reimbursed.

This is not a change from previous coverage; it is separated out for clarity.

Provisions 6 and 7 of Of the endorsement are self-explanatory.

Provision 8 of the endorsement clarifies existing coverage by separating the exclusion for bullying from the sexual misconduct language. Consistent with current policy terms, coverage excludes any liability of any person who engaged in physical assault, abuse or corporal punishment, or who knew about any of these acts and failed to report them to proper authorities when under a legal duty to do so; [however], if after a final civil adjudication, it is determined that the accused person did not engage in or fail to report the physical assault, abuse or corporal punishment, [UE] will reimburse Defense Costs associated with that civil defense.

Additional Coverage/Coverage Clarification

One of the fears associated with early reporting of sexual abuse and misconduct is that the accused person will file a claim against the reporting party and the institution. A new clause is added to the policy that states:

Solely with respect to **Personal Injury** liability from the reporting of Sexual Abuse, and subject always to the Limit of Liability of this Policy, we will pay reasonable **Defense Costs** incurred in the defense of any Insured natural person who in good faith reported **Sexual Abuse**.

This is an important message to convey to all Reporting Officers. It means that, if they report someone for suspected Sexual Abuse in good faith, and they are sued for slander and/or libel because of their report, the UE policy will defend them.

Claims Reporting Obligations Have Changed—Notice of Occurrence or Claim

Just as important as the coverage terms, the claim reporting terms must be followed in order to effect coverage. Failure to follow such requirements may result in a coverage denial. The policies stipulate:

As a condition precedent to the rights of any **Insured** under this policy, if a **Claim** reasonably likely to involve this policy is made against an Insured or..., if any employee of the risk management department, or any **Reporting Officer** or legal counsel of any **Included Entity** becomes aware of an:

- a. Occurrence reasonably likely to involve this policy, or
- b. regardless of the Insured's opinion of whether this policy is likely to be involved, an **Occurrence or Claim** involving any of the following:
 - (1) Fatality;
 - (2) Major paralytic conditions such as paraplegia and quadriplegia
 - (3) Second- or third-degree burns to 25% or more of the body
 - (4) Amputation, permanent loss of use or permanent loss of sensation of a major extremity
 - (5) Head or brain injuries resulting in coma, behavioral disorders, personality changes, seizures, aphasia or permanent disorientation
 - (6) Loss of sight in one or both eyes or loss of hearing
 - (7) Injury resulting in incontinence of bowel or bladder
 - (8) **Sexual Abuse**, sexual assault or rape
 - (9) **Bodily Injury** resulting from healthcare services provided in a clinic, infirmary, student health center, treatment room or other similar facility that provides medical or health services to students or at other locations in the event of a medical emergency

The **Insured** must:

- a. Notify us as soon as practicable in writing
- a. Provide particulars sufficient to identify the **Insured**, person, persons or organizations involved in the **Occurrence**, and also such reasonably detailed information as we may request
- b. Promptly forward to us any written demand, notice, summons, complaint or other process of service received by the Insured or its representatives
- a. Cooperate with us and with any claims administrator we designate in the investigation, defense or settlement of **Claims**

Here again, it is very important to understand the Definitions:

Occurrence means:

- a. an accident during the **Policy Period** or the continuous, intermittent or repeated exposure to conditions that commence during the **Policy Period** that causes **Bodily Injury** or **Property Damage** neither expected nor intended by the **Insured**; or
 - a. an event that first occurs during the **Policy Period** that causes **Personal Injury** or **Advertising Injury**.
- Claim means a demand for **Damages**. *It does not have to be in writing or a lawsuit.*

What this means is that as soon as any employee of the risk management department, legal counsel, or any **Reporting Officer** becomes aware of any **Claim**, or an **Occurrence** that may involve the policy or any **Occurrence** that is one of the nine types specifically listed, it must be reported to UE in writing as soon as practicable. *This point cannot be overemphasized.*

Reporting Officer responsibility is not limited to Sexual Abuse or misconduct—it applies to **all Claims** and **Occurrences reasonably likely to involve this policy**.

What the Risk Manager Should Do

As of the date of this publication, no college or university that is a Gallagher client has received an endorsement excluding Sexual Abuse; all received either full or temporary conditional coverage in accordance with the new endorsement terms outlined above. Every institution and their risk manager needs to take certain steps to address these changes.

Reporting Obligations

All institutions must address the reporting issues. Notice must be given to all Reporting Officers:

- President, chancellor or head of school
- Provost or chief academic officer
- VP of finance, chief financial officer, VP of administration or chief business officer
- VP of legal affairs or general counsel
- VP of student affairs
- Title IX coordinator
- Athletic director
- Director of any dispensary, clinic, infirmary, student health center, athletic facility or similar facility maintained by [the institution] to provide medical, athletic training, psychological or mental health counseling services principally for use by the [institution's] employees or student of their reporting responsibilities, and should be undertaken without delay.

This can be accomplished in a few ways. Face-to-face meetings with each of the individuals is perhaps the most effective but least efficient. Some institutions might have the Risk Manager speak to the senior leadership in a regular staff meeting for 10 or 15 minutes, and follow up with written notice. The risk manager can then meet individually with anyone not in attendance at the senior leadership meeting. As a follow-up, or if meetings cannot be arranged, the Risk Manager should

- inform each individual in writing of the changes;
- offer to meet or speak with the individual to answer any questions; and
- require confirmation of receipt, understanding and agreement to the information provided.

All Reporting Officers should be informed of their responsibilities to report to law enforcement, etc. if they have knowledge of child abuse. To do this, the Risk Manager or Legal Counsel will have to determine the legal requirements imposed on individuals by the state that the institution is operating in, and advise the Reporting Officers of those requirements. In addition, all Reporting Officers should be advised that they are required to report all Occurrences to Risk Management as soon as practicable. Remind Reporting Officers that reports must be filed regardless of the status of the individual or individuals involved, and that institution policies must be followed with respect to investigation and eventual adjudication.

Remember the importance of onboarding new executives—keep track of turnover and ensure that they know and understand their responsibilities as soon as possible.

Underwriting Requirements

We also encourage the following steps be taken to comply with the underwriting requirements.

1. Inform the Reporting Officers of any changes that will be required of the institution with respect to its policies on the safety of minors and molestation prevention.
2. Develop a plan to ensure that these changes are made.
3. Report back in writing to your Gallagher account executive when the changes are made.
4. Follow up with responsible offices to ensure that the institution is complying with its policies.

Going Beyond: Keeping Risk Management in the Know

One common complaint we hear from risk managers is that they are the last to learn about an Occurrence or Claim. Besides working with the designated Reporting Officers, we recommend that risk management departments work with multiple offices as suggested below across their campuses to help people understand what Occurrence or Claim are, who the Risk Manager is and their responsibilities, and how to report matters to the Risk Manager.

- Identify who gets trained on reporting occurrences and claims to Risk Management. In addition to the Reporting Officers and their staff, be sure to include members of the office of student affairs, human resources, provost's office, deputy title ix coordinators, campus police/public safety, human resources, health services (including athletics health services), academic department chairs and all director-level supervisory staff at a minimum. don't overlook contractors—for example, many schools outsource the position of team physician.
- Consider who gets what reports and when. This may vary by institution, but a policy that speaks to the flow of reports between internal departments, your broker and insurance carriers should be given consideration. For example, the Title IX coordinator may receive all reports of alleged sexual misconduct, and all employees know that they must report any incidents they witness or hear of to the Title IX Coordinator. The Title IX Coordinator may then escalate incidents that require investigation to appropriate parties and then enter claimant information into a bordereau for risk management to forward to underwriters to meet the notice requirement. Incidences that have been escalated for further investigation should be regularly updated as to their status on the bordereau report. This approach ensures that any situation that may later develop into a claim has been reported. It can also support the Title IX Coordinator's responsibility to track and monitor claims that may involve repeat offenders, locations or other common elements. If confidentiality is a concern, the Title IX coordinator can use pseudonyms or initials, but should include sufficient details to aid in tracking future developments, serial predators, etc.
- If an institution has the position of child safety officer as well as a Title IX coordinator, risk management must coordinate information from both officers.
- Identify any groups or departments that are resistant to reporting because they think they have the internal expertise to handle the situation. This presumption of expertise is one of the most difficult things to combat, and can often result in botched investigations, delayed reporting and denied coverage. This management issue may need to be addressed by senior leadership.
- Don't neglect campus police/public safety as a report source. They may have certain restrictions depending on their state agency, but should be able to fully report on situations that need to be reported to insurers. If they can send all campus police reports that include bodily injury or property damage (including autos)—great! If they can't filter reports for bodily injury/property damage, but can send all campus police reports—take it and filter them!
- Health services is another report source that may have legal restrictions on what they can disclose, but they should be required to report certain incidents within these limitations (e.g., child abuse). Reports using Jane or John Does can be important in identifying serial abusers even if their targets remain anonymous.
- Remember the importance of onboarding new executives—keep track of turnover and ensure that they know and understand their responsibilities as soon as possible.
- Consider making incident reporting an institution-wide policy and procedure—who reports what to whom and when—and make failure to report a disciplinary event.

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Addenda

Sample Notice to Reporting Officers

Sample Notice to Board Members

Specimen Sexual Abuse Coverage Endorsement

UE Publication: Safeguarding Our Communities From Sexual Predators:
What College Presidents and Trustees Should Ask

Sample Notice to Reporting Officers

Note on using this document: Items in brackets [...] are to be replaced with particulars for your institution.

DATE:

TO: President, Chancellor or Head of School;

Provost or Chief Academic Officer;

VP of Finance, Chief Financial Officer, VP of Administration, or Chief Business Officer;

VP of Legal Affairs or General Counsel;

VP of Student Affairs

Title IX Coordinator

Athletic Director

Risk Management Department staff

Director of any dispensary, clinic, infirmary, student health center, athletic facility, or similar facility maintained by [Name of Institution]

Dear _____:

In response to recent sexual abuse incidents on college campuses across the country, our liability insurance carrier has changed its underwriting practices. In order to maintain our insurance coverage, [Name of Institution] is required to have and implement campus policies, procedures and behaviors that prevent and respond to sexual abuse, and other serious claims. In order for [Name of Institution] to be covered for a claim against the [University/College/School] or any of its employees, it must be promptly reported to our insurers. For [Name of Institution] these changes are effective [date], 2019.

You are receiving this notice because under the terms of our insurance policies you are considered to be a “Reporting Officer.” As a Reporting Officer, you are required to report all serious incidents or allegations including Sexual Abuse and Molestation (see list below) that become known to you to [Name of Institution]’s [Risk Manager/other designated report receiver]. Regardless of your opinion of whether the incident is likely to involve the insurance policy, we must be notified if you become aware of any of the following incidents or allegations:

1. Fatality
2. Paralytic conditions such as paraplegia and quadriplegia
3. Second- or third-degree burns to 25% or more of the body
4. Amputation, permanent loss of use or permanent loss of sensation of a major extremity
5. Head or brain injuries resulting in coma, behavioral disorders, personality changes, seizures, aphasia or permanent disorientation
6. Loss of sight in one or both eyes or loss of hearing
7. Injury resulting in incontinence of bowel or bladder
8. Sexual Abuse, sexual assault or rape
9. Bodily Injury resulting from medical services

For minors, [name of] state law requires reporting suspected molestation to police or child protective services within ___ days. (verify this with your attorney, modify as needed). For adult victims of Sexual Abuse and Molestation, the current proposed Title IX regulations require an institution with actual knowledge of sexual harassment (which includes sexual assault) to investigate and meaningfully respond. Failure to follow the required investigation, reporting and our own institutional investigation procedures could mean that insurance coverage could be excluded for you and the University.

Once an incident is reported to [designated [Name of Institution] office], the [position of designated reporter] will report the incident to [Name of Institution]’s insurance company. Please let us know if you have any questions regarding these new reporting requirements. For questions please contact [name and position of designated individual]

Include this paragraph for President, Chancellor or Head of School:

Additionally, as President we are required to provide you with the attached publication, “Safeguarding Our Communities From Sexual Predators: What College Presidents and Trustees Should Ask.” Please acknowledge your receipt of this document.

Sample Notice to Board Chair

Follow your institution's policy with respect to communicating with board members. If this is sent by the secretary to the board, be sure that Risk Management will be copied on the notice and confirmation so that it can be audited.

DATE:

TO:

FROM:

RE: [Name of Institution]'s Liability Insurance Coverage

Dear [Board Chair Name and Title]

In response to recent sexual abuse incidents on college campuses, our liability insurance carrier is changing its underwriting practices to evaluate campus policies, procedures, and behaviors that prevent and respond to sexual abuse. For [Your Institution], these changes are effective [date], 2019.

In brief, coverage may be compromised or denied if an officer or other designated individual has knowledge of an occurrence of sexual abuse, including child molestation or serial sexual assault, and does not report it to law enforcement, child protective services or similar state agency. All occurrences and/or allegations of sexual abuse must be reported to [designated position at Name of Institution]. Please advise if you would like to receive a detailed overview of the changes provide by [Your Institution]'s insurance broker.

Additionally, we are required to provide you, as board chair, with the attached publication, "Safeguarding Our Communities From Sexual Predators: What College Presidents and Trustees Should Ask." Please acknowledge your receipt of this document. Please ensure that all trustees receive a copy of this important information.

Please let us know if you have any questions regarding these new reporting requirements. For questions please contact [name and position of designated individual].

SEXUAL ABUSE COVERAGE

In consideration of the premium charged, and subject always to all other provisions of this Policy, **we** agree with the **Educational Organization** that:

1. The Definition of **Sexual Molestation** and all references thereto is deleted from this Policy and replaced by the Definition of **Sexual Abuse**.
2. Item 2. (b)-2 of the Declarations is amended to read:

(b)-2 \$[pull-in] **Sexual Abuse**

3. Paragraph 2. of this Policy is amended to add the following Definitions:

Child Molestation means any actual or alleged illegal or otherwise wrongful sexual conduct with a minor.

Serial Sexual Misconduct means any actual or alleged illegal or otherwise wrongful sexual conduct:

- a. with more than one victim; and
- b. committed by or alleged to have been committed by any perpetrator who is not a student of an **Included Entity**.

Sexual Abuse means:

- a. any **Child Molestation**; or
- b. any **Serial Sexual Misconduct**.

4. The Definition of **Reporting Officer** of this Policy is amended to read:

Reporting Officer means a position equivalent to any of the below of the **Educational Organization**:

- a. President, Chancellor or Head of School;
- b. Provost or Chief Academic Officer;
- c. VP of Finance, Chief Financial Officer, VP of Administration, or Chief Business Officer;
- d. VP of Legal Affairs or General Counsel;
- e. VP of Student Affairs;
- f. Title IX Coordinator;
- g. Athletic Director; or
- h. Director of any dispensary, clinic, infirmary, student health center, athletic facility, or similar facility, maintained by an **Included Entity** to provide medical, athletic training, psychological or mental health counseling services principally for use by the **Included Entity's** employees or students.

5. Exclusion 11.g. of this Policy is amended to read:

g. any liability:

- (1) related to or arising out of **Child Molestation** when known to a **Reporting Officer** who did not engage in **Child Molestation** but failed to report it to law enforcement, child protective services or any equivalent state agency;
- (2) related to or arising out of **Serial Sexual Misconduct**, if the **Educational Organization** fails to follow its internal policies for investigation and response after any **Reporting Officer**, who did not engage in **Serial Sexual Misconduct**, had actual knowledge of the **Serial Sexual Misconduct**;
- (3) of any person who engaged in **Sexual Abuse** or sexual assault; or
- (4) of any person who knew about **Child Molestation**, but failed to report it to law enforcement, child protective services or any equivalent state agency;

Exception: For Exclusions (3) and (4) above, if after a final civil adjudication, it is determined that an accused person did not engage in or fail to report **Sexual Abuse** or sexual assault, **we** will reimburse **Defense Costs** associated with that civil defense.

6. Paragraph 12(b)(8) of this Policy is amended to read:

(8) **Sexual Abuse**, sexual assault or rape;

7. Solely with respect to **Personal Injury** liability from the reporting of **Sexual Abuse**, and subject always to the **Limit of Liability** of this Policy, **we** will pay reasonable **Defense Costs** incurred in the defense of any **Insured** natural person who in good faith reported **Sexual Abuse**.
8. This Policy does not apply to any liability of any person who engaged in physical assault, abuse or corporal punishment or who knew about any of these acts, and failed to report it to proper authorities when under a legal duty to do so;
Exception: if after a final civil adjudication, it is determined that an accused person did not engage in or fail to report physical assault, abuse or corporal punishment, **we** will reimburse **Defense Costs** associated with that civil defense.

All other Policy provisions remain the same.

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UE Publication: Safeguarding Our Communities from Sexual Predators: What College Presidents and Trustees Should Ask



Safeguarding Our Communities From Sexual Predators: What College Presidents and Trustees Should Ask



In recent years, multiple universities have faced sexual predator scandals involving scores of victims. Often the institutional leaders were uninformed about the allegations regarding incidents on their campuses. This failure of leadership oversight has many presidents and trustees wondering how to safeguard their communities from similar tragedies. Here are key questions these campus leaders should ask and suggestions for creating a culture of prevention and reporting.

Become informed about policies and procedures.

What are the parameters of our sexual abuse policies?

Presidents should be well versed in the institution's policies addressing sexual misconduct and abuse. Consider whether the policies cover all members of the community. For example, are faculty, medical professionals, volunteers, and contractors included? If so, assess how the policies are conveyed to them and whether signed acknowledgments are required to show they have read the policies.

Confirm that the policies require all reports to be investigated and adjudicated using consistent procedures. Strict compliance is important, because any exceptions can lead to predators avoiding accountability despite allegations against them. For example, investigations should not stop simply because the respondent denies the action or because someone powerful requests that the investigation cease.

Do the institution's sexual abuse standards and policies apply equally to employees at all levels?

The institution's standards and policies must be applied impartially and consistently, without exception. This includes departments such as athletics, whose student athletes and staff are sometimes excused from following institutional requirements. It is important that exceptions are not made in policy or practice, even for employees in highly visible positions, prominent departments, or those who bring profit or prestige to the institution, such as doctors, scientists, and scholars. Remind staff that preventing harm to students and the campus community is always the top priority, even if it comes at a cost to the institution's reputation.

What are our institution's options for reporting sexual abuse?

Easily accessible reporting options are an important indicator of an institution that encourages reporting. Check whether reporting channels are well publicized, easy to find on the institution's website, and include an anonymous reporting channel, if possible. It is also recommended that the email address of at least one board member be made available online as an additional avenue for reporting.

What are the processes through which reports of sexual abuse are handled?

Review how reports are handled at the institution, including which office or individual processes the reports and launches the investigation. If possible, give one staff member oversight of all reports so trends and repeat offenders are identified, or establish a process that looks for these patterns. Inquire about guidelines for notifying high-level administrators, legal counsel, and others when more than one report is made against an individual. Ask whether the institution has any policies regarding the reporting of allegations to external law enforcement, especially with victims who are minors.



What is our policy regarding background checks?

Increasingly, educational institutions are implementing processes that require background checks of all employees at hire to screen for individuals with red flags in their pasts. Review your institution's policy regarding which positions or groups are subject to background checks, and what those checks entail. Keep in mind that phone calls to references—with fine-tuned questions that ask about the individual's respect for boundaries in interactions with students and children—are often the best source of information to weed out possible predators.

Take note of whether faculty, coaches, volunteers, and third parties are subject to the same screening as regular employees. Consider whether some employees, depending on job function, should have their background checks updated routinely during employment.

Be intentional with words and actions.

Have we established clear expectations for receiving updates on sexual misconduct reports and investigations, both on a routine schedule and an emergent basis for certain inquiries?

Presidents and trustees need not be involved in every allegation, but they should establish clear guidelines for regular updates about critical inquiries such as allegations involving more than one victim, more than one allegation against the same respondent, patterns of inappropriate behavior from teams or departments on campus, or allegations involving individuals in positions of power. Depending on the board's structure, one of its committees could take responsibility for monitoring these sexual abuse reports.

Similarly, presidents and trustees should establish guidelines for when they will be notified about settlements involving

allegations with more than one victim or allegations involving individuals in positions of power. By working with the general counsel's office or the individuals responsible for negotiating settlements on behalf of the institution, the president and trustees can ensure that they are informed early in the settlement negotiation process.

Often, staff have a strong reluctance to tell the president bad news, and the first instinct is to handle the matter so that it does not reach the president or board. However, on issues of serial sexual assault, presidents and boards are often held accountable despite being unaware of the allegations. Accordingly, they must become actively engaged and require updates on allegations. This cultural change may require professional development to educate staff and help shift attitudes.

Have we articulated our expectation that policies are followed?

Upholding the administrative structure for reporting, investigating, and disciplining is an important part of the president's role. The president must set the tone for thorough compliance with policies. As such, the president should only make investigative or disciplinary decisions if the president's involvement is prescribed by the policy.

Am I speaking out to foster a safe and inclusive environment on campus?

To effectively shape the campus culture, the president's actions should include a no-tolerance philosophy for sexual abuse and strong support for reporting. By publicly voicing support for survivors and proactively addressing topics surrounding sexual abuse, the president can serve as a catalyst for cultural change. If the community learns to be alert and report all boundary violations, this may stop or deter predators from further abuse.

Understand the campus culture.

What trainings are offered for students, employees, and faculty?

Take a close look at the trainings used for various audiences on your campus. Review the topics and training styles, then assess whether they are appropriate for each group. Are the trainings mandatory? How often are they required? Consider that many of the standard trainings (e.g. workplace harassment training for employees or Title IX training for students) may not cover important topics such as boundary violations, child abuse red flags, and employee obligations to report incidents of suspected sexual abuse.

Which staff members are addressing issues of sexual abuse on campus?

Presidents must make sure they are fully versed in the administrative positions working to prevent sexual abuse and assist victims on campus. Student affairs professionals often lead these prevention efforts and can be a valuable liaison for the president. By developing relationships with staff who handle sexual abuse reports and manage prevention efforts, the president can also establish an expectation that he or she be informed of noteworthy events.

What resources do we have for victims?

Providing appropriate, easily accessible resources on campus is critical for survivors' wellbeing. Review whether your institution's resources adequately serve the physical and emotional needs of victims and whether referrals to off-campus resources are provided. The institution's commitment to survivor wellness helps foster an environment that encourages reporting and supports those who make reports.

When did we conduct our last climate survey measuring sexual violence attitudes and prevalence on campus, and what were the results?

Institutional leaders must steer the campus culture toward an ethos that is alert about red flags, facilitates reporting, and supports victims. To do this, the president and trustees must understand the current campus landscape. A campus climate survey is an anonymous survey of students that assesses the prevalence of prohibited conduct, including sexual assault and abuse, and provides insight into students' perceptions about the environment on campus.

Presidents and trustees play an important role in protecting the campus community from sexual predators and should be well versed in the institution's reporting options, training programs, victim resources, and the administrative roles responsible for implementing these measures. Leaders who have a deep understanding of the institution's culture and engage in vocal support for reporting will help create an environment in which predatory behavior is unwelcome and boundary violations of any kind are not tolerated.

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Frequently Asked Questions

FOR HIGHER EDUCATION MEMBERS: FAQs Related to UE's Sexual Abuse Coverage Endorsement

Background

Effective May 1, 2019, United Educators (UE) revised its underwriting approach to promote campus policies, procedures, and practices required to prevent and respond to sexual abuse. This follows a disturbing trend of high-profile incidents of sexual abuse on college campuses. These tragic instances of serial sexual predation serve as a wake-up call to UE and our members: in many cases, abhorrent behavior was repeatedly left unchecked, resulting in dozens, if not hundreds, of victims of sexual abuse spread over decades.

The financial fall-out for affected institutions has been enormous. Many carriers are choosing to walk away from sexual abuse coverage. ***UE remains committed to helping education manage through difficult times and is making every attempt to maintain appropriate coverage for this critical risk, but we need your help as partners to address this issue.***

We urge members to recognize that no institution is immune, and that policies, practices, and habits must change to prevent sexual predation. Whether you received one-year conditional coverage or full coverage for serial sexual abuse and molestation this policy year, everyone — UE brokers as well as members — needs to actively work together to reduce this risk.

For members with conditional coverage, it's imperative that you begin to resolve areas of deficiency well before your 2020 renewal. The temporary conditional coverage endorsement will convert to an exclusion after the policy term if deficiencies are not rectified.

Below are the questions we've received from members as they work to align institution practices with the requirements of UE's policy changes and underwriting approach. Please contact your broker regarding coverage and application requirements, or email UE at risk@ue.org for support in implementing risk management-led change on campus.

Coverage

1. Why did UE change its underwriting and coverage approach for sexual abuse and molestation?

Foundational to UE's continued ability to cover this risk is ensuring that members build a culture of reporting by having the appropriate policies, procedures, and training in place to report and mitigate sexual abuse and molestation. A comprehensive program focused on prevention means that UE's coverage addresses true outlier incidents — issues that are largely out of your hands.

In UE's review of claims and risk management practices, we found failure to report, or failure to respond upon receiving a report of sexual abuse, were prevalent themes in findings of institutional liability. Therefore, our underwriting now reinforces the critical need for members to ensure:

- The upward internal reporting (to designated administrators) and external reporting (to law enforcement, etc.) of incidents of **alleged or actual molestation of minors**
- The internal upward reporting of **potential serial sexual predators** so that member institutions investigate incidents and report them to UE

2. Can UE outline specifically what I need to do to earn full, rather than one-year conditional coverage, for sexual abuse and molestation?

Institutions that have not met UE's underwriting requirements to qualify for coverage include those whose supplementary application for sexual abuse and molestation has:

- Not been signed
- Been submitted with an answer of "no" to one or more questions

UE encourages members to submit a signed application and focus on those areas in which your institution answered "no" to an application question. Our ["Action Guide for Improving Sexual Abuse Prevention and Response Efforts"](#) can help you further prioritize areas on which to focus your risk mitigation efforts.

3. One year is not enough time for us to create the needed culture change to meet the underwriting requirements. Why is there a one-year limit?

As media reports attest, sexual abuse on campus is an urgent matter. It's been eight years since the Sandusky incidents at Penn State made headlines, yet many colleges and universities continue to assume that such incidents would not occur on their campus. It's time for all institutions to take definitive action to address serial sexual abuse and molestation.

While one year is a short time frame to address this important issue, we expect institutions to start working diligently — now — to prevent heinous acts from happening. Institutions that do not start taking steps within a one-year period are putting themselves and their students at greater risk.

4. Can UE help us address the culture change that needs to occur to create lasting impact?

UE understands the challenges associated with culture change and recognizes that sexual abuse can be a difficult and emotional topic to discuss. Here's how some UE members have been successful in raising the issue:

- **By focusing on shared values.** Threats to student safety deter from an institution's ability to deliver on its values. Focusing on shared values can help align different parts of the institution.
- **By focusing on loss prevention.** Colleagues can be engaged by emphasizing the financial and reputational devastation of serial sexual abuse, including the significant impact on careers and personal lives of those responsible for addressing this misconduct. The realization that few other insurers are willing to stand by their institutions illustrates the gravity of this risk.
- **By focusing on building a stronger institution.** Framing the prevention of serial sexual abuse and molestation as an essential part of a broader enterprise risk management effort supports an overall effort toward institutional strength and sustainability. In addition to protecting the community, risk managers have presented this as a way to break down institutional silos and develop consistency across campus.

5. **How can I get my president and board involved? I don't typically have access to senior administrators.**

UE understands the challenge of institutional roles and hierarchy, yet we strongly believe that effective risk management for serial sexual abuse and molestation can only occur for institutions that manage this risk at the highest level.

In UE's experience working with hundreds of schools, colleges, and universities, we've seen that setting the tone starts at the top, especially on important issues such as prevention and reporting of serial sexual abuse. Institutions that set a strong tone at the president and board levels often support the most robust sexual abuse and molestation prevention and reporting programs.

Ways to educate your senior administrators on the importance of this issue include:

- Share this FAQs document about the urgent need to address serial sexual abuse and molestation and the coverage implications of failing to address it.
- Share UE resources such as ["Action Guide for Improving Sexual Abuse Prevention and Response Efforts"](#) and ["Safeguarding Our Communities From Sexual Predators: What College Presidents and Trustees Should Ask."](#) Specifically, the latter resource was designed to help college and university presidents and boards better understand their roles and how they can lead the institution in building a safer environment.
- Invite your broker to talk with senior administrators about market conditions related to the availability of coverage for sexual abuse and molestation.
- Remind administrators of the many negative safety and reputational implications of failing to protect minors and others on campus. Of note, there is no risk transfer available for reputational damage, which can have lasting effects.

Although organizational structures may limit insurance managers' contact with the president and board, many presidents and chancellors have expressed appreciation to UE regarding our guidance. Recent events have shown that sexual abuse and molestation is a presidential-level risk, and presidents are listening.

Policy Language

6. Why, given your new coverage, are “*reporting officers*” required to report incidents beyond serial sexual abuse and molestation?

If UE identified different reporting officers for each of the various risks listed in the policy, this would create a significant challenge in determining coverage and would create a training challenge for members. UE will use a rule of reasonableness and will expect reporting officers to report what they become aware of through normal institution channels.

For example, the dean of students isn’t likely to become aware of a medical malpractice claim arising from the student infirmary, and the athletic director isn’t likely to become aware of a suicide case unrelated to athletics. Individual reporting officers will be expected to report what they become aware of AND can use a single internal reporting point (such as a risk manager, Title IX coordinator, or legal counsel) as long as they understand that they remain responsible under the policy to report.

Even beyond the role of reporting officers, UE encourages members to create a culture of reporting, in which anyone who becomes aware of possible sexual abuse understands the importance of, and how to, report an incident.

7. Who is considered a *reporting officer* as it relates to the medical, mental health, and athletic training areas? Is it just the very top person?

The director of each individual clinic or facility (such as a student health center, student counseling center, or athletic training facility) is a reporting officer. Therefore, if the counseling center is housed in the student health center, there may be only one director. If the two centers are separate, or if the director of counseling doesn’t report to the director of student health services (or equivalent title), the two directors would both be reporting officers.

Similarly, if the head athletic trainer or sports medicine director reports to the athletic director, and not through student health, the head athletic trainer also would be a reporting officer, and so on. However, if a clinic or facility has an executive director and numerous subordinate directors (such as a director of women’s health or director of nutrition), only the executive director would be considered a reporting officer for purposes of the endorsement.

8. How will UE treat *confidentiality requirements*, especially for directors of “any dispensary, clinic, infirmary, student health center, athletic facility, or similar facility” who may be barred by law or their professional licensing boards from reporting incidents to UE?

For allegations of serial sexual misconduct with adult victims, we expect reporting officers to report to UE to the maximum extent permitted by law. The institution and reporting officer will not lose coverage if they are prohibited by law from reporting. However, the burden is on the reporting officer to know state law requirements and any legal limitation on reporting requirements. So, if they incorrectly fail to report on the grounds of confidentiality, and it is later determined that they failed to report for the wrong reasons, coverage may be denied.

UE requires reporting suspected child molestation to the appropriate law enforcement agency, child protective services, or state agencies. Typically, state laws mandate reporting of suspected sexual abuse of minors by those in the medical or mental health professions. However, UE recognizes that both confidentiality and reporting requirements vary by state. Regardless of state law requirements, UE requires that all incidents involving minors be reported to law enforcement and UE. We emphasize that UE accepts anonymous or “John Doe/Jane Doe” reports when appropriate. See the answer to Question 11 below.

While even a perceived breach of confidentiality from medical providers could potentially erode trust, it is imperative for institutions to balance the victim’s desire for confidentiality, the safety of the entire campus community, and legal obligations to report serial sexual abuse and molestation. The ability to create a safe environment is hampered when allegations are not reported to proper authorities and investigated.

9. Does the expanded “reporting officer” definition include directors of clinics and others when those services are contracted out in their entirety?

A facility providing medical services maintained principally for use by the educational institution’s students or employees (such as an infirmary, counseling center, or athletic training facility) can take many forms. It can be located on educational institution property or at a third-party location. It can be staffed by employees of the institution or have some staff, or the entire operation can be outsourced to a third party. No matter what the form, if it qualifies for coverage under your institution’s policies, it falls within the scope of UE’s sexual abuse and molestation application and coverage changes.

The definition of reporting officer as it applies to such facilities focuses on the role that a person fills for the institution. If an institution contracts out a specific function in part or in its entirety, the director of that facility will be considered a reporting officer whether or not the director is an employee of the institution.

There is one caveat: If the institution makes clear to the public that it is referring students to a third-party medical provider that is off-campus and which the educational organization does not operate, control, have a contractual arrangement with, or otherwise run, such that the institution cannot be said to “maintain” the clinic or facility, the director of that facility will not be considered a reporting officer under UE’s insurance policy.

Reporting to UE

10. Why do I have to report knowledge of every incident of sexual abuse or molestation to UE, independent of any investigation or findings of misconduct or liability?

Incident reporting always has been a requirement of UE’s policies. We are re-emphasizing the importance of reporting, as UE and our members work to identify patterns and reduce incidents of serial abuse.

11. How do I report incidents to UE if the victim requests confidentiality?

Requests for confidentiality should not deter incident reporting to UE. Using a unique identifier, such as the victim’s initials, is acceptable as long as both UE and the member are able to use consistent initials (such as A.R.D. versus A.D.) when the same victim is involved in multiple reports.

These FAQs are intended to provide a general summary of United Educators’ underwriting changes and do not constitute legal or medical advice. Coverage is provided only by the terms, conditions, and limitations in the actual insurance policy issued by United Educators.



For more information, visit [UE.org](https://ue.org) or call (800) 346-7877.

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Action Guide for Improving Sexual Abuse Prevention and Response Efforts

Higher Education Institutions

This guide is intended to help United Educators (UE) members strengthen their efforts to prevent and respond to sexual abuse. It suggests key actions institutions should take, but is not a comprehensive list of policy provisions or practices addressing this issue. UE members can find more detailed assistance—including checklists on conducting background screens of employees, managing campus contractors, training on VAWA/Campus SaVE Act compliance, and setting behavioral standards for individuals who work with minors—by following the “UE Resource Pages” links at the end of the guide.

Key Definitions

Sexual abuse refers to two broad types of sexual misconduct by employees and others who are affiliated with an institution but are not students. Specifically, sexual abuse means (1) child molestation or (2) serial sexual misconduct.

Child molestation means any actual or alleged illegal or otherwise wrongful sexual conduct with a minor. **Serial sexual misconduct** means any actual or alleged illegal or otherwise wrongful sexual conduct (1) with more than one victim and (2) committed by, or alleged to have been committed by, faculty, staff or volunteers affiliated with an institution.

This guide will address how higher education institutions can strengthen their prevention of and response to both types of sexual abuse. Because many institutions need to prevent sexual abuse of adult college students and minors who are on campus for activities such as summer camps, the guide covers policies, training, and investigations to address both areas.

As used in this guide, “employees” means all individuals employed directly by an institution either full time or part time; it includes all faculty, staff, and adjuncts.

Policies

It is not necessary for institutions to have a separate policy on sexual abuse, but important items should be addressed in written policy language. Materials that could contain the critical elements, or might be revised to do so, include:

- General nondiscrimination or anti-harassment policies
- Policies concerning consensual relationships between employees and students
- Employee and faculty/teacher handbooks, codes of conduct, or discipline policies
- Civility, ethics, or professionalism codes of conduct
- Codes of conduct for trustees or directors
- Social media use policies
- Travel and study abroad policies
- Employment contracts

When writing or revising policies, institutions should seek advice from experienced attorneys who are familiar with their state laws. The following checklist is designed to help institutions assess their current policies relevant to sexual abuse and identify any deficiencies that need to be corrected.

Policies Relating to Minors on Campus

■ Does your institution have written policy language:

- Prohibiting sexual abuse of minors by adults affiliated with the institution, specifically including:
 - All employees, regardless of their role, tenure with the institution, or compensation?
 - All volunteers who work with minors?
 - Medical personnel working at any dispensary, clinic, infirmary, student health center, athletic facility, or similar facility operated by the institution and primarily used by students?
- Explaining the scope of the sexual abuse prohibition (i.e., all on-campus activities and institution-sponsored activities off-campus)?
- Explaining the application of Title IX?
- Defining “minors” under your state’s law?
- Stating that the institution will comply with all state mandated reporting laws relating to minors?

- Identifying and explaining the obligations of mandated reporters under state law?
- To the extent consistent with state law, requiring all faculty, staff, and volunteers affiliated with the institution to report internally to the institution any knowledge or reasonable suspicion about sexual abuse perpetrated against a minor by another adult affiliated with the institution?

Note: UE believes that, in addition to actual knowledge, “reasonable suspicion” is generally an appropriate standard to use. Because the meaning of that term depends on the facts of each case, and also because state law controls any specific standard for when an individual should report potential sexual abuse of minors, schools with concerns about this point should consult an experienced local attorney.

- Explaining the procedure for making internal reports, including identifying the offices or persons designated to handle them?
- Stating that individuals who fail to comply with the internal reporting requirement will face discipline up to and including termination?

Policies (continued)

- Identifying positions at the institution (e.g., Title IX Coordinator) that are responsible for reviewing reports of sexual abuse to look for trends or patterns, including serial perpetrators?
- Stating that when the institution receives an internal report of sexual abuse of a minor, the institution will promptly report the sexual abuse to:
 - All authorities designated under state law, such as municipal or local (i.e., non-campus) police and child protective services or a similar agency?
 - The minor's parents or guardians?
 - The institution's insurance carriers as necessary (as a claim or incident)?
- Stating that all internal reports of sexual abuse by one perpetrator against multiple minors will be reported promptly to:
 - The Board of Trustees or equivalent?
 - The President?
 - The Title IX Coordinator?
 - Human Resources?
 - Any employee primarily responsible for risk management or compliance?

Policies Relating to Adult College Students

- Does your institution have written policy language:
 - Prohibiting sexual abuse of college students by non-student adults affiliated with the institution, specifically including:
 - All employees, regardless of their role, tenure with the institution, or compensation?
 - All volunteers who work with college students?
 - Medical personnel working at any dispensary, clinic, infirmary, student health center, athletic facility, or similar facility operated by the institution and primarily used by students?
 - Explaining the scope of the sexual abuse prohibition (i.e., all on-campus activities and institution-sponsored activities off-campus)?

- Explaining the application of:
 - Title IX?
 - VAWA/Campus SaVE Act?
- To the extent consistent with state law, requiring all faculty, staff, and volunteers affiliated with the institution to report internally to the institution any knowledge or reasonable suspicion about sexual abuse perpetrated against one or more students by another non-student adult affiliated with the institution?

Note: UE believes that, in addition to actual knowledge, "reasonable suspicion" is generally an appropriate standard to use. Because the meaning of that term depends on the facts of each case, institutions with concerns about this point should consult an experienced local attorney.

- Explaining the procedure for making these internal reports, including identifying the offices or persons designated to handle them?
- Stating that individuals who fail to comply with the internal reporting requirement will face discipline up to and including termination?
- Identifying positions at the institution (e.g., Title IX Coordinator) that are responsible for reviewing reports of sexual abuse to look for trends or patterns, including serial perpetrators?
- Stating that when the institution receives an internal report of sexual abuse of a student, the institution will promptly report the sexual abuse to its insurance carriers as necessary?
- Stating that all internal reports of sexual abuse by one perpetrator against multiple students will be reported promptly to:
 - The Board of Trustees or equivalent?
 - The President?
 - The Title IX Coordinator?
 - Human Resources?
 - Any employee primarily responsible for risk management or compliance?

Training

Well-crafted policy language prohibiting sexual abuse of minors or adult college students and establishing clear behavioral standards for employees, volunteers, and others affiliated with an institution is necessary but not sufficient to stop such abuse. In addition, institutions need to implement comprehensive training that explains the policy, how it applies to employees and other affected individuals, and the potential consequences of violations.

This checklist will help institutions evaluate their training for any deficiencies. Members that want help creating a customized training plan should consider contacting an attorney or consultant experienced in working with higher education institutions on sexual abuse issues.

Does the school have a training program that covers:

- The institution's prohibition of sexual abuse of:
 - Minors?
 - Adult college students?
- A requirement that individuals report all known or reasonably suspected sexual abuse internally (i.e., to the institution), including an explanation of:
 - The type of conduct they are required to report?
 - How to make the reports, including when and to whom?
 - Potential penalties, such as suspension or termination, for failing to make such reports?
- For individuals who are mandated reporters under state law (for sexual abuse of minors), an explanation of:
 - The type of conduct they are required to report?
 - How to make the reports, including when and to whom?
 - Potential penalties, such as suspension or termination, for failing to make such reports?
- Other administrators?
- Campus police or security?
- Risk managers and other compliance professionals?
- Faculty?
- Athletic trainers?
- Bus or shuttle drivers?
- Staff of any dispensary, clinic, infirmary, student health center, athletic facility, or similar facility the Institution maintains to provide medical, athletic training, or psychological mental health counseling services principally for its employees or students?
- Other employees (e.g., administrative and support staff, janitors or other housekeeping staff, and groundskeepers)?
- Members of the institution's board of trustees, board of directors, or similar body?
- All volunteers who work directly with minors or adult college students?

Does the institution provide the training to:

- All employees, including:
 - Reporting Officers, meaning those in these positions or equivalent:
 - President or Chancellor?
 - Provost or Chief Academic Officer?
 - VP of Finance, Chief Financial Officer, VP of Administration, or Chief Business Officer?
 - VP of Legal Affairs or General Counsel?
 - VP of Student Affairs?
 - Title IX Coordinator?
 - Athletic Director?
 - Director of any dispensary, clinic, infirmary, student health center, athletic facility, or similar facility maintained by an institution to provide medical, athletic training, or psychological mental health counseling services principally for use by its employees or students?

Does the institution require in writing that third-party contractors:

- Train their employees who will have unsupervised access to either minors or adult college students on the institution's prohibition of sexual abuse and the internal reporting requirements?
- Provide written confirmation that the training was conducted, and for whom?

Does the institution provide copies of the UE publication **"Safeguarding Our Communities From Sexual Predators: What College Presidents and Trustees Should Ask"** to its:

- President?
- Head of Student Affairs or Student Life?
- Chair of the board of trustees or board of directors?

Investigations

Beyond their policy language and training, institutions should carefully review their investigation practices in response to alleged sexual abuse of either minors on campus or adult college students. Ignoring such allegations is never appropriate, nor is prematurely closing an investigation solely because an alleged victim or an alleged perpetrator (or both) denies the abuse occurred. An institution does not need a separate process for sexual abuse investigations, as long as it has an investigation process that includes the elements below. The checklist will help institutions examine their investigation protocols and determine whether they need revisions, ideally in consultation with an experienced attorney.

When the institution receives a complaint, report, or otherwise becomes aware of alleged sexual abuse of either minors or adult college students, does it make an initial assessment to determine whether:

- The matter should be reported to the police, child protective services, or other authority designated under state law (for sexual abuse of minors)?
- The institution has sufficient information to conduct an internal investigation, including documenting reasons an investigation is not possible (e.g., no names or dates were provided)?

Does the institution have a written process governing sexual abuse investigations, including:

- A statement that all investigations will be thorough and impartial?
- A general description of the investigation process, including what types of evidence may be collected and from whom?
- An explanation of who conducts investigations and how investigators are selected?

- Whether the investigator will prepare a written report, and if so, to whom the report is provided?
- A statement that all employees are expected to cooperate with investigations?

Does the institution ensure all investigators, whether they are employees or external investigators:

- Have the necessary experience and training to conduct a fair and impartial investigation?
- Have no stake or interest in the outcome of the particular investigation?
- Have the skills required to communicate effectively with a variety of individuals, such as alleged victims and perpetrators, potential witnesses (both minors and adults), other administrators and employees, parents, and law enforcement authorities?
- Are familiar with the institution's applicable policies and relevant state laws?
- Are prepared to coordinate with local police, child protective services, or other authorities as necessary?

United Educators has extensive risk management resources to address sexual abuse prevention and response. Explore these offerings:

- **Online Trainings** addressing sexual misconduct on campus
- **Risk Advice** offered through email, responding to questions about UE resources or your risk management activities
- **Risk Management Premium Credit** program emphasis on Protecting Minors or Preventing Student Sexual Violence

Please note: Check with your broker on eligibility for accessing the services above. Contact risk@ue.org for further information about support available to your institution.

UE Resource Pages

- [Title IX and VAWA/Campus SaVE Act Resources](#)
- [Employee on Student Sexual Misconduct in Higher Ed](#)

United Educators (UE), a reciprocal risk retention group, is a licensed insurance company owned and governed by nearly 1,600 members representing thousands of schools, colleges, and universities throughout the United States. Our members range from small independent schools to multicampus public universities. UE was created in 1987 on the recommendation of a national task force organized by the National Association of College and University Business Officers. Our mandate is to provide schools, colleges, and universities with a long-term, stable alternative to commercial liability insurance.

United Educators is Rated A (Excellent) by A.M. Best.

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**LAKE-SUMTER STATE COLLEGE
BOARD RULE**

TITLE: Equity

NUMBER 2.02

AUTHORITY: Title VII, Civil Rights Acts of 1964
 Title IX of the Education Amendments of 1972
 The Florida Civil Rights Act, The Clery Act
 The Violence Against Women Act, F.S. 1000.05.

PAGE 1 of 1

HISTORY: New - 04/15/87
 AMENDED: 06/19/96, 06/20/01, 09/20/05, 06/24/13, 09/16/15
 DATE ADOPTED: 9/ 16/15

REFERS TO ADMINISTRATIVE PROCEDURE NUMBER 2-07

- a. The District Board of Trustees affirms adherence to equal access/equal opportunity in accordance with the provisions of the Florida Educational Equity Act (FS1000.05), Title IX and all other relevant state and federal laws, rules, regulations and executive orders.
- b. Lake-Sumter State College is committed to non-discrimination based on race, color, sex, ethnicity, gender, national origin, age, disability, genetic information, marital status, veteran status, religion, sexual orientation, political affiliation and pregnancy. This commitment applies in all areas to applicants, visitors, students, faculty, administrators, staff, and others affiliated with the College.
- c. The President shall provide equal access and equal opportunity for all services made available by the College and to conduct all employment programs, policies and practices, educational programs, training and activities in a non-discriminatory manner.
- d. The President or designee shall provide for hearing and responding to complaints dealing with alleged misconduct and/or discrimination made by an employee, a student, an outside contractor, an applicant for employment, admission to the College and all others affiliated with the College.
- e. The President or designee shall ensure that College rules and procedures are established and implemented that identify specific actions to ensure the safety and security of all affiliated with and/or in attendance at any College sponsored, College-affiliated and College sanctioned activities and events in accordance with all relevant state and federal laws, rules, regulations and executive orders.
- f. The District Board of Trustees intends that a prompt and equitable resolution of any allegation be

reached through a procedure (process) that is free of coercion, interference, restraint, discrimination, retaliation, harassment or reprisal and that affords the complainant adequate opportunity to resolve the complaint.

**LAKE-SUMTER STATE COLLEGE
BOARD RULE**

TITLE: Sexual Harassment

NUMBER: 2.06

AUTHORITY: Title VII, Civil Rights Act of 1964
Florida Statutes 1000.05

PAGE: 1 of 2

HISTORY: New - 8/16/89

AMENDED: 4/20/94, 6/19/96, 6/16/99, 6/20/01, 9/20/05, 10/20/09

DATE ADOPTED: 10/20/09

REFERS TO ADMINISTRATIVE PROCEDURE NUMBER 2-07

I. GENERAL

Sexual harassment is a form of discrimination that violates Title VII of the Civil Rights Act of 1964.

Florida Statute 1000.05, which may be cited as the "Florida Educational Equity Act," states that "discrimination against students and employees in the Florida K-20 public education system (is) prohibited."

The law defines sexual harassment as any form of unwelcome sexual advances or requests for sexual favors, or any conduct of a sexual nature when such conduct creates to a reasonable person an intimidating or offensive working or educational environment, or interferes with work performance or educational opportunities. Sexual harassment can be physical (touching, gesturing), verbal (requests for a date or favors, lewd sounds, jokes), or visual (photos, posters); and the victim does not have to be of the opposite sex.

The District Board does not tolerate any form of sexual harassment by its students, employees, applicants for admission and employment, and persons doing business with Lake-Sumter State College.

Violation of this Rule by a student or an employee shall be grounds for disciplinary action up to and including dismissal for a student and termination for an employee.

Violation of this Rule by a non-student or non-employee shall be grounds for being barred from campus and/or from doing business with the College.

BOARD RULE 2.06**PAGE 2 OF 2**

Students or employees who are found to have intentionally filed a false sexual harassment complaint will be disciplined up to and including dismissal if a student and termination if an employee.

The District Board authorizes the President to establish procedures to protect students and employees from sexual harassment while they are in the pursuit of their academic goals, duties and/or responsibilities.

II. RETALIATION

Retaliation against any person, student or employee, who has reported a complaint of sexual harassment, or who has cooperated in the investigation of a complaint of sexual harassment, is a violation of this Rule.

A student or employee of the College who retaliates in any manner against another student or employee will be disciplined up to and including dismissal for a student or termination for an employee.

III. REPORTING, INVESTIGATION AND RESOLUTION

A complaint of sexual harassment may be filed at any time and shall be immediately investigated. If such harassment is found to exist, a prompt resolution of the matter shall take place. The confidentiality of allegations of sexual harassment shall be protected to the fullest extent possible.

Information on proper procedures for investigation and resolution of a sexual harassment complaint can be found in the Administrative Procedures Manual, PRO 2-07. The time limit for filing a discrimination complaint of any kind with the Equal Employment Opportunity Commission (EEOC) is 180 days after the violating act. A complaint of discrimination must be filed with the Florida Commission of Human Relations within 365 days of the violating act (see Section 760.11, Florida Statutes).

Students, employees and third parties are encouraged to promptly report complaints of sexual harassment to:

Office of Equity and Diversity
Williams Johnson Administration Bldg.
Lake-Sumter State College
9501 U. S. Highway 441
Leesburg, FL 34788-3950
352/365-3592

Director Human Resources
Williams Johnson Administration Bldg.
Lake-Sumter State College
9501 U. S. Highway 441
Leesburg, FL 34788-3950
352/323-3680

**LAKE-SUMTER STATE COLLEGE
ADMINISTRATIVE PROCEDURE**

TITLE: DISCRIMINATION, HARASSMENT, AND RELATED MISCONDUCT

Number: PRO 2-21

REFERENCE: Board Rules 2.02 (Equity) and 2.06 (Sexual Harrassment)

Page: 1 of 28

I. PURPOSE

The purpose of this policy is to define, generally, prohibited conduct related discrimination, harassment and related misconduct, including sexual and gender-based harassment, sexual assault, sexual exploitation, interpersonal violence, stalking, complicity, and retaliation and outline the processes by which acts of misconduct are addressed, including investigations and disciplinary action.

Lake-Sumter State College ("the College") has an obligation to make reasonable efforts to investigate and address known or suspected instances of Prohibited Conduct. To foster a climate that encourages prevention and reporting of Prohibited Conduct, the College will actively promote prevention efforts, educate the College Community, respond to all reports promptly, provide Interim protective measures to address safety and emotional well-being, and act in a manner that recognizes the inherent dignity of the individuals involved.

These internal procedures provide mechanisms for students, faculty, and staff to receive a fair investigation and hearing on issues. Students/employees are not required to exhaust these procedures with regard to any report alleging violation before pursuing remedies outside the College with any applicable external enforcement agencies, including the Equal Employment Opportunity Commission, the Florida Commission on Human Relations, and the Office for Civil Rights of the Department of Education, the Department of Justice, and the Department of Labor.

II. NOTICE OF NON-DISCRIMINATION BASED ON PROTECTED STATUS

It is the College's policy to provide equal opportunity for employment and educational opportunities to all applicants for employment, employees, applicants for admission, students, and others affiliated with the College, without regard to race, ethnicity, color, national origin, age, religion, disability, marital status, sex/gender, genetic information, sexual orientation, gender identity, and any other factor protected under applicable federal, state, and local civil rights laws, rules and regulations (collectively referred to as "Protected Status"). The College's protection of these statuses is grounded in federal, state, and local laws.

- a. The College encourages all community members to take reasonable and prudent actions to prevent or stop Prohibited Conduct. Acting may include direct intervention when safe to do so, seeking assistance from a person in authority at the College, enlisting the assistance of

others, contacting law enforcement, or contacting LSSC Security. Members of the College Community who exercise this responsibility will be supported by the College and protected from retaliation.

III. PROHIBITED CONDUCT

The College strives to be a community in which all members can learn and work in an atmosphere free from all forms of harassment, including sexual harassment, discrimination, intimidation and/or retaliation. This procedure prohibits all forms of discrimination and harassment based on Protected Status, including (as defined in Appendix A), race, color, national origin, ethnicity, age, religion, disability, marital status, sex/gender, genetic information, sexual orientation, gender identity, and any other factor protected under applicable federal state, and local civil rights laws, rules and regulations. In addition, this procedure prohibits related misconduct, including sexual assault sexual exploitation, interpersonal violence, stalking, complicity, and retaliation. It expressly, therefore, also prohibits sexual assault and sexual exploitation, which by definition involve conduct of a sexual nature and are prohibited forms of sexual or gender-based harassment. This Procedure further prohibits stalking and interpersonal violence, which need not be based on an individual's Protected Status. Finally, this Procedure prohibits complicity for knowingly assisting in an act that violates this procedure and retaliation against an individual because of his or her good faith participation in the reporting, investigation, and/or adjudication of violations of this procedure. These behaviors are collectively referred to in this procedure as Prohibited Conduct.

Consistent with the definitions provided in Appendix A, conduct that constitutes discrimination and harassment based on Protected Status:

- may be blatant and involve an overt action, threat, or reprisal; or may be subtle and indirect, with a coercive aspect that is unstated but implied;
- may or may not include intent to harm;
- may not always be directed at a specific individual;
- may be committed by anyone, regardless of Protected Status, position, or authority;
- may be committed by a stranger, an acquaintance, or someone with whom the Reporting Party has a current or previous relationship, including a romantic or sexual relationship;
- may be committed by or against an individual or by or against an organization or group
- may occur in the classroom, in the workplace, or in any other setting;
- may be a pattern of behavior or, if sufficiently severe, a one-time event;
- may be committed in the presence of others, when the Reporting Party and Responding Party are alone, or through remote communications, including email, text messages, or social media;
- may take the form of threats, assault, property damage, economic abuse, and violence or threats of violence;
- may include harassing or retaliatory behavior directed to a sexual or romantic partner, family member, or friend of the Reporting Party.

IV. SEXUAL OR GENDER-BASED HARRASSMENT

Title IX of the Education Amendments of 1972 states that "No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance “.

Sexual or gender-based harassment, sexual assault, sexual exploitation, and retaliation, as defined in this procedure, are prohibited forms of discrimination under Title IX, which covers all of the College's programs and activities. Like racial, religious, and national origin harassment, sexual or gender-based harassment and sexual violence are also prohibited under Title VII of the Civil Rights Act of 1964, Section 760 et al, F.S., and other applicable laws.

The College's prohibition against interpersonal violence (including domestic and dating violence) and stalking is also governed by federal law because these forms of behavior are prohibited by the Jeanne Clery Disclosure of Campus Security and Campus Crime Statistics Act, 20 U.S.C. § 1092(f) (the Clery Act) and Section 304 of the Violence Against Women Reauthorization Act of 2013. Such acts violate the essential dignity of our College Community and are contrary to our institutional values.

The College, as an educational community, will promptly and equitably respond to reports of sexual assault, interpersonal violence, and stalking in order to eliminate the harassment, prevent its recurrence, and address its effects on any individual or the community.

V. SCOPE AND APPLICABILITY OF THE PROCEDURE

a. Individuals covered by this procedure:

All members of the College Community are responsible for conducting themselves in accordance with this procedure and other College rules and procedures. LSSC students and employees who violate this procedure may face discipline up to and including expulsion or termination. This procedure and associated procedures apply to the conduct of and protect College students, employees, interns, volunteers, and visitors. The non-discrimination provisions also apply to contractors and other third parties under circumstances within the College's control.

b. Locations covered by this procedure:

This Procedure applies to all Prohibited Conduct that occurs on campus (including campuses, centers, and other property owned or leased by the College). It also applies to Prohibited Conduct that occurs off campus, including online or electronic conduct, if the conduct occurs in the context of an employment or education program or activity of the College, has continuing adverse effects at the College, or has continuing adverse effects in an off-campus employment or education program or activity of the College. Examples of covered off campus conduct include conduct that occurs at College-sponsored events and

activities, during college-sponsored travel, or In internship/ or experiential learning programs.

In determining whether the College has jurisdiction over off-campus conduct that is not part of an employment or educational program or activity of the College, and in evaluating "continuing adverse effects" the Title IX Coordinator will consider the seriousness of the alleged conduct, the risk of harm involved, whether both parties are members of the campus community, whether the off-campus conduct is part of a series of actions that occurred both on and off campus, the nature/scope of the continuing effect on campus, and whether the alleged conduct has created a hostile environment.

Regardless of when, where, and with whom the conduct occurred, the College will offer reasonably available resources and assistance to individuals covered by this Procedure who report or experience Prohibited Conduct. In cases of Sexual Assault, Interpersonal Violence, and Stalking, if the Responding Party is not a member of the College Community, the College will also assist the Reporting Party in identifying and contacting external law enforcement agencies and community resources.

VI. **DEFINITIONS**

Appendix A includes a complete glossary of terms.

VII. **ANNUAL REVIEW**

This Procedure is maintained by the Title IX Coordinator. The Title IX Coordinator will review this Procedure on at least an annual basis. The review will capture evolving legal requirements, evaluate the support and resources available to the parties, and assess the effectiveness of the resolution process (including the fairness of the process, the time needed to complete the process, and the sanctions and remedies imposed).

VIII. **RELATED POLICIES**

There may be relevant information in other College policies. Where that information conflicts with information in this Procedure, this Procedure will control. This Procedure shall apply to all reports alleging violation made on or after May 1, 2019 regardless of when the conduct is alleged to have occurred. This Procedure supersedes any policies and procedures to the contrary.

IX. **REPORTING PROHIBITED CONDUCT**

a. Reporting Responsibilities

1. Title IX Coordinator - The College's Title IX Coordinator is responsible for the consistent application of the procedure to all individuals and ensures that the College responds promptly and equitably to eliminate the harassment, prevent its recurrence, and eliminate its effects. The Title IX Coordinator may designate Deputy Title IX Coordinators to act in the absence of the Title IX Coordinator. Although there are other reporting options, described

below, all reports are referred to the Title IX Coordinator.

2. **Responsible Employees** - All College employees are considered Responsible Employees and have an obligation to make reasonable efforts to report instances of known or suspected prohibited conduct. All College employees are required to safeguard an individual's privacy. All employees and Campus Security Authorities who have information or receive a report of Prohibited Conduct must immediately share with the Title IX Coordinator all known details of an incident. No identifying information with respect to a Reporting Party, however, will be entered in the College's daily crime log or annual security report, or released in a timely warning or community notification.
3. **Students and Guests to our properties** - All students (who are not otherwise required to report as a Responsible Employee) and guests to our college properties are strongly encouraged to report any information, including reports or partial reports, to the Title IX Coordinator or Campus Security Authorities.
4. **Reports Involving Minors** - Florida law requires any person who knows, or has reasonable cause to suspect, that a child (under 18 years of age) is abused, abandoned, or neglected, to immediately report such knowledge or suspicion to the Florida Department of Children and Family Services (DCF). In addition, Florida law prohibits any person from knowingly and willfully preventing another person from meeting his or her reporting obligation to DCF. Any person may contact local law enforcement authorities to make a report of suspected child abuse at any time; however, this does not negate the statutory obligation to first report to DCF. Claimants should also complete an LSSC Incident Report. The College will share all applicable reports with DCF.
5. **Filing a Report of Misconduct** - Although the College requires that all employees report Prohibited Conduct, the College also encourages all other individuals to report Prohibited Conduct to the College and, if appropriate, to local law enforcement. Both College and criminal reports may be pursued simultaneously. A report of misconduct may be made in person, by telephone, in writing, by email, or by other electronic means. Reports may be anonymous. All reports will be shared with the Title IX Coordinator.

The College will make every effort to respect an individual's autonomy in making the determination as to how to proceed, and as described below, will balance agency and autonomy with the College's obligation to provide a safe and non-discriminatory learning and working environment. Resources are available to support the Reporting Party regardless of the course of action chosen. All individuals are encouraged to make a report, regardless of when, where, or with whom the incident occurred, and to seek any necessary assistance from college or community resources.

- b. **Emergency and External Reporting Options for Reports of Sexual Assault, Sexual Exploitation, Interpersonal Violence, and Stalking**

The College encourages all individuals to seek assistance from law enforcement and/or a medical provider as soon as possible after an incident of sexual assault, sexual exploitation, interpersonal violence, or stalking to ensure the preservation of evidence and to begin a timely investigation and remedial response. Contacting law enforcement does not automatically lead to the filing of criminal charges, and a Reporting Party may discuss available options with local authorities. The College will assist any College Community

member in utilizing community resources to obtain a safe place and will provide transportation to the hospital or law enforcement agency if requested, coordination with a law enforcement investigation, and information about on- and off-campus resources and options for resolution if so desired.

c. Timeliness of Report, Location of Incident

Reporting Parties and third-party witnesses are encouraged to report discrimination, harassment, sexual and gender-based harassment, sexual assault, sexual exploitation, stalking, interpersonal violence, complicity, and retaliation as soon as possible. There is no time limit on reporting violations of this procedure. If the Responding Party is no longer a student or employee at the time of the report, the College may not be able to take disciplinary action against the Responding Party, but it will still seek to meet its Title IX obligation by providing support for a Reporting Party and taking steps to end the discrimination or harassment, prevent its recurrence, and address its effects. An incident does not have to occur on campus to be reported to the College. See "Locations Covered by This Procedure" (Section V).

d. Anonymity, Privacy, Confidentiality, and College Obligations

The College will seek action consistent with the Reporting Party's request where possible. Where a Reporting Party makes a report but requests that a name or other identifiable information not be shared with the Responding Party or that no formal action be taken, the College will balance this request with its dual obligation to provide a safe and non-discriminatory environment for all College community members and to remain true to principles of fundamental fairness that require notice and an opportunity to respond before action is taken against a Responding Party. For any report under this procedure, every effort will be made to respect and safeguard the privacy interests of all individuals involved in a manner consistent with the need for a careful assessment of the report and any necessary steps to eliminate the conduct, prevent its recurrence, and address its effects.

Anonymity, privacy and confidentiality have distinct meanings under this Procedure as detailed below.

1. Anonymity- The College will take all reasonable steps to investigate and respond to the report alleging violation consistent with a request for anonymity or request not to pursue an investigation, but its ability to do so may be limited based on the nature of the request by the Reporting Party. The College will assess any barriers to proceeding, including Retaliation, and will inform the Reporting Party that Title IX prohibits Retaliation and the College will take strong responsive action to protect the Reporting Party. Where the College is unable to act consistent with the request of the Reporting Party, the Title IX Coordinator will communicate with the Reporting Party about the College's chosen course of action, which may include the College's choosing to pursue action against a Responding Party on its own behalf. Alternatively, the College may take non-disciplinary measures to remedy and limit the effects of the misconduct and prevent any recurrence while protecting the identity of the Reporting Party.
2. Privacy- Privacy generally means that information related to a report under this Procedure will be shared only with those College employees who need to know in order to assist in the active review, investigation, or resolution of the report. While not bound by confidentiality, these individuals will be discreet and respect the privacy of all individuals involved in the process. If the decision is made to pursue disciplinary action

PROCEDURE 2-21**PAGE 7 OF 28**

against a Responding Party, information related to the report will be shared with the Responding Party. Information regarding a report may be shared with either party's parents or guardians as may be authorized under the Family Education Rights and Privacy Act (FERPA).

3. Confidentiality- Confidentiality means that information shared with designated community professionals, referred to in this Procedure as External Confidential Resources, will be disclosed only with the individual's express written permission. External Confidential Resources will not share information about an individual (including whether that individual has received services) with anyone, including the College, without the individual's express written permission, unless there is a continuing threat of serious violence to the patient/client or to others, or there is a legal obligation to reveal such information (e.g., suspected abuse or neglect of a minor). There are no College employees with legally-protected confidentiality. However, the College provides students and employees with access to External Confidential Resources (see Appendix C).

X. INITIAL ASSESSMENT

- a. Within two business days of receiving the report, the Title IX Coordinator, or Deputy Coordinator, will conduct an initial assessment. The goal of this assessment is to provide an integrated and coordinated response to reports of discrimination, harassment, sexual harassment, sexual assault, sexual exploitation, stalking, interpersonal violence, complicity, and retaliation. The assessment will consider the nature of the report, the safety of the individual and of the campus community, the Reporting Party's expressed preference for resolution, and the necessity for any interim remedies or accommodations to protect the safety of the Reporting Party or the community.
- b. In the course of the initial assessment, the Title IX Coordinator, or Deputy Coordinator, will consider the interest of the Reporting Party and the Reporting Party's expressed preference for manner of resolution. Where possible and as warranted by an assessment of the facts and circumstances, the Title IX Coordinator will seek action consistent with the Reporting Party's request.
- c. As part of the Initial Assessment, the Title IX Coordinator, or Deputy Coordinator, may, as appropriate given the facts and circumstances of each reported matter:
 1. Assess the nature and circumstances of the allegation.
 2. Address immediate physical safety and emotional well-being.
 3. Notify the Reporting Party of the right to contact, or decline to contact, law enforcement and seek medical treatment.
 4. Notify the Reporting Party of the importance of preservation of evidence.
 5. Assess whether the reported matter involves minors and if so, follow the reporting guidelines set forth above.
 6. Enter the report into the College's daily crime log, but omit the Reporting Party's name and other identifying information.
 7. Assess the reported conduct for the need for a timely warning under the Clery Act.
 8. Provide the Reporting Party with information about on- and off-campus resources.
 9. Notify the Reporting Party of the range of interim accommodations and remedies.
 10. Provide the Reporting Party with an explanation of the procedural options, including

remedies-based resolution and discipline-based resolution.

11. Receive information identifying the respective advisors (if any) for the Reporting Party and Responding Party.
12. Assess for pattern evidence or other similar conduct by Responding Party.
13. Discuss the Reporting Party's expressed preference for manner of resolution and any barriers to proceeding.
14. Explain the College's Procedure prohibiting Retaliation to the Reporting Party and Responding Party.

XI. INTERIM PROTECTIVE MEASURES

- a. When a report is received, the Title IX Coordinator will impose reasonable and appropriate Interim Protective Measures when necessary to protect the safety of the parties or witnesses involved. Where the report of Prohibited Conduct poses a substantial and immediate threat of harm to the safety or well-being of an individual, members of the campus community, or the performance of normal College functions, the student or student organization may be placed on interim suspension. Employees may also be placed on leave or on an interim suspension. The range of Interim Protective Measures includes:
 1. Assistance in setting up initial appointments off campus;
 2. Imposition of a trespass warning or a campus "No-Contact Order";
 3. Rescheduling of exams and assignments;
 4. Providing alternative course completion options;
 5. Change in class schedule, including the ability to drop a course without penalty or to transfer sections;
 6. Change in work schedule, work location, or job assignment;
 7. Limiting or prohibiting access to College facilities or activities pending resolution of the matter;
 8. Leave of absence (voluntary or involuntary);
 9. Providing an escort to ensure safe movement between classes and activities;
 10. Providing academic support services, such as tutoring;
 11. College-imposed leave, suspension, or separation for the Responding Party;
 12. Any other measure which can be tailored to the involved individuals to achieve the goals of this Procedure.
- b. Interim Protective Measures may be applied at any time-for the Reporting Party, the Responding Party, and other involved individuals as appropriate to ensure their safety and well-being. Interim Protective Measures may be requested by the parties or imposed by the College at any time regardless of whether any particular course of action is sought by the Reporting Party. Interim measures will be kept private to the extent practical. Notification of Interim Protective Measures will be provided to both the Reporting Party and the Responding Party.
- c. Interim Protective Measures are initiated based on information gathered during a report and generally are not intended to be permanent resolutions, hence, they may be amended, withdrawn, or made permanent. The Title IX Coordinator will maintain consistent contact with the parties so that safety, emotional, and physical well-being concerns can be reasonably addressed. The Title IX Coordinator will take appropriate, responsive, and prompt action to enforce Interim Protective Measures and/or to respond to retaliation by

another party or witness.

- d. Pending resolution of the report, the individual or organization may be denied access to campus, campus facilities, and/or all other College activities or privileges for which they might otherwise be eligible, as the College determines appropriate. When interim suspension or leave is imposed, the College will make reasonable efforts to complete the investigation and resolution within an expedited time frame.

XII. DETERMINATION TO PROCEED TO REMEDIES-BASED RESPONSE OR INVESTIGATION

- a. At the conclusion of the Initial Assessment, the Title IX Coordinator will determine the appropriate manner of resolution, which may include remedies-based resolution or the initiation of an investigation to determine if disciplinary action is warranted. The Title IX Coordinator has the discretion to determine which method of resolution is appropriate. Any individual wishing to explore alternative resolution methods is encouraged to discuss these options with the Title IX Coordinator.
 - 1. *Notification to the Reporting Party* – The reporting party will receive a written determination letter outlining the College's response plan.
 - 2. *Notification to the Responding Party* – Depending on the circumstances and requested resolution, the Responding Party may or may not be notified of the report or resolution. The Responding Party will be notified when the College seeks action that would impact the Responding party, such as the initiation of an investigation, or the decision to involve the Responding Party in remedies-based resolution.
- b. In the event that a Reporting Party does not wish to proceed with an investigation or disciplinary resolution, the Title IX Coordinator will determine, based on the available information, including information learned in the Initial Assessment or as part of the investigation, whether the investigation or disciplinary resolution proceedings should nonetheless be initiated or if already begun, continue.

In making this determination, the Title IX Coordinator will consider, in light of the facts and circumstances of the reported matter and among other factors, including:

- 1. The seriousness and impact of the conduct;
- 2. The respective ages and roles of the Reporting Party and Responding Party;
- 3. Whether the Reporting Party is a minor under the age of 18;
- 4. Whether the Responding Party has admitted to the conduct;
- 5. Whether the Responding Party has a pattern of similar conduct, including whether there have been other reports of Harassment or misconduct against the Responding Party;
- 6. The extent of prior remedial methods taken with the Responding Party;
- 7. The rights of the Responding Party to receive notice and relevant information before disciplinary action is sought;
- 8. If circumstances suggest there is an increased risk of the Responding Party's committing additional acts of Prohibited Conduct;
- 9. Whether the Responding Party has a history of arrests or records indicating a history of Prohibited Conduct;

10. Whether the Responding Party threatened further Prohibited Conduct against the Reporting Party or others;
 11. Whether the Prohibited Conduct was committed by multiple individuals;
 12. Whether the Prohibited Conduct was perpetrated with a weapon;
 13. The existence of independent evidence;
 14. Whether the Reporting Party wants to participate in an investigation or disciplinary hearing;
 15. Whether the Reporting Party has requested anonymity.
- c. Remedies-Based Resolution
- Remedies-based resolution is a voluntary approach designed to eliminate a hostile environment without taking disciplinary action against a Responding Party. Where the Initial Assessment concludes that remedies-based resolution may be appropriate, the Title IX Coordinator will take immediate and corrective action through the imposition of individual and community remedies designed to maximize the Reporting Party's access to educational, extracurricular, and employment activities at the College and to eliminate a hostile environment. Other potential remedies include targeted or broad-based educational programming or training, supported direct confrontation of the Responding Party and/or indirect action by the College. Depending on the form of remedies-based resolution used, it may be possible for a Reporting Party to maintain anonymity.
- The Title IX Coordinator may offer mediation for appropriate cases, but will not compel a Reporting Party to engage in mediation, to directly confront the Responding Party, or to participate in any particular form of remedies-based resolution. Mediation, even if voluntary, may not be used in cases involving Sexual Assault. The decision to pursue remedies-based resolution will be made when the Title IX Coordinator has sufficient information about the nature and scope of the conduct, which may occur at any time.
- Participation in remedies-based resolution is voluntary, and a Reporting Party or Responding Party can request to end remedies-based resolution and continue with an investigation at any time.
- The Title IX Coordinator will maintain records of all reports and conduct referred for remedies-based resolution, which will typically be completed within thirty business days of the initial report.
- d. Investigation
1. Where the Initial Assessment concludes that disciplinary action may be appropriate, the Title IX Coordinator will initiate an investigation. The goal of the investigation is to gather all relevant facts and determine if there is sufficient information to refer the report for disciplinary action. Each resolution process is guided by the same principles of fairness and respect for all parties. All individuals who violate these standards will be held accountable for their behavior through a process that protects the rights of both the Reporting Party and the Responding Party. Resources are available for both students and employees, whether as Reporting Parties or Responding Parties, to provide support and guidance throughout the investigation and resolution of the report.
 2. The Title IX Coordinator will designate an investigator(s) with specific training and experience investigating allegations of the type presented, including when appropriate, sexual and gender-based harassment, sexual assault, stalking, and interpersonal violence. The investigator(s) may be an employee of the College or an external investigator engaged to assist the College in its fact gathering. Any investigator(s)

chosen to conduct the investigation must be impartial and free of any actual conflict of interest. The College may use individual or a small team of investigators. It is the responsibility of the Title IX Coordinator, not of the parties, to gather relevant information, to the extent reasonably possible. The investigator(s) will conduct the investigation in a manner appropriate in light of the circumstances of the case. The investigator(s) will coordinate the gathering of information from the Reporting Party, the Responding Party, and any other individuals who may have information relevant to the determination. The investigator(s) will also gather any available physical evidence, including documents, communications between the parties, and other electronic records as appropriate. The Reporting Party and Responding Party will have an equal opportunity to be heard, to submit information, and to identify witnesses who may have relevant information. Witnesses must have observed the acts in question or have information relevant to the incident and cannot participate solely to speak about an individual's character.

3. Primary Investigators;
 - i. Student/Student- Deputy IX Coordinator(s);
 - ii. Employee/Employee- Designated Human Resource Investigator;
 - iii. Student/Employee- Deputy IX Coordinator (s)/Designated Human Resource Investigator
4. Medical and counseling records of a Reporting or Responding Party are privileged confidential records that individuals are not required to disclose. However, these records may contain relevant and material information, and a party may voluntarily choose to share such records with the investigator(s). Any records provided by a party become part of the file and are available for review by the opposing party.
5. In gathering the facts, the investigator(s) may consider other allegations of, or findings of responsibility for, similar conduct by the Responding Party to the extent such information is relevant and available. Such information may be relevant to prove motive, intent, and absence of mistake, pattern or another material fact.
6. In cases of sexual assault, sexual violence, sexual exploitation, interpersonal violence, or stalking, a Reporting Party's prior sexual history is generally not relevant and will not be considered as evidence during an investigation. Where there is a current or ongoing relationship between the Reporting Party and the Responding Party, and the Responding Party alleges consent, the prior sexual history between the parties may be relevant to assess the manner and nature of communications between the parties. However, the mere fact of a current or previous dating or sexual relationship, by itself, is not sufficient to constitute consent. Any prior sexual history of the Reporting Party with other individuals is typically not relevant and will be considered only under very limited circumstances (e.g., to explain an injury or physical finding or other material fact).
7. In instances of allegations of interpersonal violence, whether there was a relationship (including romantic or intimate relationship with the Reporting Party [of the same or different sex]; the Reporting Party's spouse or partner [of the same or different sex]; the Reporting Party's family member; or the Reporting Party's cohabitant or household member [including a roommate]) will be gauged by the length, type, and frequency of interaction between the parties. Reports of violence between individuals that do not involve one of these specified relationships or do not involve an individual's Protected Status will be resolved for students under the LSSC Student Code of Conduct and for employees under other appropriate rules and administrative procedures.

8. The investigation is designed to provide a fair and reliable gathering of the facts. The investigation will be thorough, impartial, and fair, and all individuals will be treated with appropriate sensitivity and respect. The investigation will be conducted in a manner that is respectful of individual privacy concerns.
 9. The Title IX Coordinator will seek to complete the investigation within 20 business days of receiving the report of alleged violation, but this time frame may be extended for good cause. At the request of law enforcement, the Title IX Coordinator may agree to defer fact-gathering until after the initial stages of a criminal investigation. The Title IX Coordinator will nevertheless communicate with the Reporting Party regarding Title IX rights, procedural options, and the implementation of interim measures to ensure the safety and well-being of all affected individuals. The Title IX Coordinator will promptly resume its Title IX fact-gathering as soon as law enforcement has released the case for review following the initial criminal investigation.
 10. The investigator(s) or designee will provide timely updates, as appropriate or requested, about the timing and status of the investigation. Information gathered during the review or investigation will be used to evaluate the responsibility of the Responding Party, provide for the safety of the Reporting Party and the College campus community, and take appropriate measures designed to end the misconduct, prevent its recurrence, and address its effects.
- e. Advisors and Attorneys
1. During any investigation of sexual assault, interpersonal violence, and/or stalking, the Reporting Party and Responding Party have the right to be assisted by an Advisor of their choice, which may include an attorney. In all other matters under this Procedure, the Advisor may not be an attorney of the Reporting Party or Responding Party. Under no circumstances may an Advisor be a witness. The Advisor may accompany the Reporting Party or Responding Party to any meeting with an investigator or a College employee.
 2. Any person who serves as an Advisor should plan to make himself or herself available for meetings throughout the process. The Advisor is a silent and non-participating presence who solely observes and provides support during the investigation process. During proceedings, the Advisor may speak only to the Party by whom they were invited. The Advisor may not address the Disciplinary Resolution Officer, the committee members, witnesses, or other participants. Any exceptions to this prohibition will be at the sole discretion of the Disciplinary Resolution Officer. The Title IX Coordinator has the right at all times to determine what constitutes appropriate behavior on the part of an Advisor.
 3. Any party may seek the assistance of an attorney at their own expense. An attorney may serve as an Advisor only in cases involving reports of Sexual Assault, Interpersonal Violence and/or Stalking. This process is not a legal proceeding and should not be regarded as such. Similarly, the College will not recognize or enforce agreements between the parties reached outside of these procedures.

XIII. INVESTIGATION REPORT

At the conclusion of the investigation, the investigator(s) will prepare a written investigation report that summarizes the information gathered and synthesizes the contested and uncontested issues of fact and any supporting information or accounts. In preparing the investigation report, the investigator(s) will review all facts gathered to determine whether the information is relevant and material to the determination of responsibility given the nature of the allegation. Title IX Coordinator is responsible for retaining the investigation report and related materials. This report will then be submitted to the appropriate Vice President for final resolution.

XIV. RESOLUTION FOR CASES OF DISCRIMINATION OR HARASSMENT

a. Determination

Resolution of discrimination and harassment cases (excluding sexual or gender-based harassment, sexual assault, sexual exploitation, interpersonal violence, and/or stalking) , begins with the submission of the final investigative report to the Executive Vice President (or designee) for employees, or to the Vice President of Enrollment services (or designee) for students . The appropriate Vice President will review the investigation report and either accept or reject the findings. The investigation report, as accepted or rejected by the appropriate Vice President, will then be issued to the Reporting Party, the Responding Party, the President, and immediate supervisor for further consideration of disciplinary action. The final report will identify an Appeals Officer (an executive officer of the College).

b. Appeal

1. The Reporting or Responding Party may appeal the determination of the Vice President to the designated Appeals Officer. The limited grounds for appeal are as follows:
 - i. New information that could affect the finding of the Disciplinary Resolution Officer and that was not reasonably available through the exercise of due diligence at the time of the investigation; and/or
 - ii. Material deviation(s) from written procedures that significantly affected the outcome.
2. To secure an appeal, the Reporting or Responding Party must file a written request to have the finding reviewed with the designated Appeals Officer no later than five business days from the date on which the party receives a copy of the final report. The appeal shall consist of a plain, concise, and complete written statement outlining the grounds for the appeal. The issues raised on appeal shall be limited to those issues raised during the investigation. Any issues not raised during the investigation or new issues that could have been raised, but were not, shall be precluded on appeal.
3. Upon acceptance of an appeal, the Appeals Officer shall notify the Reporting and Responding Parties, the appropriate Vice President (or designee), the Title IX Coordinator, and those individuals who received a copy of the final investigation report. The Appeals Officer shall consider the facts in support of the request and clarify facts as deemed necessary. The Appeals Officer may request that the appropriate Vice President (or designee) do additional investigation or address particular issues. If the Appeals Officer receives new information (not reasonably available through the exercise of due diligence at the time of the investigation) pursuant to their efforts to clarify facts, that they believe may change the outcome, the Appeals Officer shall ask the Vice President (or designee) to reconsider their acceptance or rejection of the findings in light of the new information. The Vice President (or designee) shall inform the Appeals Officer of their reconsidered finding. The Appeals Officer shall apprise the Reporting and Responding Parties of the new information and the reconsidered finding so that each has an opportunity to review and refute any such additional information before the Appeals Officer renders a final decision.
4. The Appeals Officer shall complete the review in a timely manner and shall prepare and provide a written decision to the Reporting and Responding Parties, the Director of Human Resources, the Title IX Coordinator, and those individuals who received a copy of the original investigation report. The Appeals Officer may endorse or reject the findings

of the investigator(s). The decision by the Appeals Officer shall be final.

5. An investigation shall be considered complete and the investigation shall be closed after the period has passed within which either party may take an appeal if none has been taken or following a final decision by the Appeals Officer, if either the Reporting or the Responding Party has requested an appeal. A matter also may be closed administratively when the Title IX Coordinator and the Director Human Resources decide collectively that further investigation is either impossible or unnecessary.

XV. RESOLUTION FOR CASES OF SEXUAL OR GENDER-BASED HARASSMENT, SEXUAL ASSAULT, SEXUAL EXPLOITATION, INTERPERSONAL VIOLENCE, AND/OR STALKING

Before the investigator's report is finalized, the Reporting Party and Responding Party will be given the opportunity to review all information that will be used in the adjudication of the matter. This includes the investigation report, any written statements of the parties or witnesses, and any relevant information gathered. The Reporting Party and Responding Party may submit any additional comment or information, including identifying any additional witnesses, to the investigation team within five business days of the opportunity to review the relevant portions of the report. Upon receipt of any additional information by the Reporting Party or Responding Party, or after the five day comment period has lapsed without comment, the investigator(s) will make a finding as to whether there is sufficient information alleged to suggest that a procedure violation may have occurred (that is, that the procedure elements have been raised, and there are sufficient facts alleged that the Disciplinary Resolution Officer could find a procedure violation if established by a preponderance of the evidence).

a. Determination not to proceed to Disciplinary Resolution Process

If the investigator(s) determines that there is insufficient information alleged to suggest that a procedure violation may have occurred, the Reporting Party and Responding Party will be notified in writing. The Reporting Party will have the opportunity to seek review by the Appeals Officer by submitting a written request for review to the Title IX Coordinator within five business days of the date of such notice.

The Appeals Officer is typically a Vice President or senior level administrator. The Responding Party will be notified and have the opportunity to respond within five business days. The Appeals Officer may agree with the finding of the investigator(s), reverse the finding and refer the case for the hearing process, or request that additional investigation steps be taken. The Appeals Officer will render a decision in writing, to both parties, within ten business days of receipt of the request for review. The decision of the Appeals Officer is final.

b. Determination to Proceed to Disciplinary Resolution

If the investigation team determines that there is sufficient information alleged to suggest that a procedure violation may have occurred, the Title IX Coordinator or designee will issue a Notice of Alleged Violation to the Responding Party, with a copy to the Reporting Party, and refer the report to the disciplinary resolution process by transmitting the investigation report and Notice of Alleged Violation to a Disciplinary Resolution Officer. The Notice of Alleged Violation will identify the Disciplinary Resolution Officer. As outlined in greater detail below, the Disciplinary Resolution Officer will make a finding, by a preponderance of the evidence, as to whether or not the Responding Party is responsible for conduct in

violation of this Procedure.

Because the relationship of students, staff, and faculty to the College differ in nature, the procedures that apply when seeking disciplinary action necessarily differ in some respects. Each of the procedures, however, is guided by the same principles of fundamental fairness and respect for all parties, which require notice, an equitable opportunity to be heard, and an equitable opportunity to respond to a report under this Procedure.

c. Disciplinary Resolution Officer

Following a Notice of Alleged Violation, a Disciplinary Resolution Officer will be designated to review all relevant information in order to make a finding, by a preponderance of the evidence, as to whether the Responding Party is responsible for conduct in violation of this Procedure.

When the Responding Party is an employee, the Disciplinary Resolution Officer is typically the Director of Human Resources or designee, but may also be an internal member of the administration or an external member of the community. When the Responding Party is a student, the Disciplinary Resolution Officer is typically the Dean of Students. Any individual designated by the College must have training or experience to serve in this capacity.

The Disciplinary Resolution Officer may also consult with others in considering additional relevant factors. Either party may challenge the designation of the Disciplinary Resolution Officer within the time limits specified below. For a report of Prohibited Conduct against a student employee who is acting within the scope of his or her employment at the time of the incident, the College may designate a Disciplinary Resolution Officer related to the student's employment in addition to or in lieu of the Disciplinary Resolution Officer typically assigned for reports against students.

The Disciplinary Resolution Officer must be a neutral and impartial decision-maker. The Reporting and Responding Parties may submit a written request to the Title IX Coordinator (or designee) to remove the named Disciplinary Resolution Officer, there are reasonable articulable grounds to establish bias, conflict of interest, or an inability to be fair and impartial. This challenge must be raised within five business days of receipt of the Notice of Alleged Violation. A designated Disciplinary Resolution Officer will be removed only if the Title IX Coordinator concludes that the Disciplinary Resolution Officer's bias precludes an impartial hearing of the report. Additionally, any disciplinary Resolution Officer who has reason to believe he or she cannot make an objective determination must recuse himself or herself from the process.

d. Determination of Responsibility

In reaching determinations of responsibility, the Disciplinary Resolution Officer will consult the Reporting Party, the Responding Party, the Title IX Coordinator and other affected parties, as appropriate, to ensure a full assessment of the relevant facts and impacts. In cases of sexual assault, the Disciplinary Resolution Officer shall conduct separate, in-person conferences with the Reporting Party and the Responding Party. If a Reporting Party or Responding Party meets with the Disciplinary Resolution Officer, he or she may be accompanied by an Advisor. At any time, the Responding Party may choose to agree to a finding of responsibility to some or all of the reported conduct. The Disciplinary Resolution

Officer will provide the Reporting Party, the Responding Party, and other affected parties with an opportunity, as appropriate, to provide a written impact and/or mitigation statement for consideration. After a consideration of all of the relevant information, the Disciplinary Resolution Officer will make a finding by a preponderance of the evidence as to whether the Responding Party is responsible for engaging in Prohibited Conduct.

e. Disciplinary Sanctions for Employees

The Disciplinary Resolution Officer forwards the report and finding to the Executive Vice President and to the Title IX Coordinator. After review, the report is then forwarded to the immediate supervisor and the respective Vice President or the President who, together with the Vice President of Administration and Finance, consider the appropriate sanction designed to address the misconduct, prevent its recurrence, and remedy its effects, while supporting the College's educational mission and Title IX obligations. Sanctions or interventions may also serve to promote safety or deter individuals from similar future behavior. The Vice President may impose any sanction deemed appropriate after a consideration of all of the relevant information. The imposition of sanctions will take effect immediately and will not be stayed pending the resolution of any appeal. The final report and subsequent interventions or sanctions will be forwarded to HR for placement in the employee's file.

The sanction may include any form of responsive action or progressive discipline as set forth in College Policies and Procedures, including training, referral to counseling, and/or disciplinary action, such as warning, reprimand, withholding of a promotion or pay increase, reassignment, temporary suspension without pay, or termination.

For a student employee who is acting within the scope of his or her employment at the time of the incident, the sanction may include any of the sanctions from the LSSC Student Code of Conduct or as applicable to employees in College Policies and Procedures.

Generally, for College faculty and staff, a recommendation of termination or other disciplinary action may implicate other applicable LSSC Board Rules and Administrative Procedures. Under these circumstances, additional steps may occur or be available as set forth in those Policies and procedures. The College will support Reporting Parties, to the extent permitted by law, in being present and heard as witnesses in any subsequent hearing/appeal process conducted at the request of Responding Parties in response to such recommendations of disciplinary action.

f. Disciplinary Sanctions for Students

If the Responding Party is a student and is found responsible, the Disciplinary Resolution Officer then also determines the appropriate sanction designed to address the misconduct, prevent its recurrence, and remedy its effects, while supporting the College's educational mission and Title IX obligations. Sanctions or interventions may also serve to promote safety or deter individuals from similar future behavior. The Disciplinary Resolution Officer may impose any sanction deemed appropriate after a consideration of all of the relevant information. The imposition of sanctions will take effect immediately and will not be stayed pending the resolution of any appeal. For students, the sanction may include removal from specific courses or activities, suspension from the College, or expulsion. A full list of the range of sanctions for students is contained in the Student Code of Conduct.

g. Notice of Outcome

A written determination of responsibility and sanction (the Outcome) will be provided simultaneously to the Reporting Party and the Responding Party. The College will also provide written notice, at the same time to both parties, of any change in the Outcome that occurs before the Outcome becomes final. A Notice of Outcome will include a finding whether there is a procedure violation, any applicable sanctions (for students), and the rationale for each. The Responding Party (when a student) will be informed of any sanctions, the date by which the requirements must be satisfied (if applicable), and the consequences of failure to satisfy the requirements.

The Reporting Party will be informed of any sanctions and remedies that directly relate to the Reporting Party, including information about the Responding Party's presence on campus (or in a shared class or work space) that may assist a Reporting Party to make informed decisions or work with the College to eliminate Harassment and prevent its recurrence. The Notice of Outcome will also provide each party with applicable appeal options. The College may also notify appropriate College officials, including a direct supervisor of a Responding Party (when a student employee), as necessary to implement the outcome and/or sanctions.

h. Appeal of Determination of Responsibility and Disciplinary Sanctions

1. The Reporting Party and Responding Party may appeal the decision of the Disciplinary Resolution Officer within five days of the receipt of the Notice of Outcome. A review of the matter will be prompt and narrowly tailored to stated appeal grounds. The Reporting Party and/or Responding Party may appeal only the parts of the determination of responsibility or sanctions directly relating to him or her. Dissatisfaction with the outcome of the investigation is not grounds for appeal. The limited grounds for appeal are as follows:
 - i. New information that could affect the finding of the Disciplinary Resolution Officer 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;
 - ii. The appeal shall consist of a plain, concise, and complete written statement outlining the grounds for the appeal. The appeal must be provided to the Title IX Coordinator within five College business days of the date of the Notice of Outcome. Upon receipt of the appeal, the Title IX Coordinator will provide the other party notice of the appeal and the opportunity to respond in writing to the appeal. Any response to the appeal must be submitted within five College business days from the party's receipt of the notice of appeal from the Title IX Coordinator. In the event that both parties initially appeal the findings, each party will be provided notice and a copy of the other party's appeal or response;
 - iii. Upon receipt of the appeal and any response, the Title IX Coordinator will notify the appropriate Appeals Officer. For an appeal involving a Responding Party who is a student, the Appeals Officer is typically the Vice President of Enrollment Services or designee. For an appeal involving a Responding Party who is an employee, the Appeals Officer is typically a vice president or senior level administrator. The appeal process outlined here supersedes (replaces) the grievance procedures contained in other College Policies and Procedures;

- iv. The appeal will be conducted in an impartial manner by the Appeals Officer. In any request for an appeal, the burden of proof lies with the party requesting the appeal, as the original determination and sanction are presumed to have been decided reasonably and appropriately. The appeal is not a new review of the underlying matter. The Appeals Officer shall consider the merits of an appeal only on the basis of the two stated grounds for appeal. Except as required to explain the basis of new information unavailable at the time of an investigation, review of an investigation will be limited to the written investigation Report and all supporting documents;
- v. The Appeals Officer can affirm the original findings, alter the findings, and/or alter the sanctions, depending on the basis of the requested appeal. If the appeal is based on procedures not having been followed in a material manner, the Appeals Officer can ask that a new investigation and/or adjudication, or other appropriate action, occur. In the case of new and relevant information, the Appeals Officer can recommend that the case be returned to the Disciplinary Resolution Officer to assess the weight and effect of the new information and render a determination after considering the new facts;
- vi. The Appeals Officer will communicate the result of the appeal to the Reporting Party and Responding Party within 14 business days from the date of the submission of all appeal documents by both parties. The decision of the Appeals Officer is final.

XVI. TIME FRAMES FOR RESOLUTION

The College will make every effort to successfully resolve all reports within 60 business days. All time frames expressed in this Procedure are meant to be guidelines rather than rigid requirements. Circumstances may arise that require the extension of time frames for good cause, including extension beyond 60 business days. Such circumstances may include the complexity of the allegations, the number of witnesses involved, the availability of the parties or witnesses, the effect of a concurrent criminal investigation, any intervening College break or planned leave (vacation/sick/personal) of involved parties, or other unforeseen circumstances.

In general, a Reporting Party and Responding Party can expect that the process will proceed according to the time frames provided in this Procedure. In the event that the investigation and resolution time frames are extended for good cause, the College will notify all parties of the reason for the delay and the expected adjustment in time frames. Best efforts will be made to complete the process in a timely manner by balancing principles of thoroughness and fundamental fairness with promptness. All parties involved are entitled to periodic status updates on the process and any subsequent appeals.

XVII. OBLIGATION TO PRESENT TRUTHFUL INFORMATION

The College takes the validity of information seriously because a report of Discrimination, Harassment, Sexual and Gender-Based Harassment, Sexual Assault, Sexual Exploitation, Stalking, Interpersonal Violence, Complicity, and/or Retaliation may have severe consequences. Any individual who makes a report or provides information as part of an investigation or hearing process that is later found to have been intentionally false or made maliciously without regard for truth may be subject to disciplinary action and may also violate state criminal statutes and

civil defamation laws. These provisions do not apply to reports or responses made in good faith, even if the facts alleged in the report or the response are not substantiated by an investigation.

XVIII. RETALIATION

During the investigation and resolution of violations of this Procedure that are alleged in good faith, reasonable steps will be taken to protect the Reporting Party, the Responding Party, and other participants in the reporting, investigation, and resolution process from Retaliation.

Retaliation is a violation of College Procedure. Any individual who engages in Retaliation will be subject to prompt and appropriate disciplinary action. Individuals who have a concern about potential or actual Retaliation should contact the Title IX Coordinator for assistance in addressing the concern. If the concern about Retaliation involves the Title IX Coordinator or the Director Human Resources, an individual may contact the Vice President of Administrative and Financial Services.

XIV. COMMUNICATION

College-issued email is the primary means of communication used by the College. The Title IX Coordinator investigator, and/or designee will deliver notice to students and/or employees by College issued email, and may concurrently send a duplicate by means of mail, courier service, or in person delivery to the permanent address in the College's official records.

XX. RECORDS

The Title IX Coordinator will retain records of all reports, regardless of whether the matter is resolved by means of Initial Assessment, remedies-based resolution or disciplinary resolution.

XXI. RELEASE OF INFORMATION

If a report of Prohibited Conduct discloses a serious and continuing threat to the campus community, LSSC Campus Safety will issue a timely notification to protect the health or safety of the community as required by the Clery Act. The notification will not include identifying information about a Reporting Party.

Pursuant to the Clery Act and Section 304 of the Violence Against Women Reauthorization Act of 2013, information regarding criminal incidents reported to Campus Security authorities must be shared with LSSC Campus Safety for inclusion in the Daily Crime Log. This information will also be included in the College's Annual Security Report available at www.lssc.edu/safelssc.

The College may also share aggregate and not personally identifiable data about reports, outcomes, and sanctions. All College proceedings are conducted in accordance with the requirements of Title IX, the Clery Act, the Violence Against Women Act, FERPA, state and local laws, and College Procedure. No information, including the identity of the parties, will be released from such proceedings except as required or permitted by law or College Procedure/procedure.

Appendix A: Definitions

Advisor

A silent and non-participating presence who solely observes and provides support during the investigation process. In cases of Sexual Assault, Sexual Violence, Interpersonal Violence, or Stalking, the Advisor may be an attorney. In all other cases, the Advisor may not be an attorney.

Age

The number of years from the date of a person's birth. With respect to employment, individuals who are 40 years of age or older are protected from Discrimination and Harassment. There is no age threshold for students or other participants in educational programs or activities.

Coercion or Force

Conduct, intimidation, and express or implied threats of physical or emotional harm that would reasonably place an individual in fear of immediate or future harm and that are employed to persuade or compel someone to engage in sexual contact.

College Community

Faculty, staff, administrators, students, student employees, volunteers, and visitors.

Color

An individual's skin pigmentation, complexion, shade, or tone.

Complicity

Any act that knowingly aids, facilitates, promotes, or encourages the commission of Prohibited Conduct by another person.

Confidentiality

Information shared with designated community professionals, referred to in this Procedure as External Confidential Resources, will be disclosed only with the individual's express written permission. External Confidential Resources will not share information about an individual (including whether that individual has received services) with anyone, including the College, without the individual's express written permission, unless there is a continuing threat of serious violence to the patient/client or to others or there is a legal obligation to reveal such information (e.g., suspected abuse or neglect of a minor).

Consent

Consent is the communication of an affirmative, conscious, and freely made decision by each participant to engage in agreed upon forms of sexual contact. Consent requires an outward demonstration, through understandable words or actions, which conveys a clear willingness to engage in sexual contact. Consent cannot to be inferred from silence, passivity, or a lack of resistance, and relying on non-verbal communication alone may result in a violation of this Procedure. For example, a person who does not physically resist or verbally refuse sexual contact may not necessarily be giving Consent. There is no requirement that an individual verbally or physically resist unwelcome sexual contact for there to be a violation of this Procedure.

Consent cannot to be inferred from an existing or previous dating or sexual relationship. Even in the context of a relationship, there must be mutual Consent to engage in sexual contact for each occasion and each form of sexual contact. Consent to one form of sexual contact does not constitute Consent to

any other form of sexual contact, nor does Consent to sexual contact with one person constitute Consent to sexual contact with any other person. Additionally, Consent to sexual contact on one occasion is not Consent to engage in sexual contact on another occasion. Consent cannot be obtained by Coercion or Force or by taking advantage of a person's inability to give Consent because of Incapacitation or other circumstances.

A person who has given Consent to engage in sexual contact may withdraw Consent at any time. However, withdrawal of Consent requires an outward demonstration, through understandable words or actions that clearly conveys that a party is no longer willing to engage in sexual contact. Once Consent is withdrawn, the sexual contact must cease immediately. Note that generally in Florida, consent cannot legally be given by a minor under the age of 18, with certain specified statutory exceptions.

Disability

A physical or mental impairment that substantially limits one or more major life activities; or a record such impairment; or regarding an individual as having such impairment. A qualified person with a disability must be able to perform the essential functions of the employment, internship, or volunteer position or the academic or extracurricular program, with or without reasonable accommodation.

Discipline-Based Resolution

The process by which a Disciplinary Resolution Officer designated by the College determines responsibility and if warranted, administers sanctions and/or discipline against a Responding Party.

Discrimination

Any unlawful distinction, preference, or detriment to an individual as compared to others that is based on an individual's Protected Status and that is sufficiently serious, persistent, or pervasive so as to unreasonably interfere with or limit: An employee's or applicant's access to employment or conditions and benefits of employment; A student's or admission applicant's ability to participate in, access, or benefit from educational programs, services, or activities; An authorized volunteer's ability to participate in a volunteer activity; or A guest's or visitor's ability to participate in, access, or benefit from the College's programs. Discrimination includes failing to provide reasonable accommodations, consistent with state and federal laws, to a qualified person with a Disability.

Gender-Based Harassment

Sexual Harassment also includes Harassment based on gender, sexual orientation, or gender identity, which may include acts of verbal, nonverbal, or physical aggression, intimidation, or hostility based on sex/gender or sex/gender-stereotyping, even if the acts do not involve conduct of a sexual nature. Also includes Harassment for exhibiting what is perceived as a stereotypical characteristic for one's Sex or for failing to conform to stereotypical notions of masculinity and femininity, regardless of the actual or perceived Sex, Gender, or Sexual Orientation of the individuals involved.

Gender Expression /Gender Identity

An individual's socially-constructed status based on the behavioral, cultural, or psychological traits typically associated with societal attribution of masculinity and femininity, typically related to one's assigned sex at birth. This includes Gender Expression, which is how someone expresses his or her Gender through appearance, behavior, or mannerisms, and Gender Identity, which is the Gender with which an individual identifies psychologically, regardless of what Gender he or she was assigned at birth. A person's Gender Expression may not be the same as his or her Gender Identity.

Genetic Information

Information about (i) an individual's genetic tests, (ii) the genetic tests of family members of such individual, and (iii) the manifestation of a disease or disorder in family members of such individual. Genetic Information includes, with respect to any individual, any request for, or receipt of, genetic services, or participation in clinical research that includes genetic services by such individual or any family member of such individual.

Harassment

A type of Discrimination that occurs when verbal, physical, electronic, or other conduct based on an individual's Protected Status interferes with that individual's: educational environment; work environment; participation in a College program or activity; or receipt of legitimately-requested services (e.g., disability or religious accommodations), and creates Hostile Environment Harassment or Quid Pro Quo Harassment.

Hostile Environment Harassment

Unwelcome conduct based on Protected Status that is so severe, persistent, or pervasive that it alters the conditions of education, employment, or participation in a College program or activity, thereby creating an environment that a reasonable person in similar circumstances and with similar identities would find hostile, intimidating, or abusive under both a subjective and objective assessment. An isolated incident, unless sufficiently severe, does not amount to Hostile Environment Harassment

Incapacitation

Sleep, unconsciousness, intermittent consciousness, or any other state where an individual is unaware or unable to give consent to sexual contact. Incapacitation may also exist because of a mental or developmental Disability that impairs the ability to consent to sexual contact.

Interim Protective Measures

Actions taken by the College to ensure equal access to its education programs and activities and foster a more stable and safer environment during the process of reporting, investigation, and/or resolution.

Interpersonal Violence

Physical, sexual, emotional, economic, or psychological actions or threats of actions that a reasonable person in similar circumstances and with similar identities would find intimidating, frightening, terrorizing, or threatening (commonly referred to as domestic violence or dating violence).

Such behaviors may include threats of violence to an individual or an individual's family member interpersonal Violence can encompass a broad range of abusive behavior committed by a person who is or has been:

- In a romantic or intimate relationship with the Reporting Party (of the same or different sex);
- The Reporting Party's spouse or partner (of the same or different sex);
- The Reporting Party's family member; or
- The Reporting Party's cohabitant or household member, including a roommate.

National Origin/Ethnicity

An individual's actual or perceived country or ethnicity of origin.

Privacy

information related to a report under this Procedure will be shared only with those College employees

who need to know in order to assist in the active review, investigation, or resolution of the report.

Protected Status

Consistent with federal, state, and local laws, the College prohibits Discrimination and Harassment based on race, ethnicity, color, national origin, age, religion, disability, marital status, gender, genetic information, sexual orientation, gender identity, and any other factor protected under applicable federal, state, and local civil rights laws, rules, and regulations.

Quid Pro Quo Harassment

Unwelcome conduct based on Protected Status where submission to or rejection of such conduct is used, explicitly or implicitly, as the basis for decisions affecting an individual's education, employment, or participation in a College program or activity.

Race

An individual's actual or perceived racial or ethnic ancestry or physical characteristics associated with a person's race, such as a person's color, hair, facial features, height, and weight.

Religion

All aspects of religious observance and practice, as well as belief . A well-formed and thought out set of beliefs held by more than one individual, which may not necessarily involve belief in a supreme being. The College will accommodate an individual's observances and practices required by his or her creed, unless it is unable to reasonably accommodate an individual's creed-required observance or practice without undue hardship.

Remedies-Based Resolution

A voluntary approach designed to eliminate a hostile environment without taking disciplinary action against a Responding Party.

Reporting Party

An individual who makes a report of Discrimination, Harassment, Sexual Harassment, Sexual Assault, Sexual Exploitation, Stalking, Interpersonal Violence, Complicity, or Retaliation. When used in this Procedure, Reporting Party refers to any individual who may have been the subject of any Prohibited Conduct by an individual or organization covered under the Procedure, regardless of whether the Reporting Party makes a report or seeks action under the Procedure. Responding Party refers to any individual who has been alleged to have violated the Procedure.

Responding Party

An individual who is alleged to have violated the College Procedure on Discrimination; Harassment, Sexual and Gender-Based Harassment, Sexual Assault, Sexual Exploitation, Stalking, Interpersonal Violence, Complicity, or Retaliation and who is named in a report alleging violation.

Responsible Employees

Employees with administrative or supervisory responsibilities on campus or who have been designated as Campus Security Authorities.

Retaliation

Retaliation is acts or words taken against an individual because of the individual's participation in a

protected activity that would discourage a reasonable person from engaging in protected activity. Protected activity includes an individual's good faith (i) participation in the reporting, investigation, or resolution of an alleged violation of this Procedure; (ii) opposition to policies, practices, or actions that the individual reasonably believes are in violation of the Procedure; or (iii) requests for accommodations on the basis of religion or Disability. Retaliation may include intimidation, threats, coercion, or adverse employment or educational actions. Retaliation may be found even when an underlying report made in good faith is not substantiated. Retaliation may be committed by the Responding Party, the Reporting Party, or any other individual or group of individuals.

Sex/Gender

An individual's biological status of male or female, including pregnancy. Conduct of a sexual nature is by definition based on Sex as a Protected Status.

Sexual Assault /Sexual Contact

Sexual Assault involves having or attempting to have sexual contact with another individual without Consent. Sexual contact is the intentional touching or penetration of another person's clothed or unclothed body, including but not limited to the mouth, neck, buttocks, anus, genitalia, or breast, by another with any part of the body or any object in a sexual manner. Sexual contact also includes causing another person to touch his or her own or another's body in a sexual manner. Sexual Assault includes, without limitation, sexual battery as defined in Section 794, F.S.

Sexual Exploitation

Taking advantage of the sexuality of another person without consent or in a manner that extends the bounds of consensual sexual activity without the knowledge of the other individual for any purpose, including sexual gratification, financial gain, personal benefit, or any other non-legitimate purpose. Examples of Sexual Exploitation include: Observing another individual's nudity or sexual activity or allowing another to observe consensual sexual activity without the knowledge and consent of all parties involved; Non-consensual streaming of images, photography, video, or audio recording of sexual activity or nudity, or distribution of such without the knowledge and consent of all parties involved; Prostituting another individual; Exposing one's genitals in non-consensual circumstances; Knowingly exposing another individual to a sexually transmitted infection or sexual virus without that individual's knowledge; and inducing incapacitation for the purpose of making another person vulnerable to non- consensual sexual activity.

Sexual Harassment

Any unwelcome sexual advance, request for sexual favors, or other unwelcome verbal or physical conduct of a sexual nature, when: Submission to or rejection of such conduct is made, either explicitly or implicitly, a term or condition of an individual's academic work, employment, or participation in any aspect of a College program or activity; or Submission to or rejection of such conduct by an individual is used as the basis for decisions affecting the individual; or Such conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance, i.e., it is sufficiently serious, pervasive, or persistent as to create an intimidating, hostile, humiliating, demeaning, or sexually offensive working, academic, or social environment under both an objective (a reasonable person's) and subjective (the Reporting Party's view).

Sexual Orientation

The inclination or capacity to develop intimate emotional, spiritual, physical, and/or sexual relationships with those of the same or different Sex or Gender, or irrespective of Sex or Gender.

Stalking

Repeated, unwanted attention; physical, verbal, or electronic contact; or any other course of conduct directed at an individual that is sufficiently serious to cause physical, emotional, or psychological fear or distress or to create a hostile, intimidating, or abusive environment for a reasonable person in similar circumstances and with similar identities. Stalking may involve individuals who are known to one another, who have a current or previous relationship, or who are strangers. Stalking includes the concept of cyber-Stalking, a particular form of Stalking in which electronic media such as the internet, social networks, blogs, cell phones, texts, or other similar devices or forms of contact are used to pursue, harass, or to make unwelcome contact with another person in an unsolicited fashion.

Title IX Coordinator

The designated College official with primary responsibility for coordinating the College's compliance with Title VII, Title IX, and other federal and state regulations pertaining to equal access and equal opportunity.

Title IX Deputy Coordinators

Individuals responsible for supporting the Title IX Coordinator and accessible to any College community member for consultation and guidance on issues related to Discrimination, Harassment, Sexual and Gender-Based Harassment, Sexual Assault, Sexual Exploitation, Stalking, Interpersonal Violence, Complicity, and Retaliation. Deputy Coordinators are located in Human Resources, Student Affairs, and Safety/Security, and are available at each campus location.

Appendix B: Law Enforcement and Medical Providers

Lake County Sheriff

www.lcso.org

Non-emergency number (352) 342-2101, Emergency number 9-1-1

Sumter County Sheriff

<http://sumtercountysheriff.org/>

Non-emergency number (352) 569-1600, Emergency number 9-1-1

Leesburg Police

www.leesburgflorida.gov

Non-emergency number (352) 787-2121, Emergency number 9-1-1

Clermont Police

www.Clermontfl.gov/departments/police-department/

Non-emergency number (352) 394-5588, Emergency number 9-1-1

Appendix C: External Confidential Resources

LSSC Student Assistance Program

Five free sessions of mental health counseling available to currently enrolled students www.lssc.edu/studev

LSSC Employee Assistance Program

Available to current full-time employees of LSSC
www.lssc.edu/staff/Pages/Departments/Human%20Resources/Benefits.aspx

Victim Service Center of Central Florida

Available to all members of the Central Florida community, (407) 497-6701

Lake County Community Resource Guide

www.lakecountycommunityresourceguide.com

Florida Department of Children & Family Services

-If a child is in immediate danger, call 911, then contact DCF.

-If there is no immediate danger, contact DCF's statewide hotline, 24 hours a day, 7 days a week, at 1- 800-962-2873; or via the web at:

<https://abuse-report-bc.dcf.state.fl.us/AbuseWebReport/AddReporterinfo>

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Lake-Sumter State College's mission is to deliver student success through personal attention and flexible pathways leading to rewarding careers and higher wages.

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