

Mandatory Reporter FAQ's for Faculty & Staff

All Employees are Considered Mandatory Reporters for Sexual Harassment or Sexual Assault Incidents!

Why should I report a sexual assault or sexual harassment incident?

First and foremost, NVC strives to provide a safe environment in which students can pursue their education free from the detrimental effects of sexual misconduct. If there is a culture of sexual violence in our community, then we are not meeting this effort. Reporting incidents of sexual misconduct help us in meeting this effort.

Second, Title IX of the United States Department of Education Amendments of 1972 prohibits discrimination on the basis of sex in education programs or activities. Sexual harassment, which includes acts of sexual violence, is a form of sexual discrimination. A student who is sexually harassed or assaulted may also suffer from unequal access to educational opportunities and may be afraid to come to campus, go to class, or visit a faculty or staff member's office. While statistics on sexual violence on campuses across the nation have increased, it is still believed that these cases are severely underreported.

What do I have to report?

If a student reports that s/he has been sexually victimized then you are required by Title IX to report all information you are given to the District's Title IX Officer or to the Vice President for Student Services at your campus. Even if the assault occurs off campus, if it involves District students, it must be reported.

What is Considered Sexual Misconduct and relationship violence?

- Non-consensual sexual contact of any kind
- The attempt to have non-consensual sexual contact or
- The threat of such contact
- Sexual exploitation
- Emotional/psychological abuse
- Sexual harassment
- Stalking
- Sexual contact means touching of any private body part, including, but not limited to: genitalia, buttocks, anus or breasts of another or causing such person to touch genitalia, anus, buttocks or breasts of another.

Sexual contact is considered non-consensual if:

- No clear consent is freely given
- The person is substantially impaired by alcohol or drugs, or
- The person is otherwise without the physical or mental capacity to give clear consent

When do I let the student know that I am required to report?

If a student begins to tell you about a sexual assault or sexual harassment incident you should interrupt the student and explain you are mandated to report any information s/he confides in you. Being prepared by having the statement below on your syllabus or in your office may help to keep misunderstandings from occurring.

“I need to tell you that I am considered a mandated reporter. I must inform the District that an incident has occurred. I don’t want to scare or intimidate you, but your personal safety and overall health is our number one concern. The reason we do this report is to make sure you are able to get all the help and support you need. If you do not want details of what occurred reported or are not interested in making a complaint at this time, you have the right to maintain your privacy. I will only report what you confide in me.”

How should I respond to a student who reports to me?

The most important things to do are to listen, believe the student, ask if the student feels safe, and determine how to help with physical and mental health. Encourage the student to report the incident to one or more of the following options:

Napa Valley Police Department (707) 257-9223 OR 9-1-1

Campus Safety (707) 256-7777

Health Center (707) 256-7780

Deputy Title IX Coordinator

Oscar De Haro (707) 256-7360

Title IX Coordinator

Charo Albarran (707) 256-7100

All of the above options are available to the student, and can be pursued individually or simultaneously. You might offer to walk the student over to the Student Health Nurse.

How soon do I have to report?

You need to report the incident immediately after hearing or witnessing a sexual assault or sexual harassment incident. The sooner you report, the sooner the information can be investigated and less opportunity for an offender to continue the behavior.

How far back can a case be reported?

Sexual assault and sexual harassment incidents can be reported as far back as the survivor OR the alleged offender was a student at the District at the time of the incident.

Some Examples of Sexual Harassment:

- A professor insists that a student have sex with him/her in exchange for a good grade.
- A student repeatedly sends sexually oriented jokes around on an email list she/he created, even when asked to stop, causing one recipient to avoid the sender on campus
- Explicit sexual pictures are displayed in a professor's office, or on a computer monitor in a public space.
- Two supervisors frequently 'rate' several employees' bodies and sex appeal, commenting suggestively about their clothing and appearance.
- A professor engages students in discussions in class about their past sexual experiences, yet the conversation is not in any way germane to the subject matter of the class. She probes for explicit details, and demands that students answer her, though they are clearly uncomfortable and hesitant.
- An ex-girlfriend widely spreads false stories about her sex life with her former boyfriend to the clear discomfort of the boyfriend, turning him into a social pariah on campus.
- Non-consensual video or audio-taping of sexual activity
- Going beyond the boundaries of consent (such as letting friends hide in the closet to watch you have consensual sex)
- Engaging in Peeping Tommery

NOTE: Investigations of sexual assault and sexual harassment incidents are not your responsibility. Trained individuals will talk with the survivor and the alleged perpetrator (if a student), as well as friends and colleagues to gather information.