**Resolution 2021-04: Resolution Addressing Allegations of Sexual Assault, Harassment and Abuse at Blindness Training Centers and Other Rehabilitation Programs**

Submitted by the California Council of the Blind

Whereas in recent months scores of credible allegations have surfaced regarding sexual assault, harassment, and other forms or inappropriate behavior of a sexual nature as well as charges of bullying and demeaning conduct on the part of students and staff at the Colorado and Louisiana Centers for the Blind residential rehabilitation Facilities and

Whereas states have authorized expenditures of tax payer dollars to send consumers who are blind or have low vision at their request to those and other rehabilitation centers and

Whereas there have been anecdotal reports over the years of similar sexual and other misconduct occurring at other residential rehabilitation centers as well as other communication based rehabilitation programs throughout the country and

Whereas the American Council of the Blind (ACB) views with alarm the growing number of reports of sexual and other forms of abuse committed against consumers who are blind or have low vision throughout the country and

Whereas despite the urging or advocates and blind and low vision individuals there has been little national or statewide effort to address this issue and

Whereas the rehabilitation services administration has the fiscal oversight, enforcement power and statutory responsibility necessary establish standards, mandate compliance, and maintain metrics of funded agencies

Now, therefore, be it resolved by the Board of Directors of the American Council of the Blind assembled telephonically this 29th day of September 2021 that this organization urge in the strongest possible language the rehabilitation services administration to establish comprehensive standards of conduct and ongoing verification that such standards are being adhered to by all rehabilitation residential training centers, community rehabilitation programs, service providers and all other individuals contracted to provide rehabilitation services to people who are blind or have low vision as part of RSA ongoing monitoring processes

And be it further resolved, that RSA direct state rehabilitation agencies to include in their state plans policies, and procedures, and practices to ensure that documented allegations of sexual misconduct and/or bullying be appropriately investigated, resolved, and reported to state rehabilitation councils, the consumer entities responsible for providing input oversight to state rehabilitation departments and commissions and to RSA

And be it further resolved that state rehabilitation departments and commissions serving consumers who are blind or have low vision immediately suspend all approvals to consumers to attend all residential rehabilitation training center of which documented allegations of sexual or other abuse misconduct have been made until such time as the department or commission determines that the issues arising from any documented allegations have been addressed in accordance with standards to be developed by the state entity and/or RSA pursuant to this resolution

And be it further resolved that copies of this resolution be forwarded to all ACB state affiliates for consideration as possible adoption of similar resolutions urging their state rehabilitation departments or commissions to review and update existing policies and procedures related to the handling of documented allegations of sexual and other misconduct as well as the training of agency staff, staff of all residential rehabilitation centers in the state, staff and contractors associated with community rehabilitation programs, for profit vendors, and others offering evaluation, equipment, set up , and training to blind and low vision consumers

And be it further resolved that any such state resolution should include at a minimum the following recommendations:

1. Establish a specific “code of conduct” to which all residential rehabilitation training center staff, vendors, CRP, and individual service providers will be expected to adhere to.
2. Draft policies and procedures for persons who are blind or have low vision who have experience sexual assault, harassment, abuse, or bullying to report confidentially such experience
3. Establish an anonymous hotline where survivors of sexual or other misconduct by vendors as part of a rehabilitation program or at a residential rehabilitation training center can report such misconduct with confidence and privacy
4. Identify a single point of contact within the department commission who shall be responsible for addressing allegations of sexual assault, harassment and abuse at any of its contracted programs or during provisions of services
5. Modify the procedure for certifying a CRP or vendor to include all aspects of how allegations of sexual assault, harassment, and abuse are dealt with throughout the consumers experience
6. Require each for profit vendor and CRP board to annually certify to the state rehabilitation entity that their business’ organization have met the standards which the department commission has promulgated regarding the reporting confidentiality and resolution of all documented allegations of sexual assault, harassment, and abuse.
7. Develop specific standards for any contracted party who enters the home or domicile of a consumer with such standards to become part of the state’s annual certification of both for profit vendors and CRP entities
8. Require background checks including live scan fingerprinting for state department commission employees, CRP staff who work closely with consumers who are blind or have low vision and contractors who visit consumers place of residence to provide services
9. Develop and implement where lacking policies and procedures to provide annual training to rehabilitation department commission staff, personnel of all CRP for profit contractors and their executives utilizing an independent training certified and specializing in matters of sexual assault, harassment, abuse, and other forms of misconduct. Such training to include the proper investigation and resolution of documented allegations of inappropriate conduct of a sexual nature and other forms of abuse.
10. Contract with an independent trainer certified and specializing in matters of sexual assault, harassment, abuse, and other forms of misconduct to provide consumers with training on what constitutes sexual misconduct
11. Contract with an independent trainer certified and specializing in matters of sexual assault, harassment, abuse, and other forms of misconduct to provide counseling or referrals for counseling services for victims and perpetrators where appropriate for such misconduct
12. Ensure that information on how to report an incident of sexual or other misconduct is clearly , widely, and constantly available to consumers and service providers employees
13. Report annually to RSA, the state rehabilitation council and/or appropriate blind, low vision advisory body the number and characteristics of sexual assault, harassment, abuse or other forms of misconduct affecting any consumer who is blind or has low vision. Such annual reporting to be redacted as to not disclose confidential or identifying information but to provide a statistical report of the statewide level of such documented allegations

And be it further resolved that the actions contained in and resulting from each affiliates resolution be reflected in recommendations set forth in the state’s state plan

And be it further resolved that a copy of this resolution be forwarded to advocacy organizations representing people who are blind or have low vision as well as to entities representing community rehabilitation programs, for profit vendors, and others offering evaluation, equipment set up, and training to blind and low vision consumers.

Resolution Committee recommends a due pass