

THE HOGAN LAW FIRM®

We mean business™

July 21, 2025

Hernando County Board of County Commissioners
15470 Flight Path Dr.
Brooksville, FL 34604

Dear Commissioners:

Dawn Center of Hernando County (hereafter referred to as Dawn Center) is a domestic violence center as defined in Fla. Sta. 39.902, as an agency that provides services to victims of domestic violence as its primary mission. A victim of domestic violence is a “person” who consults a domestic violence advocate for purposes of securing advice, counseling or assistance concerning a mental, physical or emotional condition caused by an act of domestic violence, an alleged act of domestic violence, or an attempted act of domestic violence. *Fla. Stat. 90.5036*. The Hernando County Board of County Commissioners (the “BOCC”) has raised questions and concerns regarding the anti-discriminatory practices that Dawn Center utilizes as a part of the services it provides to our local area as the BOCC considers Dawn Center’s application for CDBG Funding. Please note that the CDBG Funding application, however, does not request nor provide any inquiries into these policies. This was raised at the behest of the BOCC, despite being among the highest scoring applications by County staff.

CDBG Funding is specifically designed to address poverty concerns within our county. Dawn Center would use these funds for education opportunities for victims of domestic violence and for child care while parents (victims) further their economic goals. For example, Dawn Center’s proposed program is designed to provide financial education workshops for victims currently registered in Dawn Centers programs (residential and non-residential), as well as in the general public, to help address the poverty status of victims. Public workshops will be held at local public libraries in low-income zip code areas of the county. Further, while participants are attending these workshops funding is also used to provide children’s programs to run concurrent with the adult workshops. This funding is used for staff time in the children’s programs, supplies for children’s activities, and to directly pay child care services to licensed daycare facilities for one (1) month or more while victims seek employment or engage in an employment skill building program, such as the Career Source and Wilton Simpson Technical College programs.

However, to address the BOCC’s concerns with Dawn Center’s practices, I will provide a brief synopsis of the federal and state regulations that Dawn Center must follow in order to be licensed and certified by DCF under Fla. Stat. 39.903. Dawn Center is subject to regulation by and oversight from the Florida Department of Children and Families (DCF), as authorized by Fla. Stat. 39.903, which mandates that DCF operate the domestic violence program and coordinate and administer statewide activities related to the prevention of domestic violence. In its regulatory capacity, DCF is mandated to implement the State’s program for certification of domestic violence centers. Fla. Stat. 39.903(2). DCF is also authorized to adopt by rule procedures to administer this section, including developing criteria for the approval, suspension, or rejection of certification of

domestic violence centers and developing minimum standards for domestic violence centers to ensure the health and safety of the clients in the centers. Fla. Stat. 39.903(9). To that end, DCF has promulgated Rule 65H-1, Florida Administrative Code.

To apply for and be certified as a domestic violence center, Dawn Center must document its services and track the number of persons served for each required service, and the gender, age, and ethnicity of the people served. *F.A.C. 65H-1.012 (2)8 Service Plan*. It must also establish and implement written policies and procedures that identify who is eligible for services and how those services are accessed. In the provision of services, Dawn Center shall not deny admission to any person because of age, race, religion, color, disability, national origin, marital status, or gender. *F.A.C. 65H-1.013 (1)Admission*. Furthermore, with regard to its personnel, Dawn Center may not discriminate against employees, applicants for employment, or participants because of their age, race, religion, color, disability, national origin, marital status, or gender. *F.A.C. 65H-1.013 (8)Personnel*. To be eligible for certification, the Dawn Center shall provide the minimum services required and it must make specific efforts to address the needs of underserved populations within the center's service area, including populations that are underserved because of disabilities, ethnicity, gender, race, language, or geographic isolation. *F.A.C. 65H-1.014*.

As a certified domestic violence center, Dawn Center is monitored and evaluated for its compliance with the Domestic Violence Center Certification Standard adopted and implemented by DCF. These standards are set out in CF Operating Procedure No. 170-25. Some of these standards incorporate non-discrimination requirements, board composition requirements, and how services are to be provided.

For example, under the non-discrimination requirements from CF Operating Procedure No. 170-25, 3-2 Human Resources, Dawn Center is required to have written personnel policies that adhere to state and federal labor laws and regulations. "At a minimum, policies shall address race, religion, color, gender, sex, sexual orientation, disability, marital status, veteran status, national origin, age, and any other classes protected by law." CFOP 170-25, Ch.3. Such policies must include an employee code of conduct that prohibits harassment based on race, creed, religion, color, gender, gender identity, sexual orientation, disability, marital status, veterans status, national origin, age, and any other classes protected by law. The employee code of conduct must establish a plan to monitor and address reports of harassment claims and document associated corrective actions

Further, CF Operating Procedure No. 170-25, 3-3 Governance and Leadership outlines the requirements for Dawn Center to maintain in its corporate governance capacity. In addition to bylaws governing how a Board of Directors is to conduct business and approval corporate activities, a domestic violence center board must have guidelines addressing the composition of the Board. Specifically, representation on the Board must include representation from diverse racial, gender and disability groups as well as survivors of violence.

And finally, DCF also sets out requirements for the provision of services provided by domestic violence centers like Dawn Center. Specially, the policy must outline who is eligible for such services. CFOP 170-25, Ch. 4. For sex-specific services, centers must provide "comparable services" either onsite or through collaboration with other agencies, to individuals who cannot be

provided with sex-segregated or sex-specific services. DCF has defined “comparable services” as continued rendering of available services to those eligible to receive them. For example, if a center is unable to house a male victim in emergency shelter, accommodation must be made to provide all other available support services and aid in the placement of the survivor in an appropriate alternative shelter, such as a hotel or in partnership with another local provider. DCF, specifically requires how the centers’ advocates will engage with all survivors who are not attending a support group to ensure the services needed by each survivor are offered. CFOP 170-25, Ch. 4. Pursuant to CF Pamphlet 170-01, an eligible “participant” is a person who consults a domestic violence advocate for the purpose of securing advice, counseling, assistance, or shelter concerning a mental, physical, or emotional condition caused by an act of domestic violence, an alleged act of violence, or an attempted act of domestic violence.

The above-referenced statutes and administrative regulations clearly identify the concrete steps that Dawn Center must adhere to in order to be certified and licensed by DCF and what it must continue to do in order to keep its certification and license. Dawn Center has created its standard operating procedures to be consistent with the requirements of state and federal law, as those laws may be amended from time to time. Dawn Center does not have the discretion to modify these policies in ways that are not consistent with the requirements of law or it risks losing any funding that it received, along with its license.

Please feel free to contact me with any questions or concerns you may have. I look forward to addressing the BOCC at its next regular meeting on July 22, 2025.

Sincerely,

/s/ Jennifer C. Rey

Jennifer C. Rey, Esq.

Attorney for Dawn Center of Hernando County