

VERMONT TECH

Department of Public Safety

Annual Security and Fire Report

2020



Includes crime and fire statistics for 2017-2019 calendar years

***In compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act
and the Education Opportunity Act***

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A MESSAGE FROM THE DIRECTOR OF PUBLIC SAFETY

I would like to take this opportunity to welcome you to Vermont Technical College and wish you success in your individual endeavors.

As Director of Public Safety at the college, my main objective is to ensure that the campus provides a safe and secure environment for all of the members of the college community. We are fortunate at Vermont Tech to experience relatively few of the crime-related problems that are all too common in much of the country today. But no college, including this one, can completely isolate itself from the problem of crime. What we can do is keep this problem minimized at Vermont Tech through prevention efforts based on teamwork, awareness, and involvement on the part of all of us who make up the college community.

I want to enlist your help in keeping Vermont Technical College the safe secure institution it always has been. The responsibility for crime prevention is one that we all share. Please, if you witness suspicious or criminal activity on or near any campus location, report it immediately to an official of the college.

Remember, you can never be completely isolated from threat of crime-even here in beautiful Vermont. But by following the suggestions outlined in this report, you can substantially reduce the possibility that you will become a victim.

Together, you and the Vermont Tech Public Safety team can make our campuses even safer.

Emile Fredette, Jr
Director of Public Safety

Public Safety personnel are available 24 hours a day and seven days a week, and may be reached at extension 7-1292 from any campus telephone, or by calling 802-728-1292.

Mission Statement

The mission of Vermont Technical College Public Safety Department is to provide for the safety and well-being to all college members and guests, and to promote a safe and secure environment. Because no campus can totally isolate itself from crime, Vermont Technical College Public Safety Department has developed a series of policies and procedures designed to ensure that precautions are taken to protect the college community. The actions taken, and described in this report, are consistent with Vermont State Colleges Campus Safety Policy (Policy 504) which requires each member college to adopt and implement policies and procedures to ensure that buildings, grounds, facilities and equipment are reasonably safe and secure.

About This Report

Vermont Technical College Public Safety Department prepares this report for compliance with the *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act*. This report can be found on the Vermont Technical College website <http://www.vtc.edu> and navigating to the Public Safety or Policies & Public Info page.

Crime statistics for this report are compiled on a calendar-year basis in accordance with the definitions of crimes provided by the FBI for use in the Uniform Crime reporting (UCR) system. The report includes statistics for the three most recent calendar years concerning reported crimes that occurred on campus.

In addition, these statistics are gathered from crimes reported to the Public Safety Department and crimes reported to other campus officials with significant responsibility for student and campus activities (known as Campus Security Authorities). These statistics also include persons referred for campus disciplinary action for categories required under the Clery Act, which include violations of liquor laws, drug laws, and illegal weapons possession. Statistical information for certain off-campus buildings or property owned or controlled by Vermont Tech, as well as public property within or immediately adjacent to and accessible from the campus, are collected or requested from the local police departments. Local police departments include outside law enforcement agencies with jurisdiction over some or all the College's Clery geography.

Each year an email notification is made to all students, faculty and staff providing the web site address to access this report. Paper copies of this report are also available from Vermont Tech's Randolph Center campus Public Safety office. All prospective students and employees may receive a copy of this report by calling Public Safety at (802) 728-1292.

Our Communities

Vermont Tech (Randolph Campus) is located in the hilltop village of Randolph Center, less than a mile east of Interstate 89 off exit 4. The campus includes residence halls, a library, maintenance buildings, several academic buildings, an administration building, two physical fitness facilities, a student center, and a modern farmstead.

For day-to-day needs and activities, the villages of Randolph Center and Randolph offer a variety of shops, restaurants, and recreation.

Vermont Tech (Williston Campus) is located near Interstate-89 at Taft's Corners in Williston. This campus has one residence hall and offers a wide array of degree and certificate programs for part-time and full-time students.

In addition, nursing programs at Vermont Tech are offered at facilities in Bennington and Brattleboro, along with extended sites in Newport, Lyndon, Middlebury, St. Albans, White River, and Morrisville. Crime reporting statistics for all of these campuses are included in this report.

Security and Access to Campus Facilities

The Public Safety Department is responsible for control and access to campus buildings and grounds. The Residence Halls are locked 24 hours a day, 7 days a week. Guests of residential students must have valid passes and must follow all Vermont Tech regulations and policies. Residents are responsible for their guests' actions. Anyone found in an academic building after specified closing times will be asked to leave. The closing hours for the academic buildings in Randolph are normally 11:00 P.M. Closing times for other buildings on the campus such as the SHAPE Facility (pool and fitness center), Hartness Library, and Student Center vary between 4:00-11:00 p.m. depending on the day of the week and whether the College is in session.

Additionally, special events taking place on campus may alter closing times occasionally. If you have questions about the closing hours of any building in Randolph, please contact the Department of Public Safety.

In Williston the academic buildings are generally open until 10:00 p.m. Monday-Thursday, Fridays until 7:00 p.m., and Sunday 1:00-6:00 p.m. They are closed Saturdays. These hours may vary depending on special events or whether the College is in session.

In other college locations, generally the buildings are open around the class schedule with offices open between 8:00-4:30p.m.

Safety and security considerations are taken into account in the maintenance of all campus facilities. Residence halls and academic buildings are routinely inspected for lost or damaged safety equipment such as fire extinguishers, emergency lights, exit signs, emergency exit alarms, smoke detectors, fire alarm systems, fire suppression systems, security devices and door locks. Damaged or faulty equipment is replaced or repaired promptly after it is reported.

About the Department of Public Safety

The Department of Public Safety at Vermont Tech serves the student body by working to maintain a safe environment, protect life and property, prevent and detect crime, and enforce College policies. The Public Safety Department reports to the Dean of Student Affairs and works closely with offices such as Residence Life office.

Public Safety officers have access to the complete campus and may be seen anywhere on college property at any time. The high visibility of our Public Safety officers around campus is in itself an effective deterrent to any would-be wrongdoers.

The Department of Public Safety consists of the Director, four full-time officers, and several part-time officers. Two part-time officers are assigned to the Williston campus. Public Safety also employs work study students who do clerical and dispatch work, answer telephones, perform other support duties for the regular Public Safety staff.

The Public Safety office in Randolph Center is on the east end of the Administration Center, Room 122. It opens 24 hours per day, seven days a week. The office is a place where you can find friendly, concerned staff willing to help with your security and safety concerns. Your suggestions are always welcome.

The Williston Public Safety office is located in the Administrative Building 200. A Public Safety Officer is on duty from 6:00-11:00 p.m. Monday-Thursday, Friday from 4:00-8:00 p.m., and Saturday from 8:00 p.m.-Midnight.

Several officers at Vermont Technical College have previous law enforcement experience. All officers are trained in fire safety, human relations, college policies and regulations, and are certified in basic First Aid and CPR.

Enforcement Authority of Public Safety Officers

The Vermont Tech Department of Public Safety has only those enforcement powers designated by the College administration; the department does not have law enforcement powers. However, they are empowered to detain an individual until Vermont State Police ("VSP") arrive on campus. Vermont Tech has an excellent working relationship with local, county, and state law enforcement agencies concerning on- and off- campus incidents. A Memorandum of Understanding (MOU) also exists with the Vermont State Colleges and Special Investigation Units throughout Vermont. All emergencies and criminal actions reported to Public Safety will be investigated by the Department, outside law enforcement, or perhaps both.

The officers of Public Safety and local and state law enforcement communicate regularly and on the scene of incidents that occur in and around college property. Public Safety and VSP officers work closely with the investigative staff at VSP and other agencies when incidents arise that require joint investigative efforts, resources, crime-related reports and exchanges of information, as deemed necessary. The Public Safety officers document activities in the daily log or in incident reports.

Incident reports are maintained by Public Safety for follow-up of investigations, referral to the college administration for judicial process, referral to local law enforcement, and/or for statistical records.

Other services offered by the Department of Public Safety include student identification card issuance, lost and found, lock out assistance, and hospital/clinic transports. Details on these services are available upon request.

Parking and motor vehicle operations on campus are monitored and enforced by the Department of Public Safety. Parking on campus is a privilege, not a right, and vehicles must be registered with Public Safety. Violators of parking regulations are subject to ticketing and towing at the owners' expense.

Off-Campus Disturbances

Vermont Tech does not have officially recognized student organizations with off-campus locations. However, as members of Vermont Tech and members of our neighborhood community, students who reside off-campus have a responsibility to demonstrate respect and concern for all members of the local community. As a result, Vermont Tech imposes an obligation upon all its students to demonstrate responsible citizenship in the local neighborhood.

Students who violate these expectations and/or whose behavior jeopardizes the College's positive relationship with the local community may be subject to college discipline.

Reporting Criminal Actions or Emergencies

A Public Safety Officer can be reached 24 hours a day in Randolph and during scheduled times in Williston. Community, students, faculty, staff, and guests are encouraged to report all crimes and public safety-related incidents to the Public Safety Department in a timely manner.

To report a crime on the Randolph Center campus, call extension 7-1292 or, from outside the college phone system, 802-728-1292

To report a non-emergency security or public safety related matter, call extension 7-1292 or, from outside the college phone system, 802-728-1292

To report a crime on the Williston campus, call 7-2323 or, from outside the college phone system, 802-879-2323.

To report a non-emergency security or public safety related matter call 8-2323 or, from outside the college phone system, 802-879-2323.

To report a crime or non-emergency security- or public safety-related matter at a Nursing site please contact the site director and/or security office for that site.

Your phone call will be answered by the duty officer via the two-way radio, or cell phone. All residence halls have phones in the lobby areas and can be used to dial the on-campus extensions. There are seven emergency phones located around the Randolph campus on walkways and in parking lots that can be used to contact Public Safety by pressing the red buttons.

Emergency Response and Procedures

The College has developed an Emergency Operations Plan that includes information about college operating status parameters; incident priorities and performance expectations; shelter-in-place and evacuation guidelines; and local contingency and continuity planning requirements. It is reviewed annually and publicized to the College community via email. Individual departments are responsible for developing contingency plans and continuity of operations plans for their staff and areas of responsibility. The Plan can be found on the College website at <https://www.vtc.edu/my-vermont-tech/my-vtc-home/health-safety/emergency-plans>

The College Incident Management team is comprised of college administrators and is responsible for developing, maintaining and testing the plan on an annual basis. These tests are designed to assess and evaluate the emergency plans and capabilities of the institution. The College has members of the staff, faculty, and student body who are affiliated with and work regularly with local responders such as ambulance, fire and police agencies.

The Public Safety Officers and members of the College Incident Management team have received training in Incident Command System and Responding to Critical Incidents on Campus. When a serious incident occurs that causes an immediate threat to the campus, the first responders to the scene are usually the Public Safety Department, state and local law enforcement, and local fire departments. They typically respond and work together to manage the incident. Depending on the nature of the incident, other Vermont Technical College departments, and municipal or federal agencies could also be involved in responding to the incident.

Notification to the Vermont Tech community about an Immediate Threat

The Department of Public Safety receives information from various offices/departments on and off campus. If it is confirmed that there is an emergency or dangerous situation that poses an immediate threat to the health or safety of some or all members of the College community, Public Safety will collaborate with appropriate offices to determine the content of the message and will use some or all of the systems described below to communicate the threat to the community or to the appropriate segment of the community if the threat is limited to a particular building or segment of the population. The College will, without delay and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the judgment of the first responders (including, but not limited to: Public Safety, local law enforcement agencies, local fire and emergency medical services), compromise the efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

In the event of a serious incident which poses a confirmed immediate threat to the community, as determined by Public Safety or a law enforcement agency, the College has various systems in place for communicating information quickly to a broad audience. Some or all of these methods of communication may be activated in the event of a confirmed immediate threat to the campus community. These methods of communication include emergency phone notification, emergency text messages that can be sent to cell phones, pagers, and the College email and website. Appropriate staff members are capable of executing a campus notification.

The "Send Word Now" emergency alert system is currently available free of charge for Vermont Tech students, staff, and faculty. To register for this service go to My Vermont Tech on the college portal and to the Emergency Notification Management link under Campus Life.

Member of the community at large who are interested in receiving information about emergencies on campus should monitor the College website.

Timely Warnings

In the event that a situation arises, either on or off campus, that, in the judgment of the Director of Public Safety, the President of the College, or the President's designee, constitutes an ongoing or continuing threat, a campus-wide "timely warning" will be issued. The warning may be issued through the College e-mail system, emergency notification system to students, faculty and staff, and/or through postings in potentially affected buildings or residence halls. Local law enforcement will also be advised.

Emergency Evacuation Procedures

Residential students receive information about evacuation procedures in the student handbook and on evacuation plans posted on all residential room doors. Additionally, information is shared during fire drills that take place throughout the year. The Residence Life staff members are trained in these procedures as well and act as an ongoing resource for the students living in residential facilities.

The College Incident Response Team conducts table-top exercises and follow-through activities on a regular basis. These trainings are designed to practice, plan, and evaluate emergency response and operational capabilities. The Public Safety Department also coordinates fire drills each semester to test the emergency response and evacuation procedures, and also help to assess and evaluate the emergency evacuation plans and capabilities.

Reporting and Statistics

All reports of crime should be made promptly to the Department of Public Safety so that timely warnings to the community,

when necessary, can be made. Reporting crimes in a timely manner will also ensure that the reported crime is properly recorded for the Campus Crime Statistics. A daily crime log is kept in the Public Safety office in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime statistics Act. This log is available during normal office hours and includes the last 60 days of reported crimes.

In accordance with the Federal Student Right-to-Know and Campus Security Act (S.580) of 1990, each institution of higher education is required annually to prepare a Uniform Campus Crime Report consistent with the FBI's Uniform Crime Reporting system. The report reflects the crime statistics on the property of the institution for the preceding calendar year. The statistical crime categories to be reported are murder, rape, robbery, aggravated assault, motor vehicle theft, and arrests for campus liquor law violations, drug abuse violations, and weapons possessions. The report must contain campus crime statistics for the preceding two calendar years for which data are available. The Higher Education Amendments of 1998, signed into law on October 7, 1998, requires colleges and universities to report criminal offenses in several new categories, and in two new criminal areas: arson and manslaughter. Vermont Technical College has incorporated these changes into its reporting beginning in 1999. Campus Crime statistics are published annually on the Public Safety section of the Vermont Technical College website and paper copies are available upon request and include the past three calendar years of reported crimes and other reportable offenses. (See Public Safety Campus Crime Statistics).

Missing Students Who Reside on Campus

If a member of the Vermont Tech community has reason to believe that a student who resides in college housing is missing, he or she should immediately notify Public Safety at 728-1292. The Department will generate a missing person report and initiate an investigation.

After investigating the missing person report, should Vermont Tech Public Safety determine that the student is missing and has been missing for more than 24 hours the Public Safety office will seek to notify the Vermont State Police and the student's emergency contact no more than 24 hours after the student is determined to be missing. If the missing student is under the age of 18 and is not an emancipated individual, Vermont Tech will attempt to notify the student's parent or legal guardian immediately after it has determined that the student has been missing for more than 24 hours.

In addition to registering an emergency contact, beginning in 2010-11 students residing in on-campus housing have the option to identify confidentially an individual to be contacted by Vermont Tech in the event the student is determined to be missing for more than 24 hours. If a student has identified such an individual, Vermont Tech will attempt to notify that individual no later than 24 hours after the student is determined to be missing. Students who wish to identify a confidential contact can do so through the Vermont Tech Residence Life Office.

Fire Safety and Fire Statistics in Residence Halls

In accordance with the 2008 changes to the Higher Education Opportunity Act, institutions like Vermont Technical College that maintain on-campus housing, shall, on an annual basis, publish a fire safety report. For compliance purposes this report is contained in this section of this annual report. Reporting a fire is everyone's responsibility. A daily fire log is kept in the Public Safety office in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime statistics Act, detailing the date a fire was reported, the nature of the fire, the date and time of the fire (as available) and the general location of the fire. This log is available during normal office hours and includes any reported fires over the last 60 days.

Reporting a Fire

If a fire occurs on Vermont Tech property, community members should immediately call 911. This will ensure that the local Fire Department is notified and can respond. If a member of the Vermont Tech Community finds evidence of a fire that has been extinguished, and the person is not sure whether it has been reported to Public Safety the community member should immediately notify Public Safety to investigate and document the incident.

Fire Alarms and Evacuation

Fire alarms alert community members of a potential hazard and community members are required to heed their warning and evacuate a building immediately upon hearing a fire alarm in a facility. Use the nearest stairwell and/or exit the building immediately. Community members should familiarize themselves with the exits in each building. When a fire alarm is

activated, the elevators will stop automatically. Occupants should use the stairs to evacuate the building. If you are caught in the elevator, push the emergency phone button. All emergency phones in elevators on campus ring directly to Public Safety. Vermont Tech publishes this report as part of its annual Fire Safety Report, which contains information with respect to the fire safety practices and standards for Vermont Technical College. This report includes statistics concerning the number of fires, the cause of each fire, the number of injuries and deaths related to a fire, and the value of the property damage caused by a fire.

Residence Hall Fire Safety Systems

Hall	Fire alarm Monitoring by Home Security	Partial Sprinkler System	Full Sprinkler System (All common areas and individuals)	Smoke Detection	Fire Extinguisher Devices	Evacuation Plan and Placards	Annual Evacuation Drills
Old Dorm	X		X	X	X	X	1
Keenan Hall	X		X	X	X	X	1
Morey Hall	X		X	X	X	X	1
Nutting Hall	X		X	X	X	X	1
44 Water St.				X	X		0
Williston Hall	X		X	X	X	X	1

Fire Safety Improvements and Upgrades

The College regularly reviews the fire systems in our residence halls and makes upgrades, repairs or revisions when problems are identified. Residence hall fire alarm systems have automatic dialers to local fire departments. Smoking has been prohibited in all campus buildings, including the residence halls, since 2005.

Residence Hall Fire Drills

Annual fire drills are held in Residence Halls. Fire drills are mandatory supervised evacuations. The fire drills are conducted by Public Safety staff, and Residence Life staff members are notified of the week the drills will take place. Evacuation route maps are posted in each residential room showing where the closest egress route to the assembly area outside. Students who fail to leave the building during a fire drill are sanctioned.

Fire & Life Safety Education and Guidelines

Prohibited actions in the residence halls include smoking; having an open flame or fire (e.g., candles or incense); blocking doorways or exits; having anything covering or blocking a room heater; hanging items from the ceiling; or storing bicycles or other equipment in corridors, stairwells, entryways, or bathrooms.

Items that violate the fire safety code and are not permitted in the residence halls, include without limitation: decorative lights; live trees or wreaths; additional furniture; anything near, covering, or attached to smoke detectors or heat sensors; toaster ovens; hot plates; electric frying pans; toasters; indoor or outdoor grills; and space heaters.

Fire & Life Safety Inspections

Room fire safety inspections will be done on a regular basis in the residence halls. Notification will be given when such inspections are to take place. Most often, these inspections take place during scheduled college breaks.

Smoking Policy

Vermont Tech is a Tobacco free environment and prohibits smoking on all college property and in college owned vehicles.

2019 Statistics and Reports of On-Campus Student Housing Fire(s)

Residence Hall	Total Fires	Cause of Fire	Number of Injuries from fire (medical facility)	Deaths due to fire	Property Value loss
Old Dorm Hall	0	0	0	0	0
Keenan Hall	0	0	0	0	0
Morey Hall	0	0	0	0	0
Nutting Hall	0	0	0	0	0
44 Water St.	0	0	0	0	0
Williston Hall	0	0	0	0	0

2018 Statistics and Reports of On-Campus Student Housing Fire(s)

Residence Hall	Total Fires	Cause of Fire	Number of Injuries from fire (medical facility)	Deaths due to fire	Property Value loss
Old Dorm Hall	0	0	0	0	0
Keenan Hall	0	0	0	0	0
Morey Hall	0	0	0	0	0
Nutting Hall	1	Electric Motor	0	0	\$ 0.00
44 Water St.	0	0	0	0	0
Williston Hall	0	0	0	0	0

2017 Statistics and Reports of On-Campus Student Housing Fire(s)

Residence Hall	Total Fires	Cause of Fire	Number of Injuries from fire (medical facility)	Deaths due to fire	Property Value loss
Old Dorm Hall	0	0	0	0	0
Keenan Hall	1	Cooking	0	0	\$ 0.00
Morey Hall	0	0	0	0	0
Nutting Hall	0	0	0	0	0
44 Water St.	0	0	0	0	0
Williston Hall	0	0	0	0	0

Definition of Fire Related Terms

Fire

Any instance of open flame or other burning in a place not intended to contain the burning or in an uncontrolled manner.

Fire drill

Supervised practice of a mandatory evacuation of a building for a fire.

Fire-related injury

Any instance in which a person is injured as a result of a fire, including an injury sustained from a natural or accidental cause while involved in fire control, attempting rescue, or escaping from the dangers of the fire. The term person may include students, faculty, staff, visitors, fire fighters, or any other individuals.

Fire-related death

Any instance in which a person is killed as a result of a fire, including death resulting from a natural or accidental cause while involved in fire control, attempting rescue, or escaping from the dangers of a fire, or deaths that occur within one (1) year of injuries sustained as a result of the fire.

Fire safety system

Any mechanism or system related to the detection of a fire, the warning resulting from a fire, or the control of a fire including: Sprinkler or other fire extinguishing systems, Fire detection devices, standalone smoke alarms, devices that alert one to the presence of a fire, such as horns, bells, or strobe lights, smoke-control and reduction mechanisms, and Fire doors and walls that reduce the spread of a fire.

Value of Property Damage

The estimated value of the loss of the structure and contents, in terms of the cost of replacement in like kind and quantity, including: contents damaged by fire, related damages caused by smoke, water, and overhaul; however it does not include indirect loss, such as business interruption.

Security in Residence Halls

At the beginning of each academic year, the Department of Public Safety is involved in the training and orientation of Residence Life staff. Topics covered include residence hall security, personal safety, personal property protection, and a strong emphasis on fire safety. Representatives from Public Safety are available to speak with any student group about safety and security issues.

Residential areas at both Randolph and Williston campuses are locked 24 hours a day, 7 days a week. Only residents, Residence Life, Maintenance, and Public Safety staff have access to individual residence hall rooms. Non-emergency access to and from college dormitories is confined to central entrances after 11PM. Emergency exits are tagged and may have alarms to deter unauthorized use.

Public Safety officers conduct interior and exterior checks of each residence hall at random times. When doing this, they physically check exterior ground floor doors to ensure they are secure. Random patrols of dormitory parking lots are conducted to assist students and deter vehicle vandalism.

Activities of a criminal or questionable nature should be reported to Public Safety as soon as they are observed. Your prompt call to the Public Safety office enables the officer(s) on duty to respond immediately to emergencies and reported crimes. If appropriate, the state police will be summoned to assist or follow up. Depending on the nature of the incident, the residence hall director or resident assistant may be called to follow up.

Faulty or non-operational locks should be reported immediately to residence hall staff. Visitors can contact residents using the phones located outside of the buildings for access.

Drugs & Alcohol Policy

The possession, sale or the furnishing of alcohol on all Vermont Tech campuses and sites is governed by Vermont Tech Alcohol Policy and Vermont state law. Laws regarding the possession, sale, consumption or furnishing of alcohol are enforced by the Vermont State Department of Liquor Control and local law enforcement; however, the enforcement of alcohol laws on-campus is the primary responsibility of the Public Safety Department. The possession, sale, manufacture or distribution of any controlled substance is illegal under state and/or federal laws. Such laws are strictly enforced by the Public Safety Department. Violators are subject to College disciplinary action, criminal prosecution, fine and imprisonment.

It is unlawful to sell, furnish or provide alcohol to a person under the age of 21. The possession of alcohol by anyone under

21 years of age in a public place or a place open to the public is illegal. It is also a violation of the Vermont Tech Alcohol Policy for anyone to consume or possess alcohol in any public area of campus without prior College approval. Members of the college community that are of legal drinking age can purchase and consume at functions operated by the college's food service agent holding a Vermont liquor license, or at other events authorized by the college. Organizations or groups violating alcohol/substance policies or laws may be subject to sanctions by the College.

All Vermont Tech campuses and sites have been designated "drug free." The possession, sale, manufacture or distribution of any controlled substance is illegal under state and/or federal laws. Such laws are strictly enforced by the VTC Public Safety Department. Violators are subject to College disciplinary action, criminal prosecution, fine and imprisonment.

Vermont Technical College's primary concern is student's health and safety. Should a student find him or herself or a fellow student in an unsafe situation involving alcohol or drugs, he or she is strongly encouraged to contact Residence Life or Public Safety staff. The Vermont Tech Student Handbook outlines the key components of alcohol and drug policies on campus and is available on the College website: www.vtc.edu.

Alcohol in the Residence Halls and On-Campus Housing

All resident students and visitors to campus housing facilities must abide by federal and Vermont state laws and the College regulations concerning the purchase, possession, and consumption of alcoholic beverages. Students are responsible for enforcing the alcohol policy with their guests. All drinking games are strictly prohibited. Participation in such games, regardless of age, will result in an administrative sanction. Additionally, the possession of any items or devices intended for rapid consumption or used for "drinking games" is prohibited and will be subject to confiscation. Any drinking behavior that disrupts the academic or social climate will result in disciplinary action.

The College reserves the right to limit alcohol quantities in individual students' possession on campus. Alcohol may be consumed only within individual private living areas by persons of legal drinking age, unless the living area is designated alcohol free. No alcohol is permitted in the alcohol-free residence hall or alcohol free designated floors, regardless of the age of the resident or guest.

Kegs and any other large quantity serving containers (such as beer balls and wine boxes) are prohibited within the college housing facilities. The consumption of alcohol in public areas is strictly prohibited. All alcohol transported through public areas must be unopened. Public areas include, but are not limited to stairwells, laundry rooms, and lounges, public restrooms, outside ground areas, elevators, hallways, and lobbies.

Students of the legal drinking age are limited to having no more than the following amount of alcohol per legal drinking-aged resident in their own room at one time: one 12 pack of 12 oz. malt beverages (beer, wine coolers, not exceeding a total of 144 ounces) or one-quart bottle of liquor or spirits or one 750 ml. bottle of wine.

Vermont Technical College does not allow empty alcohol containers in the rooms of anyone under the age of 21.

Local, State & Federal Legal Sanctions

Legal Sanctions – Laws Governing Alcohol

The State of Vermont sets 21 as the minimum age to purchase or possess any alcoholic beverage. Specific ordinances and laws regarding violations of alcohol laws, including driving while intoxicated, are available from the Office of Public Safety. These include the following:

"Person under 21 years of age misrepresenting age, procuring, possessing, or consuming alcoholic beverages are be enrolled in Youth Substance Abuse Safety Program or assessed a civil penalty of \$300.00 and suspension of the person's operator's license and privilege to operate a motor vehicle for a period of 90 days, for a first offense; and a civil penalty of not more than \$600.00 and suspension of the person's operator's license and privilege to operate a motor vehicle for a period of 180 days, for a second offense. A person under 21 years of age who engages in conduct in violation of subdivision 656(a)(1) of this title commits a crime if the person has been adjudicated at least twice previously in violation of subdivision 656(a)(1) of this title and shall be imprisoned not more than 30 days or fined not more than \$600.00, or both."

“It is illegal to loan your Vermont liquor ID to someone else, attempt to use an ID belonging to someone else or attempt to use a falsified ID, make a written statement of age that is false when applying for ID or in trying to enter a bar.”

“Any person who provides alcohol for person under the age of 21 shall be fined not less than \$500.00 nor more than \$2,000.00 or imprisoned not more than two years, or both.”

A violation of any law regarding alcohol is also a violation of the College’s Student Code of Conduct and will be treated as a separate disciplinary matter by the College.

Prevention Programs

The College has developed a program to prevent the illicit use of drugs and the abuse of alcohol by students and employees. The program provides services related to drug use and abuse including dissemination of informational materials, educational programs, counseling services, referrals and college disciplinary actions. This effort is the responsibility of many different areas of the institution, including:

Alcohol and Drug Education: College Health Services, Employee Assistance Program, Residence Life, Student Affairs

Counseling Services: Student Development Counselors, College Nurse, and Employee Assistance Program.

Referral Services: Student Development Counselors, College Nurse, Employee Assistance Program.

College Disciplinary Actions: Student Judicial Hearing, College Disciplinary Board, Employee Supervisor Meeting.

Training and Programs

All new students and employees receive an orientation to the campus, which includes information on the emergency procedures, responding to a hostile intruder, and assistance available from the Public Safety Department. Residence hall staff are trained to respond quickly and appropriately to emergencies and to provide safety and wellness training to students.

Vermont Tech has developed educational programs to promote awareness of sexual harassment, sexual exploitation, domestic violence, dating violence, sexual assault and stalking. These education programs include primary prevention and awareness programs for all incoming students at orientation (both in-person and online) and new employees and residence hall staff, as well as an online training module for current faculty and staff. These programs include: a statement that these crimes are prohibited at Vermont Tech; definitions of consent, domestic violence, dating violence, sexual assault, and stalking under Vermont state law; safe and positive bystander intervention; information on reducing risk by recognizing warning signs of abusive behavior and avoiding potential attacks; and information about Vermont Tech’s institutional disciplinary procedures.

New students and employees are also made aware of the College’s Policy 311: Non-Discrimination and Prevention of Harassment and Related Unprofessional Conduct Policy (VSC Policy 311). Additionally, all students and employees are regularly provided with the policies, any updates, and are encouraged to review them at least annually. Again, the online training module covers this content area.

Students receive educational information regarding alcohol, drug use and sexual violence during New Student Orientation, both online and in-person, and through Residential Life programming. Students may be referred to a counselor available to Vermont Tech students when sanctions warrant such follow up. Substance abuse evaluations may be imposed for repeat offenders of the Drug and Alcohol Policy. Information on the policies regarding alcohol and other drugs are provided to employees during orientation and through compliance modules available online.

Education, Crime Prevention Tips, and What You Can Do to Help

Vermont Tech Public Safety staff are available to respond to questions or concerns from students or college personnel. Security alert notices are distributed throughout the college community through campus bulletin boards, text and phone messages, newsletters, computer alerts and emails. Messages describe information about current crimes and provide advice to students, faculty and staff.

Tips to keep in mind to help you avoid becoming a victim of crime:

- Avoid traveling alone after dark.
- Walk on lighted and regularly traveled walks and pathways.
- Avoid shortcuts, and keep away from shrubbery and bushes where an assailant could be hiding.
- Report lights that are not functioning, defective doors or locks, and any other hazardous conditions to the Department of Public Safety.
- When walking to your vehicle or residence, have your keys ready in hand.
- Keep doors and windows to your residence locked at all times.
- Never sleep in an unlocked room.
- If you lose your keys or access card to your room or residence hall, notify your Resident Director and Public Safety immediately so that arrangements can be made to have your lock changed.
- Inform a friend or Vermont Tech personnel of your plans when leaving campus.
- If you find that your room has been entered in your absence, do not go inside. Notify the Department of Public Safety immediately. Do not touch anything, as you may disturb evidence important to an investigation.
- If you see a suspicious person or vehicle on campus, contact Public Safety immediately. Try to get a license plate number or a description of the vehicle.
- Do not block open entrances or locked interior doors to any college building, as you will be subject to fines and disciplinary action if caught doing so.
- Avoid bringing large amounts of cash or other valuables to campus, and keep items of value out of sight if you do bring them to campus.
- Never lend anyone your room keys or access card.
- The most common crimes are “rip-offs.” These are larcenies committed by opportunity and occur when property is left unlocked or unattended.

Non-Discrimination and Prevention of Harassment and Related Unprofessional Conduct (VSC Policy 311)

Vermont Technical College is a member of the Vermont State Colleges (VSC) and is subject to VSC policies.

VSC Policy 311 prohibits discrimination and harassment on the basis of a person’s race, color, ancestry, ethnicity, national origin, place of birth, sex, sexual orientation, gender identity, creed, religion, disability, age, veteran status, marital status, genetic information, positive HIV-related blood test results, or any other status protected by state or federal laws. Sexual harassment is illegal and Vermont Technical College will not tolerate sexual harassment of its students and employees, nor will the College tolerate related unprofessional conduct by its employees that leads to and is associated with sexual harassment.

In the academic context, sexual harassment may be used to describe a wide range of behavior between students, between employees, or between students and employees. Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment.

Policy 311: *Non-discrimination and Prevention of Harassment and Related Unprofessional Conduct* and the Chancellor’s Implementing Procedures can be found here on the VSC’s main website and here on the VSC’s Policy 311/Title IX website. The policy and procedures described herein are pursuant to the policy in effect, as of December 1, 2020, and may be subject to future revision.

To initiate a Policy 311 complaint, formally or informally, or for further information, contact:

Vermont Technical College Title IX/ Policy 311 Coordinator

Name Mary Katherine Juskiewicz
Title Associate Dean for Outreach and Support

Address Conant Hall room 201
Email mjuskiew@vtc.edu
Phone 802-726-1673

Complaints of harassment and discrimination are investigated by two impartial investigators. Investigators may be employees of Vermont Technical College, or other VSC employees, or outside investigators. All faculty and staff have an obligation to report any complaints shared with them to the Policy 311 Coordinator.

Any student or employee who believes that he or she is a victim of discrimination, harassment or related unprofessional conduct, or a person who has information about alleged incidents, may seek assistance and information from the Policy 311 coordinator or College Administrator.

Communication of an incident of harassment, discrimination, or bias received by the Policy 311 coordinator or Administrator will be investigated in a timely manner, corrective measures taken as appropriate, and information fed back to the complaining party.

The investigator(s) may call on the College President, Deans, or designated College personnel for support in an investigation, and to ensure that there is no bias during the investigation.

Retaliation for an employee or student having filed or made a good faith complaint under this Policy, or for cooperating in an investigation, is strictly prohibited and will be considered a violation of Policy 311.

Main Contacts for Harassment Complaints

Title	Last Name	First Name	Position	Office Phone	Office Email
Policy 311 Coordinator	Juskiewicz	Mary Kathryn	Associate Dean for Outreach & Support	802-728-1673	mjuskiew@vtc.edu
Policy 311 Investigator	Riso	Kelly Rue	Director of Human Resources	802-728-1211	kriso@vtc.edu
Policy 311 Investigator	Clark	Jean-Marie	Dean of Williston Campus	802-879-2322	jclark@vtc.edu
Policy 311 Investigator	Fredette	Emile	Director of Public Safety	802-879-1212	efredette@vtc.edu
Title IX Coordinator	Juskiewicz	Mary Kathryn	Associate Dean for Outreach	802-728-1673	mjuskiew@vtc.edu
ADA/Section 504 Coordinator	Enser	Jason	Dean Of Students	802- 728-1212	jenser@vtc.edu

Policy 311-A:

Sexual Harassment, Sexual Exploitation, Domestic Violence, Dating Violence, Sexual Assault, and Stalking

In accordance with Title IX, as well as applicable state and federal law, the VSC Policy 311-A prohibits discrimination on the basis of sex in its education programs and activities, admission, and employment. Prohibited sex discrimination includes sexual harassment.

Reporting Sexual Harassment, Sexual Exploitation, Domestic Violence, Dating Violence, Sexual Assault, and Stalking

Vermont Technical College is committed to maintaining an educational and working environment free from all forms of sex discrimination, including Sexual Harassment, Sexual Exploitation. Vermont Technical College is also committed to maintaining an educational and working environment free from sexual harassment, sexual exploitation, domestic violence, dating violence, sexual assault, and stalking. Such conduct will not be tolerated. These acts not only violate a person's feelings of trust and safety but can also substantially interfere with a person's education or employment.

Policy 311-A: *Sexual Harassment, Sexual Exploitation, Domestic Violence, Dating Violence, Sexual Assault, and Stalking* and the Chancellor's Implementing Procedures can be found here on the VSC's main website and here on the VSC's Policy 311-A/Title IX website. Additional information can also be found on Vermont Technical College website [here](#)

The policy and procedures described herein are pursuant to the policy in effect, as of December 1, 2020, and may be subject to future revision.

To initiate a complaint under Policy 311-A, or for further information, contact:

Vermont Technical College Title IX Coordinator

Name	Mary Katherine Juskiewicz
Title	Associate Dean for Outreach and Support
Address	Conant Hall room 201
Email	mjuskiew@vtc.edu
Phone	802-726-1673

Preventing Sexual Harassment, Sexual Exploitation, Domestic Violence, Dating Violence, Sexual Assault, and Stalking **Warning Signs of Abuse**

Because relationships exist on a spectrum, it can be hard to tell when a behavior crosses the line from healthy to unhealthy or even abusive. Use these warning signs of abuse to see if your relationship is going in the wrong direction:

Is your partner:

- Checking your cell phone or email without permission
- Constantly putting you down
- Extremely jealous or insecure
- Have an explosive temper
- Isolating you from family or friends
- Making false accusations
- Suffering mood swings
- Physically hurting you in any way
- Demonstrating possessiveness
- Telling you what to do
- Pressuring or forcing you to have sex

(Author Unknown. "Is this abuse?" Love is respect.org <http://www.loveisrespect.org/is-this-abuse>)

If you see someone in danger of being assaulted:

- Step in and offer assistance. Ask if the person needs help. NOTE: Before stepping in, make sure to evaluate the risk. If it means putting yourself in danger, call 911 instead.
- Don't leave. If you remain at the scene and are a witness, the perpetrator is less likely to do anything.
- If you know the perpetrator, tell the person you do not approve of their actions. Ask the person to leave the potential victim alone.

Be an ally:

- When you go to a party, go with a group of friends. Arrive together, check in with each other frequently and leave together.
- Have a buddy system. Don't be afraid to let a friend know if you are worried about her/his safety.
- If you see someone who is intoxicated, offer to call a cab.

(“Your Role in Preventing Sexual Assault,” <https://www.rainn.org/articles/your-role-preventing-sexual-assault>)

NOTE: Victims of SEXUAL HARASSMENT, SEXUAL EXPLOITATION, DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT AND STALKING have the option to:

- Notify law enforcement;
- Obtain assistance from campus authorities in notifying law enforcement; or
- Not notify law enforcement.

Regardless of where the offense occurred, the College will provide alleged victims who report an alleged violation with an explanation of their rights and options. A victim who chooses not to notify law enforcement immediately has the option to notify law enforcement at a later time. A victim may also choose to pursue a criminal complaint and a complaint through VTC's institutional disciplinary procedures simultaneously. Please note, that where circumstances warrant, the College may report and/or investigate an alleged violation even if the alleged victim chooses not to pursue official action. The alleged victim is not obligated to cooperate in this process.

The College is committed to taking action against those who violate its code of conduct policies. A Sexual Harassment, Sexual Exploitation violation can result in consequences up to and including criminal charges and dismissal from the College.

Resources for Victims

Written information on existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available for individuals who report that they have been subjected to misconduct in violation of this policy, both on campus and in the local community, is available from the VSC Office of the Chancellor and Vermont Tech. Vermont Tech will provide written notification about options for, available assistance in, and how to request changes to academic, living, transportation, and working situations or other protective measures. Vermont Tech will make such accommodations or provide such protective measures if requested and if they are reasonably available, regardless of whether the victim chooses to report the crime to campus police or local law enforcement. Requests for accommodations should be made to the Title IX Coordinator. The following pages list resources by site.

Resources for Victims of Domestic Violence, Dating Violence, Sexual Assault & Stalking On-Campus: Bennington

Counseling	Carolyn Stannard-Carlo	802-442-8811
Health	Carolyn Stannard-Carlo	802-442-8811
Mental Health	Carolyn Stannard-Carlo	802-442-8811
Complainant Advocacy	Mary Kathryn Juskiewicz	802-728-1673
Legal Assistance	Office of Student Affairs	802-728-1212
Visa and Immigration Assistance	Kathleen Mason	802-728-1366
Substance Abuse	Carolyn Stannard-Carlo	802-442-8811

Resources for Victims of Domestic Violence, Dating Violence, Sexual Assault & Stalking Off-Campus: Bennington

Counseling	United Counseling Services (UCS)	802-442-5491
Health	Southwestern Vt. Med Center	802-442-6361
Mental Health	United Counseling Services (UCS)	802-442-5491
Complainant Advocacy	Project Against Violent Encounters	802-442-2111
Legal Assistance	Project Against Violent Encounters	802-442-2111
Visa and Immigration Assistance	Kathleen Mason	802-728-1366
Substance Abuse	United Counseling Services (UCS)	802-442-5491

Resources for Victims of Domestic Violence, Dating Violence, Sexual Assault & Stalking On-Campus: Brattleboro

Counseling	Becky Steele	802-451-6619
Health	Becky Steele	802-451-6619
Mental Health	Becky Steele	802-451-6619
Complainant Advocacy	Mary Kathryn Juskiewicz	802-728-1673
Legal Assistance	Office of Student Affairs	802-728-1212
Visa and Immigration Assistance	Kathleen Mason	802-728-1366
Substance Abuse	Becky Steele	802-451-6619

Resources for Victims of Domestic Violence, Dating Violence, Sexual Assault & Stalking Off-Campus: Dartmouth

Counseling	Phyllis Mitchell	802-626-6538
Health	Phyllis Mitchell	802-626-6538
Mental Health	Phyllis Mitchell	802-626-6538
Complainant Advocacy	Mary Kathryn Juskiewicz	802-728-1673
Legal Assistance	Office of Student Affairs	802-728-1212
Visa and Immigration Assistance	Kathleen Mason	802-728-1366
Substance Abuse	Phyllis Mitchell	802-626-6538

Resources for Victims of Domestic Violence, Dating Violence, Sexual Assault & Stalking Off-Campus: Dartmouth

Counseling	<i>Health Care and Rehabilitation</i>	802-886-4500
Health	<i>Dartmouth-Hitchcock</i>	603-650-5000
Mental Health	<i>Health Care and Rehabilitation</i>	802-886-4500
Complainant Advocacy	WISE	603-448-5525
Legal Assistance	WISE	603-448-5525
Visa and Immigration Assistance	Kathleen Mason	802-728-1366
Substance Abuse	<i>Health Care and Rehabilitation</i>	802-886-4500

Resources for Victims of Domestic Violence, Dating Violence, Sexual Assault & Stalking On-Campus: Lyndonville

Counseling	Phyllis Mitchell	802-626-6538
Health	Phyllis Mitchell	802-626-6538
Mental Health	Phyllis Mitchell	802-626-6538
Complainant Advocacy	Mary Kathryn Juskiewicz	802-728-1673
Legal Assistance	Office of Student Affairs	802-728-1212
Visa and Immigration Assistance	Kathleen Mason	802-728-1366
Substance Abuse	Phyllis Mitchell	802-626-6538

Resources for complainants of Domestic Violence, Dating Violence, Sexual Assault & Stalking Off-Campus: Lyndonville

Counseling	<i>Northeast Kingdom Human Services</i>	802-748-3181
Health	Northeastern Vermont Regional Hospital	802-748-8141
Mental Health	Northeast Kingdom Human Services	802-748-3181
Complainant Advocacy	Umbrella	802-748-8645
Visa and Immigration Assistance	Kathleen Mason	802-728-1366
Substance Abuse	Phyllis Mitchell	802-626-6538
Legal Assistance	Umbrella	802-748-8645

Resources for Victims of Domestic Violence, Dating Violence, Sexual Assault & Stalking On-Campus: Morrisville

Counseling	Sarah Billings-Berg	802-728-1586
Health	Sarah Billings-Berg	802-728-1586
Mental Health	Sarah Billings-Berg	802-728-1586
Complainant Advocacy	Mary Kathryn Juskiewicz	802-728-1673
Legal Assistance	Office of Student Affairs	802-728-1212
Visa and Immigration Assistance	Kathleen Mason	802-728-1366
Substance Abuse	Sarah Billings-Berg	802-728-1586

Resources for Victims of Domestic Violence, Dating Violence, Sexual Assault & Stalking On-Campus: Middlebury

Counseling	Carolyn Stannard-Carlo	802-442-8811
Health	Carolyn Stannard-Carlo	802-442-8811
Mental Health	Carolyn Stannard-Carlo	802-442-8811
Complainant Advocacy	Mary Kathryn Juskiewicz	802-728-1673
Legal Assistance	Office of Student Affairs	802-728-1212
Visa and Immigration Assistance	Kathleen Mason	802-728-1366
Substance Abuse	Carolyn Stannard-Carlo	802-442-8811

Resources for Victims of Domestic Violence, Dating Violence, Sexual Assault & Stalking Off-Campus: Middlebury

Counseling	The Counseling Service of Addison County	802-388-6751
Health	WomenSafe or Porter Medical Center	WomenSafe: 802-388-4205 Porter: 802-388-4701
Mental Health	<i>Northeast Kingdom Human Services</i>	(802) 748-3181
Complainant Advocacy	WomenSafe	802-388-4205
Legal Assistance	WomenSafe	802-388-4205
Visa and Immigration Assistance	Kathleen Mason	802-728-1366
Substance Abuse	The Counseling Service of Addison County	802-388-6751

Resources for Victims of Domestic Violence, Dating Violence, Sexual Assault & Stalking On-Campus: Newport

Counseling	Phyllis Mitchell	802-626-6538
Health	Phyllis Mitchell	802-626-6538
Mental Health	Phyllis Mitchell	802-626-6538
Complainant Advocacy	Mary Kathryn Juskiewicz	802-728-1673
Legal Assistance	Office of Student Affairs	802-728-1212
Visa and Immigration Assistance	Kathleen Mason	802-728-1366
Substance Abuse	Phyllis Mitchell	802-626-6538

Resources for Victims of Domestic Violence, Dating Violence, Sexual Assault & Stalking Off-Campus: Newport

Counseling	Northeast Kingdom Human Svcs.	802-334-6744
Health	North Country Hospital	802-334-3234
Mental Health	Northeast Kingdom Human Svcs.	802-334-6744
Complainant Advocacy	Umbrella	802-388-4205
Legal Assistance	Umbrella	802-388-4205
Visa and Immigration Assistance	Kathleen Mason	802-728-1366
Substance Abuse	Northeast Kingdom Human Svcs.	802-334-5246

Resources for Victims of Domestic Violence, Dating Violence, Sexual Assault & Stalking On-Campus: Randolph Center

Counseling	Center for Academic Success	802-728-1367
Health	Campus Nurse (Bob Sivert)	802-728- 1270
Mental Health	Center for Academic Success	802-728-1367
Complainant Advocacy	Mary Kathryn Juskiewicz	802-728-1673
Legal Assistance	Office of Student Affairs	802-728-1212
Visa and Immigration	Kathleen Mason	802-728-1366
Substance Abuse	Anne Adams	802-728-1396

Resources for Victims of Domestic Violence, Dating Violence, Sexual Assault & Stalking Off-Campus: Randolph Center

Counseling	Clara Martin Center	802-728-4466
Health	Gifford Medical Center	802-728-7000
Mental Health	Clara Martin or Central Vermont Medical Center (CVMC) or Washington County Mental Health. (WCMH)	Clara Martin: 802-728-4466 CVMC: 802-371-4100 WCMH: 802-229-8000
Complainant Advocacy	Safeline	802-685-7900
Legal Assistance	Safeline	802-685-7900
Visa and Immigration Assistance	Kathleen Mason	802-728-1366
Substance Abuse	Clara Martin Center	802-728-4466

Resources for Victims of Domestic Violence, Dating Violence, Sexual Assault & Stalking On-Campus: Keene NH

Counseling	Becky Steele	802-451-6619
Health	Becky Steele	802-451-6619
Mental Health	Becky Steele	802-451-6619
Complainant Advocacy	Mary Kathryn Juskiewicz	802-728-1673
Legal Assistance	Office of Student Affairs	802-728-1212
Visa and Immigration Assistance	Kathleen Mason	802-728-1366
Substance Abuse	Becky Steele	802-451-6619

Resources for Victims of Domestic Violence, Dating Violence, Sexual Assault & Stalking Off-Campus: Keene NH

Counseling	Health Care and Rehabilitation Services	802-886-4500
Health	Springfield Hospital	802-885-2151
Mental Health	Health Care and Rehabilitation Services	802-886-4500
Complainant Advocacy	Women's Freedom Center	802-885-2050
Legal Assistance	Women's Freedom Center	802-885-2050
Visa and Immigration Assistance	Kathleen Mason	802-728-1366
Substance Abuse	Women's Freedom Center	802-885-2050

Resources for Victims of Domestic Violence, Dating Violence, Sexual Assault & Stalking On-Campus: St. Albans

Counseling	Lisa Fox	802-879-2369
Health	Lisa Fox	802-879-2369
Mental Health	Lisa Fox	802-879-2369
Complainant Advocacy	Mary Kathryn Juskiewicz	802-728-1673
Legal Assistance	Office of Student Affairs	802-728-1212
Visa and Immigration Assistance	Kathleen Mason	802-728-1366
Substance Abuse	Lisa Fox	802-879-2369

Resources for Victims of Domestic Violence, Dating Violence, Sexual Assault & Stalking Off-Campus: St. Albans

Counseling	Howard Center	802-488-6265
Health	Northwestern Medical Center	802-524-5911
Mental Health	Howard Center	802-488-6265
Complainant Advocacy	Voices Against Violence	802-885-2050
Legal Assistance	Voices Against Violence	802-885-2050
Visa and Immigration Assistance	Kathleen Mason	802-728-1366
Substance Abuse	Howard Center	802-488-6265

Resources for Victims of Domestic Violence, Dating Violence, Sexual Assault & Stalking On-Campus: White River Junction.

Counseling	Phyllis Mitchell	802-626-6538
Health	Phyllis Mitchell	802-626-6538
Mental Health	Phyllis Mitchell	802-626-6538
Complainant Advocacy	Mary Kathryn Juskiewicz	802-728-1673
Legal Assistance	Office of Student Affairs	802-728-1212
Visa and Immigration Assistance	Kathleen Mason	802-728-1366
Substance Abuse	Phyllis Mitchell	802-626-6538

Resources for Victims of Domestic Violence, Dating Violence, Sexual Assault & Stalking Off-Campus: White River Junction

Counseling	<i>Health Care and Rehabilitation</i>	802-886-4500
Health	<i>Dartmouth-Hitchcock</i>	603-650-5000
Mental Health	<i>Health Care and Rehabilitation</i>	802-886-4500
Complainant Advocacy	WISE	603-448-5525
Legal Assistance	WISE	603-448-5525
Visa and Immigration Assistance	Kathleen Mason	802-728-1366
Substance Abuse	<i>Health Care and Rehabilitation</i>	802-886-4500

Resources for Victims of Domestic Violence, Dating Violence, Sexual Assault & Stalking On- Campus: Williston

Counseling	Jean-Marie Clark	802-879-2322
Health	Jean-Marie Clark	802-879-2322
Mental Health	Jean-Marie Clark	802-879-2322
Complainant Advocacy	Mary Kathryn Juskiewicz	802-728-1673
Legal Assistance	Office of Student Affairs	802-728-1212
Visa and Immigration Assistance	Kathleen Mason	802-728-1366
Substance Abuse	Jean-Marie Clark	802-879-2333

Resources for Victims of Domestic Violence, Dating Violence, Sexual Assault & Stalking Off- Campus: Williston

Counseling	Howard Center	802-488-6103.
Health	Fletcher Allen	802-847-0000
Mental Health	Howard Center	802-488-6103.
Complainant Advocacy	Howard Center	802-488.6103.
Legal Assistance	Howard Center	802-488-6103.
Visa and Immigration Assistance	Kathleen Mason	802-728-1366
Substance Abuse	Howard Center	802-488-6103

Resources for Victims of Domestic Violence, Dating Violence, Sexual Assault & Stalking On-Campus: Williston West

Counseling	Lisa Fox	802-879-2369
Health	Lisa Fox	802-879-2369
Mental Health	Lisa Fox	802-879-2369
Complainant Advocacy	Mary Kathryn Juskiewicz	802-728-1673
Legal Assistance	Office of Student Affairs	802-728-1212
Visa and Immigration Assistance	Kathleen Mason	802-728-1366
Substance Abuse	Lisa Fox	802-879-2369

Resources for

Victims of Domestic Violence, Dating Violence, Sexual Assault & Stalking Off-Campus: Williston West

Counseling	Howard Center	802-488-6265
Health	Northwestern Medical Center	802-524-5911
Mental Health	Howard Center	802-488-6265
Complainant Advocacy	Voices Against Violence	802-885-2050
Legal Assistance	Voices Against Violence	802-885-2050
Visa and Immigration Assistance	Kathleen Mason	802-728-1366
Substance Abuse	Howard Center	802-488-6265

Other resources available to persons who report being the complainant of sexual assault, domestic violence, dating violence, or stalking, include:

<http://www.rainn.org> – Rape, Abuse and Incest National Network https://cops.usdoj.gov/html/dispatch/04-2018/ovw_article.html - Department of Justice <http://www2.ed.gov/about/offices/list/ocr/index.html> Department of Education, Office of Civil Rights

Sex Offender Registry

Information regarding registered sex offenders may be obtained from the State of Vermont Criminal Justice Services:

Vermont Sex Offender Registry

Vermont Criminal Information Center 103 South Main Street Waterbury, VT 05671

(802) 241-5400

<http://vcic.vermont.gov/sor>

Filing a Formal Sexual Harassment, Sexual Exploitation, Domestic Violence, Dating Violence, Sexual Assault, or Stalking Complaint Overview of Disciplinary Procedures

The institutional disciplinary process is intended to provide a prompt, fair, and impartial investigation and resolution. The process will be conducted by officials who receive annual training on issues related to Sexual Harassment, Sexual Exploitation (including sexual assault), domestic violence, dating violence, and stalking and how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability. The College will use the preponderance of the evidence standard (i.e. whether it is more likely than not that a violation occurred).

A copy of Policy 311-A's implementing procedures applicable to complaints of Sexual Harassment, Sexual Exploitation (including sexual assault), domestic violence, dating violence, and stalking can be found in Appendix B of this document and online at <https://www.vsc.edu/wp-content/uploads/2020/08/Policy-311-A-Procedures-rev.-eff.-8-12-20.pdf>

Vermont Technical College may investigate and pursue disciplinary action against a person accused of violating Policy 311-A even if the alleged victim chooses not to file a formal complaint. Once a formal complaint has been filed alleging that an incident of Sexual Harassment, Sexual Exploitation, domestic violence, dating violence, sexual assault, or stalking has occurred, the respondent whose conduct is the subject of the complaint will be notified of the allegations.

Sanctions and Determination

Violation of the prohibitions set forth in Policy 311-A is grounds for discipline up to and including the dismissal/expulsion of students or the termination of employees. Generally, the range of sanctions for students includes verbal and written warnings, written reprimands, counseling, loss of privileges, probationary status, removal from College housing, suspension, dismissal/expulsion, revocation of degree, and/or withholding of transcript or other action determined to be appropriate under the circumstances. Generally, the range of sanctions for employees includes verbal warnings, written warnings, written reprimands, probation, suspension, termination of employment, non-renewal of a contract, or other action determined to be appropriate under the circumstances.

The VSC or Vermont Tech may also impose certain non-disciplinary remedial actions where appropriate, such as required counseling or training for the respondent and/or a group of students or employees, to stop the misconduct, prevent its recurrence, and remedy its effects. Additional non-disciplinary outcomes, such as extending and modifying no contact orders, room changes, class changes, work schedule changes, building restrictions, and extracurricular activity restrictions may also be imposed, regardless of the finding, to maintain an environment free from Sexual Harassment, Sexual Exploitation, dating violence, domestic violence, sexual assault, Sexual Harassment, Sexual Exploitation, and stalking.

Educational Programming

Vermont Tech will provide educational programming for students and employees addressing the issues of Sexual Harassment, Sexual Exploitation, domestic violence, dating violence, sexual assault and stalking, which will include: 1) primary prevention and awareness programs for incoming students and new employees; 2) safe and positive options for bystander intervention; 3) information on risk reduction and how to recognize warning signs of abusive behavior; and 4) ongoing prevention and awareness programs for student and employees. Vermont Tech and/or the VSC shall also take the following steps:

- Include VSC Policy 311-A: Sexual Harassment, Sexual Exploitation, Domestic Violence, Dating Violence, Sexual Assault, and Stalking and its implementing procedures on the VSC Policies and Procedures on its website and on the websites of member Colleges;
- Include links to Policy 311-A and its implementing procedures in appropriate publications to new and current students and employees;
- Provide educational materials on Sexual Harassment, Sexual Exploitation, dating violence, domestic violence, sexual assault, stalking, and bystander intervention;
- Identify those individuals responsible for overseeing the development and implementation of prevention and awareness program;
- Develop primary and ongoing prevention and awareness programs for students and employees;
- Select and train its Title IX Coordinators;
- Select and train designated contact persons;
- Select and train investigators annually regarding the issues related to Sexual Harassment, Sexual Exploitation, domestic violence, dating violence, sexual assault, and stalking, and how to conduct investigations that are prompt, fair, and impartial; and
- Train Responsible College Administrators annually and any others responsible for adjudicating complaints and considering appeals regarding the issues related to Sexual Harassment, Sexual Exploitation, domestic violence, dating violence, sexual assault, and stalking, and how to conduct an adjudication process that is prompt, fair, and impartial.

Vermont Technical College and all Vermont State Colleges, along with the Office of the Chancellor, shall continue to support, monitor and revise the educational prevention and awareness programs and informational materials as they work toward the goals of eliminating Sexual Harassment, Sexual Exploitation, domestic violence, dating violence, sexual assault, and stalking and of enhancing mutual trust and respect among all members of the College Community. Sexual assault can be committed by any person against another person, regardless of gender, gender identity, sexual orientation, or past or current relationship status. Sexual assault may occur with or without physical resistance or violence

Crime and the Campus Environment

The Crime Awareness and Campus Security Act of 1990, as amended in 2008, is designed to give students, prospective students, parents, faculty and staff an enhanced understanding of the campus environment, security procedures on campus, and the incidence of crime. Students, parents, and employees with questions about the information in this report should feel free to contact the Department of Public Safety at 728-1292, or on campus extension 7-1292.

Vermont Technical College **Randolph Campus** Crime Statistics 2017 to 2019

Clery Act Reportable Offense	2017	2018	2019
Criminal Homicide	0	0	0
Murder/Non-negligent manslaughter	0	0	0
Negligent manslaughter	0	0	0
Robbery	0	0	0
Aggravated Assault	0	1	2
Burglary	0	3	0
Motor Vehicle Theft	0	0	0
Arson	0	0	0
Domestic Violence	1	0	0
Dating Violence	1	1	3
Stalking	0	0	0
Sex Offenses			
Rape	0	2	0
Fondling	0	0	0
Incest	0	0	0
Statutory Rape	0	0	0
Crimes of Prejudice	0	0	0
Arrest			
Liquor Law Violations	0	0	7
Drug Law Violations	1	0	0
Illegal Weapons Violations	0	0	0
Campus Judicial Referrals			
Liquor Law Violations	46	46	58
Drug Law Violations	29	15	25
Illegal Weapons Violations	1	0	0

Vermont Technical College **Williston Campus** Crime Statistics 2017 to 2019

Clery Act Reportable Offense	2017	2018	2019
Criminal Homicide	0	0	0
Murder/Non-negligent manslaughter	0	0	0
Negligent manslaughter	0	0	0
Robbery	0	0	0
Aggravated Assault	0	0	0
Burglary	0	0	0
Motor Vehicle Theft	0	0	0
Arson	0	0	0
Domestic Violence	0	0	0
Dating Violence	0	0	0
Stalking	0	0	0
Sex Offenses			
Rape	0	0	0
Fondling	0	0	0
Incest	0	0	0
Statutory Rape	0	0	0
Crimes of Prejudice	0	0	0
Arrest			
Liquor Law Violations	0	0	0
Drug Law Violations	0	0	0
Illegal Weapons Violations	0	0	0
Campus Judicial Referrals			
Liquor Law Violations	1	1	0
Drug Law Violations	0	0	0
Illegal Weapons Violations	0	0	0

Vermont Technical College **Nursing Sites** Crime Statistics 2017 to 2019

Clery Act Reportable Offense	2017	2018	2019
Criminal Homicide	0	0	0
Murder/Non-negligent manslaughter	0	0	0
Negligent manslaughter	0	0	0
Robbery	0	0	0
Aggravated Assault	0	0	4
Burglary	0	0	1
Motor Vehicle Theft	0	0	1
Arson	0	0	0
Domestic Violence	0	0	0
Dating Violence	0	0	0
Stalking	0	0	0
Sex Offenses			
Rape	0	0	0
Fondling	0	0	2
Incest	0	0	0
Statutory Rape	0	0	0
Crimes of Prejudice	0	0	0
Arrest			
Liquor Law Violations	0	0	0
Drug Law Violations	4	1	0
Campus Judicial Referrals			
Liquor Law Violations	0	0	0
Drug Law Violations	0	0	0
Illegal Weapons Violations	0	0	0

In 2019 Middlebury had 2 reports of Sexual Offense / Fondling on Non-Campus property.

In 2019 Brattleboro had 1 reported Burglary on Non-Campus property and 4 Aggravated Assaults and 1 MV theft on Public Property

In 2018 Middlebury had 1 drug arrests on non-campus property

In 2017 there were 4 drug law violations in Middlebury on non-campus property.

Vermont Technical College – **Randolph Campus** Breakdown of Crime Statistics for 2019

Clery Act Reportable Offense	On-Campus Student Housing	On Campus Other	On Campus Total	Non-campus Property	Public Property
Criminal Homicide					
Murder/Non-negligent manslaughter	0	0	0	0	0
Negligent manslaughter	0	0	0	0	0
Robbery	0	0	0	0	0
Aggravated Assault	1	1	2	0	0
Burglary	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0
Arson	0	0	0	0	0
Sex Offenses					
Rape	0	0	0	0	0
Fondling	0	0	0	0	0
Incest	0	0	0	0	0
Statutory Rape	0	0	0	0	0
Domestic Violence	0	0	0	0	0
Dating Violence	0	3	3	0	0
Stalking	0	0	0	0	0
Arrest					
Liquor Law Violations	0	7	7	0	0
Drug Law Violations	0	0	0	0	0
Illegal Weapons Violations	0	0	0	0	0
Campus Judicial Referrals					
Liquor Law Violations	52	6	58	0	0
Drug Law Violations	22	3	25	0	0
Illegal Weapons Violations	0	0	0	0	0

Vermont Technical College – **Randolph Campus** Crime Breakdown of Statistics for 2018

Clery Act Reportable Offense	On Campus Student Housing	On Campus Other	On Campus Total	Non-campus Property	Public Property
Criminal Homicide					
Murder/Non-negligent manslaughter	0	0	0	0	0
Negligent manslaughter	0	0	0	0	0
Robbery	0	0	0	0	0
Aggravated Assault	0	0	0	0	1
Burglary	3	0	3	0	0
Motor Vehicle Theft	0	0	0	0	0
Arson	0	0	0	0	0
Sex Offenses					
Rape	2	0	2	0	0
Fondling	0	0	0	0	0
Incest	0	0	0	0	0
Statutory Rape	0	0	0	0	0
Domestic Violence	0	0	0	0	0
Dating Violence	1	0	1	0	0
Stalking	0	0	0	0	0
Arrest					
Liquor Law Violations	0	0	0	0	0
Drug Law Violations	0	0	0	0	0
Illegal Weapons Violations	0	0	0	0	0
Campus Judicial Referrals					
Liquor Law Violations	46	0	46	0	0
Drug Law Violations	15	0	15	0	0
Illegal Weapons Violations	0	0	0	0	0

Vermont Technical College – **Randolph Campus** Breakdown of Crime Statistics for 2017

Clery Act Reportable Offense	On Campus Student Housing	On Campus Other	On Campus Total	Non-campus Property	Public Property
Criminal Homicide					
Murder/Non-negligent manslaughter	0	0	0	0	0
Negligent manslaughter	0	0	0	0	0
Robbery	0	0	0	0	0
Aggravated Assault	0	0	0	0	0
Burglary	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0
Arson	0	0	0	0	0
Sex Offenses					
Rape	0	0	0	0	0
Fondling	0	0	0	0	0
Incest	0	0	0	0	0
Statutory Rape	0	0	0	0	0
Domestic Violence	0	0	0	1	0
Dating Violence	1	0	1	0	0
Stalking	0	0	0	0	0
Arrest					
Liquor Law Violations	0	0	0	0	0
Drug Law Violations	0	1	1	0	0
Illegal Weapons Violations	0	0	0	0	0
Campus Judicial Referrals					
Liquor Law Violations	38	8	46	0	0
Drug Law Violations	13	16	29	0	0
Illegal Weapons Violations	0	1	1	0	0

Vermont Technical College – **Williston Campus & Nursing Sites** Breakdown of Crime Statistics for 2019

Clery Act Reportable Offense	On Campus Student Housing	On Campus Other	On Campus Total	Non-campus Property	Public Property
Criminal Homicide					
Murder/Non-negligent manslaughter	0	0	0	0	0
Negligent manslaughter	0	0	0	0	0
Robbery	0	0	0	0	0
Aggravated Assault	0	0	0	0	4
Burglary	0	0	0	1	0
Motor Vehicle Theft	0	0	0	0	1
Arson	0	0	0	0	0
Sex Offenses					
Rape	0	0	0	0	0
Fondling	0	0	0	2	0
Incest	0	0	0	0	0
Statutory Rape	0	0	0	0	0
Domestic Violence	0	0	0	0	0
Dating Violence	0	0	0	0	0
Stalking	0	0	0	0	0
Arrest					
Liquor Law Violations	0	0	0	0	0
Drug Law Violations	0	0	0	0	0
Illegal Weapons Violations	0	0	0	0	0
Campus Judicial Referrals					
Liquor Law Violations	0	0	0	0	0
Drug Law Violations	0	0	0	0	0
Illegal Weapons Violations	0	0	0	0	0

In 2019 Middlebury had 2 reports of Sexual Offense / Fondling on Non-Campus property.

In 2019 Brattleboro had 1 reported Burglary on Non-Campus property and 4 Aggravated Assaults and 1 MV theft on Public Property

Vermont Technical College – **Williston Campus & Nursing Sites** Breakdown of Crime Statistics for 2018

Clery Act Reportable Offense	On Campus Student Housing	On Campus Other	On Campus Total	Non-campus Property	Public Property
Criminal Homicide					
Murder/Non-negligent manslaughter	0	0	0	0	0
Negligent manslaughter	0	0	0	0	0
Robbery	0	0	0	0	0
Aggravated Assault	0	0	0	0	0
Burglary	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0
Arson	0	0	0	0	0
Sex Offenses					
Rape	0	0	0	0	0
Fondling	0	0	0	0	0
Incest	0	0	0	0	0
Statutory Rape	0	0	0	0	0
Domestic Violence	0	0	0	0	0
Dating Violence	0	0	0	0	0
Stalking	0	0	0	0	0
Arrest					
Liquor Law Violations	0	0	0	0	0
Drug Law Violations	0	0	0	1	0
Illegal Weapons Violations	0	0	0	0	0
Campus Judicial Referrals					
Liquor Law Violations	1	0	1	0	0
Drug Law Violations	0	0	0	0	0
Illegal Weapons Violations	0	0	0	0	0

*In 2018 there was 1 drug arrests on non-campus property by the Middlebury Police.
 In 2018 there were 1 Liquor Law violations in the Williston Residence Hall.*

Vermont Technical College – **Williston Campus & Nursing Sites** Breakdown of Crime Statistics for 2017

Clery Act Reportable Offense	On Campus Student Housing	On Campus Other	On Campus Total	Non-campus Property	Public Property
Criminal Homicide					
Murder/Non-negligent manslaughter	0	0	0	0	0
Negligent manslaughter	0	0	0	0	0
Robbery	0	0	0	0	0
Aggravated Assault	0	0	0	0	0
Burglary	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0
Arson	0	0	0	0	0
Sex Offenses					
Rape	0	0	0	0	0
Fondling	0	0	0	0	0
Incest	0	0	0	0	0
Statutory Rape	0	0	0	0	0
Domestic Violence	0	0	0	0	0
Dating Violence	0	0	0	0	0
Stalking	0	0	0	0	0
Arrest					
Liquor Law Violations	0	0	0	0	0
Drug Law Violations	0	0	0	4	0
Illegal Weapons Violations	0	0	0	0	0
Campus Judicial Referrals					
Liquor Law Violations	1	0	1	0	0
Drug Law Violations	0	0	0	0	0
Illegal Weapons Violations	0	0	0	0	0

*In 2017 there were 4 drug law violations in Middlebury on non-campus property.
In 2017 Williston had 1 reported Liquor Law referral in the Residence Hall*

Annual Hate Crime Statistics

In addition to the crime statistics listed above, the Higher Education Opportunity Act of 2008 and the Campus Sexual Violence Elimination Act (SaVE ACT) of 2013, requires the College report Clery crimes of: larceny, intimidation, simple assault, and vandalism, if those crimes were determined to be bias motivated. To be a bias or hate crime, the victim is intentionally selected because of their actual or perceived race, gender, religion, sexual orientation, gender identity, ethnicity, national origin or disability.

Vermont Technical College Bias Crimes 2019

Clery Act Reportable Offense	Race	Gender	Religion	Sexuality	Ethnicity	Disability
Murder/Non-negligent manslaughter	0	0	0	0	0	0
Negligent manslaughter	0	0	0	0	0	0
Robbery	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0
Burglary	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0
Arson	0	0	0	0	0	0
Rape	0	0	0	0	0	0
Fondling	0	0	0	0	0	0
Incest	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0
Any crime involving bodily Injury	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0
Larceny- Theft	0	0	0	0	0	0
Destruction/Damage/Vandalism of property	0	0	0	0	0	0
TOTAL	0	0	0	0	0	0

Vermont Technical College Bias Crimes 2018

Clery Act Reportable Offense	Race	Gender	Religion	Sexuality	Ethnicity	Disability
Murder/Non-negligent manslaughter	0	0	0	0	0	0
Negligent manslaughter	0	0	0	0	0	0
Robbery	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0
Burglary	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0
Arson	0	0	0	0	0	0

Fondling	0	0	0	0	0	0
Incest	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0
Domestic Violence	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0
Stalking	0	0	0	0	0	0
Any crime involving bodily Injury	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0
Larceny- Theft	0	0	0	0	0	0
Destruction/Damage/Vandalism of property	0	0	0	0	0	0
TOTAL	0	0	0	0	0	0

Vermont Technical College Bias Crimes 2017

Clery Act Reportable Offense	Race	Gender	Religion	Sexuality	Ethnicity	Disability
Murder/Non-negligent manslaughter	0	0	0	0	0	0
Negligent manslaughter	0	0	0	0	0	0
Robbery	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0
Burglary	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0
Arson	0	0	0	0	0	0
Rape	0	0	0	0	0	0
Fondling	0	0	0	0	0	0
Incest	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0
Any crime involving bodily Injury	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0
Intimidation	1	0	0	0	0	0
Larceny- Theft	0	0	0	0	0	0
Destruction/Damage/Vandalism of property	0	0	0	0	0	0
TOTAL	1	0	0	0	0	0

One reported hate crime by category of intimidation on the Randolph Campus.

Definition of Terms

The following definitions are from the Code of Federal Regulations, Title 34, Subtitle B, Chapter VI, Part 668, Subpart D, Section 668.46 (October 2014); the Uniform Crime Reporting Handbook (2004); and The Handbook for Campus Safety and Security Reporting (2016).

The term “Campus” means:

1. Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls; and
2. Any building or property that is within or reasonably contiguous to the area identified in paragraph (1) of this definition, that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor).

The Term “Non Campus building or property” means:

1. Any building or property owned or controlled by a student organization that is officially recognized by the institution; or
2. Any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.

The Term “Public Property” means:

All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from the campus.

Aggravated Assault is defined as:

An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm. (It is not necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used which could and probably would result in serious personal injury if the crime were successfully completed.)

Arson is defined as:

Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.

Burglary is defined as:

The unlawful entry of a structure to commit a felony or a theft. For reporting purposes this definition includes: unlawful entry with intent to commit a larceny or felony; breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempts to commit any of the aforementioned.

Criminal Homicide--Manslaughter by Negligence is defined as:

The killing of another person through gross negligence.

Criminal Homicide--Murder and Non-negligent Manslaughter is defined as:

The willful (non-negligent) killing of one human being by another.

Dating Violence is defined as: “Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.

(i) The existence of such a relationship shall be determined based on the reporting party’s statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

(ii) For the purposes of this definition—Dating Violence is defined as: “Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.

(A) Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.

(B) Dating violence does not include acts covered under the definition of domestic violence.”

Any incident meeting this definition is considered a crime for the purposes of Clery Act reporting. It is also a violation of Vermont Technical College and VSC policy and is prohibited.

Domestic Violence is defined as: “A felony or misdemeanor crime of violence committed—

A. By a current or former spouse or intimate partner of the victim;

B. By a person with whom the victim shares a child in common;

C. By a person who is cohabiting with, or has cohabited with, the victim as a spouse or intimate partner;

D. By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or

E. By any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.”²

Any incident meeting this definition is considered a crime for the purposes of Clery Act reporting. It is also a violation of Vermont Technical College and VSC policy and is prohibited.

Examples of domestic violence and dating violence behaviors or activities directed against a family member, a household member, or a person one is dating or has dated include, but are not limited to: (1) violence or threats of violence (even in the absence of bodily injury); (2) negligent or reckless use of physical force; (3) conduct that may reasonably be expected to exploit or coerce another; (4) restraint; (5) prevention of another’s ability to communicate or move freely by the use of threats, intimidation, abuse or physical force; (6) unauthorized entry and, specifically, uninvited threatening presence in another’s room or office; and (7) other conduct intended to intimidate, manipulate, humiliate, terrorize, or isolate the other person. Domestic violence and dating violence can be a single act or a pattern of behavior in a relationship. Engaging in such behaviors or activities is a violation of Vermont Technical College and VSC policy and is prohibited.

Drug Abuse Violations is defined as:

Violations of State and local laws relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include: opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics (Demerol, methadone’s); and dangerous nonnarcotic drugs (barbiturates, Benzedrine).

(ii) For the purposes of this definition—

Liquor Law Violations are defined as:

The violation of laws or ordinances prohibiting: the manufacture, sale, transporting, furnishing, possessing of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to a minor or intemperate person; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; and all attempts to

Motor Vehicle Theft is defined as:

The theft or attempted theft of a motor vehicle. (Classify as motor 53 vehicle theft all cases where automobiles are taken by persons not having lawful access even though the vehicles are later abandoned--including joyriding.) commit any of the aforementioned. (Drunkenness and driving under the influence are not included in this definition.)

Rape is defined as: The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.

Robbery is defined as:

The taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or

Sex Offenses are defined as: Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

- A. Fondling—The touching of the private body parts of another person for the purpose of sexual gratification, the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.
- B. Incest—Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- C. Statutory Rape—Sexual intercourse with a person who is under the statutory age of consent.”⁵

Stalking is defined as: (i) engaging in a course of conduct directed at a specific person that would cause a reasonable person to—

- A. Fear for the person's safety or the safety of others; or
- B. Suffer substantial emotional distress.

APPENDIX A Vermont Criminal Statute Definitions of Domestic Violence, Sexual Assault, and Stalking. Domestic Violence (defined in 15 V.S.A. § 1151)

15 V.S.A. § 1101 Definitions

The following words as used in this chapter shall have the following meanings:

"Abuse" means the occurrence of one or more of the following acts between family or household members:

- a. Attempting to cause or causing physical harm.
- b. Placing another in fear of imminent serious physical harm.
- c. Abuse to children as defined in subchapter 2 of chapter 49 of Title 33.
- d. Stalking as defined in 12 V.S.A. § 5131(6).
- e. Sexual assault as defined in 12 V.S.A. § 5131(5).

"Domestic violence" means an act of abuse as defined in subdivision 1101(1) of this title and includes a threat of such acts committed against an individual in a domestic situation, regardless of whether these acts or threats have been reported to law enforcement officers.

"Household members" means persons who, for any period of time, are living or have lived together, are sharing or have shared occupancy of a dwelling, are engaged in or have engaged in a sexual relationship, or minors or adults who are dating or who have dated. "Dating" means a social relationship of a romantic nature. Factors that the court may consider when determining whether a dating relationship exists or existed include:

- a. the nature of the relationship;
- b. the length of time the relationship has existed;
- c. the frequency of interaction between the parties;
- d. the length of time since the relationship was terminated, if applicable.

There is no separate definition of "dating violence" in the Vermont Statutes. The above statutory definition of domestic violence captures all incidents characterized by VAWA as dating violence.

Sexual Assault (defined in 15 V.S.A. § 1151)

"Sexual assault" means an act of assault as defined in 13 V.S.A. § 3252(a) or (b) (sexual assault) or 3253(a) (aggravated sexual assault), and includes a threat of such acts, regardless of whether these acts or threats have been reported to law enforcement officers.

Sexual assault (13 V.S.A. § 3252)

- A.** No person shall engage in a sexual act with another person and compel the other person to participate in a sexual act:
 1. without the consent of the other person; or
 2. by threatening or coercing the other person; or
 3. by placing the other person in fear that any person will suffer imminent bodily injury.
- B.** No person shall engage in a sexual act with another person and impair substantially the ability of the other person to appraise or control conduct by administering or employing drugs or intoxicants without the knowledge or against the will of the other person.
- C.** No person shall engage in a sexual act with a child who is under the age of 16, except:
 1. where the persons are married to each other and the sexual act is consensual; or
 2. where the person is less than 19 years old, the child is at least 15 years old, and the sexual act is consensual.

D. No person shall engage in a sexual act with a child who is under the age of 18 and is entrusted to the actor's care by authority of law or is the actor's child, grandchild, foster child, adopted child, or stepchild.

E. No person shall engage in a sexual act with a child under the age of 16 if:

1. the victim is entrusted to the actor's care by authority of law or is the actor's child, grandchild, foster child, adopted child, or stepchild; or
2. The actor is at least 18 years of age, resides in the victim's household, and serves in a parental role with respect to the victim.

NOTE: For the purposes of the above, the following definitions should be used (from 13 V.S.A. § 3251):

- (1) A "sexual act" means conduct between persons consisting of contact between the penis and the vulva, the penis and the anus, the mouth and the penis, the mouth and the vulva, or any intrusion, however slight, by any part of a person's body or any object into the genital or anal opening of another.
- (2) "Consent" means words or actions by a person indicating a voluntary agreement to engage in a sexual act.

Stalking (13 V.S.A. § 1061)

"As used in this subchapter:

(1) (A) 'Course of conduct' means two or more acts over a period of time, however short, in which a person follows, monitors, surveils, threatens, or makes threats about another person, or interferes with another person's property. This definition shall apply to acts conducted by the person directly or indirectly, and by any action, method, device, or means. Constitutionally protected activity is not included within the meaning of 'course of conduct.'

(B) As used in subdivision (A) of this subdivision (1), threaten shall not be construed to require an express or overt threat.

(2) 'Emotional distress' means significant mental suffering or distress that may, but does not necessarily, require medical or other professional treatment or counseling.

(3) 'Reasonable person' means a reasonable person in the victim's circumstances. 23

(4) 'Stalk' means to engage purposefully in a course of conduct directed at a specific person that the person engaging in the conduct knows or should know would cause a reasonable person to fear for his or her safety or the safety of another or would cause a reasonable person substantial emotional distress.

APPENDIX B. CHANCELLOR'S PROCEDURES FOR IMPLEMENTATION OF POLICY 311-A: SEXUAL HARASSMENT, SEXUAL EXPLOITATION, and DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING

The complainant and respondent are entitled to the same opportunities to have others present during a disciplinary proceeding, including the opportunity to be accompanied to any related meeting or proceeding by an advisor of their choice. Both the complainant and respondent are simultaneously informed, in writing (by electronic or other means), of: (a) the outcome of any College disciplinary proceeding that arises from an allegation of sexual harassment, sexual exploitation, domestic violence, dating violence, sexual assault or stalking; (b) the College's appeal procedures; (c) any change to the result that occurs prior to the time that the result becomes final; and (d) when the result of the disciplinary proceeding becomes final.

Support and Assistance

Court Orders

Vermont Technical College is committed to ensuring the safety and well-being of individuals who are being or who may have been subjected to sexual harassment, sexual exploitation, domestic violence, dating violence, sexual assault, or stalking. They may have the right to obtain orders of protection, restraining orders and/or relief from abuse orders from Vermont courts. Upon request, Vermont Technical College will assist them in making contact with law enforcement authorities and other external resources to seek such orders. This assistance is available regardless of whether an individual chooses to file an internal complaint with Vermont Technical College.

Supportive Measures

Sometimes it may be necessary to take steps to protect the rights and interests of an individual before or during an investigation so that the individual feels safe in his or her work or educational environment. Upon request, the Title IX Coordinator, with the assistance of other Vermont Technical College officials as appropriate, will provide the complainant and/or respondent with changes to academic, transportation, working and/or living situations or other supportive measures, if reasonably available.

Individuals do not have to file a formal complaint, participate in a disciplinary process, or file a criminal complaint in order to request supportive measures from the Vermont Technical College. Supportive measures are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to Vermont Technical College's education programs or activities without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the Vermont Technical College's educational environment, or deter Prohibited Conduct.

Supportive measures may include but are not limited to: counseling; academic accommodations, such as extensions of deadlines or other course-related adjustments, course changes or late drops, or other arrangements as appropriate; modifications of work or class schedules; campus escort services; mutual restrictions on contact between the parties; residential accommodations, including but not limited to arranging for new housing, or providing temporary housing options, as appropriate; changes in work locations; leaves of absence; increased security and monitoring of certain areas of campus; changing transportation or working arrangements or providing other employment accommodations, as appropriate; assisting the individual in accessing support services, including, as available, victim advocacy, academic support, counseling, disability, health or mental health services, visa and immigration assistance, student financial aid services, and legal assistance both on and off campus, as applicable (visit <https://resolve.vsc.edu/> for further information); no trespass notices prohibiting the presence of an individual on Vermont Technical College property, and/or other properties on which Vermont Technical College programs are occurring; informing the individual of the right to report a crime to local law enforcement and/or seek orders of protection, restraining orders, or relief from abuse orders from United States courts or courts outside of the United States as applicable, and providing assistance if the individual wishes to do so. Vermont Technical College will also work with complainants and others as appropriate to respect and

implement the requirements of such orders on premises that it owns or controls, as necessary and appropriate; and other similar measures. Factors that may be considered in determining the appropriateness of supportive measures may include but are not limited to: the specific need expressed by the requesting individual; the age and position of the individuals involved; the severity or pervasiveness of the alleged conduct; any continuing effects of the alleged violation on the requesting individual; whether the individuals involved share the same residence hall, dining hall, classes, transportation or job location; and, whether any judicial measures, such as court orders, have been taken to protect the requesting individual.

Supportive measures may be offered as appropriate to the respondent, as well as to the complainant. Assessment of a party's need to receive a supportive measure will generally be made on an individualized basis, as appropriate, based on the information gathered by the Title IX Coordinator. The measures needed by each party may change over time and the Title IX Coordinator will communicate with the parties to evaluate whether the measures provided are necessary and effective based on the parties' evolving needs.

The imposition of any of these measures does not indicate a presumption of guilt, nor does it preclude subsequent disciplinary action. A no contact order in and of itself does not constitute discipline and will not appear in an employee's personnel file or on a student's disciplinary record, but refusal to comply with a no contact order (or other supportive measure) is a violation of policy and may result in disciplinary action. A no trespass notice prohibits the presence of an individual in a designated area. Such notices are legally enforceable and, if violated, may lead to arrest.

Interim Suspension of Students in Non-Title IX Sexual Harassment, Sexual Exploitation Cases

If Vermont Technical College has reasonable cause to believe that a student accused of violating Non- Title IX Misconduct in Policy 311-A poses a substantial threat to him or herself, the alleged victim, other people, property, or the continuance of normal Vermont Technical College operations, Vermont Technical College may suspend the student for an interim period, pending the outcome of the disciplinary process. Careful consideration should be given to alternative interim measures, such as changing class schedules and issuing no contact orders or building access restrictions, before imposing an interim suspension, so as to avoid depriving a student of his or her education where possible.

An interim suspension will not be imposed without prior notice to the student (either written or oral) of the contemplated suspension and the factual basis for it. The student shall have forty-eight hours in which to submit a letter to or appear personally before the Dean of Students (or the Dean's designee) to contest the interim suspension. The Dean of Students (or the Dean's designee) shall consider: (1) the reliability of the identification of the student; and (2) whether the alleged conduct, if true, based on the surrounding circumstances, reasonably indicates that the continued presence of the student on campus poses a substantial threat to him or herself, the alleged victim, other people, property, or the normal operations of Vermont Technical College. The Dean (or the Dean's designee) may require the student to meet certain conditions in lieu of an interim suspension. Unless the Dean of Students (or the Dean's designee) determines that it would be unreasonably difficult or dangerous to delay the interim suspension, the student shall have the opportunity to be heard in person, virtually or in writing before the interim suspension takes effect.

Emergency Removal of Students or Employees in Title IX Sexual Harassment Cases

When Vermont Technical College determines that there is an immediate threat to the physical health or safety of any student or other individual arising from reported conduct that falls within the definition of Title IX Sexual Harassment in Policy 311-A, Vermont Technical College can remove a respondent from the education program or activity (which may include removing an employee respondent from their employment at Vermont Technical College per the applicable terms of the any pertinent bargaining unit agreement or personnel handbook) and issue any necessary related no-trespass and no-contact orders. Vermont Technical College will make the decision to remove a respondent from the education program or activity based on an individualized assessment and risk analysis. If Vermont Technical College makes such a decision, the respondent will be provided with notice and an opportunity to challenge the decision immediately following the removal. Specifically, the respondent shall have forty-eight hours in which to submit a letter to or appear personally or virtually before the Dean of Students (or the Dean's designee), if a student-respondent, or before the President (or the President's designee) if an

employee-respondent, to contest the interim suspension (though a meeting could be scheduled sooner if requested by the respondent, if practicable or required per the terms of the applicable bargaining unit agreement or personnel handbook).

Non-student Administrative Leave in Title IX Sexual Harassment Cases

Vermont Technical College always maintains the discretion to place non-student employee respondents on paid administrative leave during the pendency of an investigation and resolution process as outlined below, consistent with the terms of the applicable bargaining unit agreement or personnel handbook. Vermont Technical College may also place a non-student employee respondent on unpaid administrative leave during the pendency of an investigation and resolution process, consistent with the terms of the applicable bargaining unit agreement or personnel handbook. In those instances in which Vermont Technical College determines that an administrative leave will be unpaid and the respondent was not offered the opportunity to challenge the suspension without pay before it was imposed through some other process, the respondent may present a written challenge regarding the need for or the adequacy of the unpaid administrative leave to the President or their designee, if the respondent is employed at a Vermont Technical College institution, or the Chancellor or their designee if the respondent is a President or employee at the Chancellor's Office.

Overview of Disciplinary Procedures

The following is an overview of the disciplinary process. A copy of the Chancellor's Implementing Procedures for Policy 311-A can be found on the VSC website [here](#). These are the procedures that will be followed in cases of sexual harassment, sexual exploitation, domestic violence, dating violence, sexual assault and stalking. Additional information is also available on the VSC's RESOLVE/Title IX website, [here](#) which contains helpful handouts.

Vermont Technical College may investigate and pursue disciplinary action against a person accused of violating Policy 311-A once a formal complainant has been filed.

The complainant will be asked to prepare a written statement describing the alleged conduct. The complainant may incorporate by reference a previously prepared statement. The Title IX Coordinator may alternatively draft a statement, based upon the complainant's verbal description of the alleged conduct, for the complainant's review and approval. To be considered a formal complaint, this document must be filed by a complainant, signed personally or electronically by the complainant (or signed by the Title IX Coordinator under circumstances outlined below), and request that Vermont Technical College investigate the reported Prohibited Conduct.

If a formal complaint of conduct that would, if proved, satisfy all four of these elements and constitute Title IX Sexual Harassment (meet Title IX Sexual Harassment definition, conduct allegedly occurred in Vermont Technical College's education program or activity, occurred in the United States and the complainant was participating or attempting to participate in a Vermont Technical College program or activity) is received, it will be investigated and resolved through the procedures applicable to Title IX Sexual Harassment matters.

If some but not all of the conduct alleged in the formal complaint satisfies all four of these elements Vermont Technical College will, in its discretion, address the entire matter through the procedures applicable to Title IX Sexual Harassment to promote efficiency, so that all related misconduct may be addressed through one investigation and resolution process.

If it appears based upon initial review or upon information gathered during an investigation that the matter does not satisfy and/or no longer satisfies all four of these elements, Vermont Technical College will, as required by May 2020 Title IX regulations, dismiss the matter for purposes of the Title IX Sexual Harassment process, and will transfer it for handling under the Non-Title IX Sexual Harassment, Sexual Exploitation procedures, as deemed appropriate by Vermont Technical College.

Even if the allegations of a matter fall within the definition of Title IX Sexual Harassment, Vermont Technical College may

(but is not required to) dismiss a formal complaint or any allegations therein if at any time during the investigation or resolution process a complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint or any allegations ; the respondent is no longer enrolled or employed by Vermont Technical College; or specific circumstances prevent Vermont Technical College from gathering evidence sufficient to reach a determination as to the formal complaint or allegations.

If a formal complaint is dismissed by Vermont Technical College under the circumstances described, Vermont Technical College will simultaneously provide to the parties written notice (by electronic or other means) of the dismissal and the reasons for the dismissal, and notice of the parties' opportunity to appeal such dismissal through the Title IX Sexual Harassment appeal procedures.

If the respondent is both a student and an employee, the Title IX Coordinator will determine which procedures apply based upon the facts and circumstances, such as whether the respondent's status as a student or an employee predominates in the context of the Prohibited Conduct. If a student-employee is found to have engaged in Prohibited Conduct, the student-employee may be subject to sanctions both in connection with their employment, and in connection with their student status, as appropriate under these and other applicable procedures.

Notice

If Vermont Technical College initiates an investigation of Title IX Sexual Harassment or Non-Title IX Sexual Harassment, Sexual Exploitation it will provide to the parties a written notice (by electronic or other means) that includes information about Vermont Technical College's formal and informal resolution processes; a statement of the allegations of behavior potentially constituting Prohibited Conduct, including sufficient details known at the time and with sufficient time to prepare a response before any initial post-intake interview; a statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process; information regarding Vermont Technical College's presumption of good faith reporting and a summary of the false information policy outlined in Policy 311-A; notification that parties may have an advisor of their choice, who may be, but is not required to be, an attorney; notification of existing counseling, health and mental health services available on campus and/or in the community; and notification that taking any retaliatory action (directly or through others) against any person involved in the investigation is prohibited and will be considered a separate violation of Vermont Technical College policy.

In Title IX Sexual Harassment cases, the notice will also notify parties that they may inspect and review evidence during the investigation and resolution process. If, in the course of an investigation, Vermont Technical College decides to investigate allegations about any party that are not included in the notice described above, it will provide notice of the additional allegations to the parties whose identities are known.

Vermont Technical College may consolidate formal complaints as to allegations of Title IX Sexual Harassment and/or Non-Title IX Sexual Harassment, Sexual Exploitation against more than one respondent, or by more than one complainant against one or more respondents, or by one party against the other party, where the allegations of such Prohibited Conduct arise out of the same facts or circumstances.

If at any point during an investigation, a respondent chooses to accept responsibility under this policy and the Title IX Coordinator has concluded that the respondent is doing so with full knowledge of their rights to participate in the investigation and resolution procedures described below, the Responsible College Administrator (RCA) may issue a determination and impose disciplinary sanctions upon the. The RCA may also take other action that is reasonably calculated to address the conduct and prevent its recurrence, including further investigation of the allegations. By accepting responsibility and the imposition of any assigned disciplinary sanction, the respondent waives the right to appeal.

The Investigation

The Title IX Coordinator will appoint at its discretion an investigator or investigators who is/are impartial, qualified, and trained, to investigate complaints alleging violations of Policy 311-A. Investigators may be employees of the Member Institution, other Vermont Technical College employees, or outside investigators.

In selecting the investigator for a particular matter, the Title IX Coordinator will take care to select an individual who does not have a conflict of interest or bias against complainants or respondents generally or an individual complainant or respondent. The complainant or respondent may raise an objection to the selection of a particular investigator if either believes there is a conflict of interest or demonstrable or reasonably perceived bias on the part of the investigator. Any such objections must be raised upon receipt of notice of the appointments. The RCA shall have final authority in the appointment of investigators.

Conducting the investigation

The investigator will conduct an investigation that is prompt, fair, impartial, and appropriate under the circumstances. The nature and scope of the investigation is within the discretion of the investigator.

The investigation will be conducted as promptly as possible, without compromising thoroughness. The investigator will endeavor to prepare their report within 45 calendar days from their appointment to serve as investigator, excluding scheduled breaks during the fall and spring semesters and other Vermont Technical College Holidays or closures. This timeframe may be extended for good cause with written notice to the parties of the delay and the reason(s) for the delay.

Witnesses and Evidence

The investigator will interview the complainant, respondent, and any witnesses separately. The complainant and respondent will be asked to identify: (a) relevant evidence they would like the investigator to review; (b) witnesses they would like the investigator to interview; and (c) questions they would like the investigator to ask the witnesses. The investigator has discretion as to what evidence to pursue, which witnesses to interview, and which questions to ask, depending on their determination of what they reasonably believe to be related to the issues in dispute.

The investigator is authorized to contact any and all individuals who may have relevant information. Vermont Technical College recognizes, however, that individuals who are bound by legal privileges may not be able to disclose privileged information, unless an exception applies. The investigator is authorized to access relevant records, except those legally protected as confidential or privileged, and may collect any additional evidence relevant to the complaint. The investigator will not access, consider, disclose or otherwise use a party's privileged records without the party's voluntary, written consent to do so.

Advisors

Complainants and respondents are entitled to the same opportunity to have an advisor of their choosing present at any interview or meeting they have with an investigator. Any such advisor may advise the complainant or respondent privately, but cannot act as a speaking advocate. An investigator may terminate the meeting and proceed with the investigation based on otherwise-available information if an advisor refuses to comply with these requirements. Because a Policy 311-A investigation may lead to discipline, a respondent who is a bargaining unit member has the right to be accompanied to the interview by a union representative.

Additional Policy Violations

If, in the course of the investigation, other allegations against the respondent surface which could result in discipline under this policy, other Vermont Technical College policies, policies of the Member Institution, any collective bargaining agreement, or personnel handbook, the investigator will inform the respondent, in writing, of such allegations and the respondent will be given an opportunity to respond to the additional allegations before the investigators submit their report. If the alleged additional violations are related to the allegations contained in the complaint, they will be handled through the procedures otherwise applicable to allegations in the formal complaint, as provided below. If the alleged additional violations are unrelated to the allegations contained in the

complaint, the Vermont Technical College may choose to address these separately and not as part of the ongoing investigatory and adjudicatory process.

General Investigation Provisions Applicable Only to Title IX Sexual Harassment Matters

The following general investigation-related provisions are applicable only to the investigation of matters that fall within the definition of Title IX Sexual Harassment, as required by May 2020 Title IX regulations. In such matters, the following provisions will apply: parties' equal opportunity to present witnesses may include evidence from fact and expert witnesses; and parties are not restricted in their ability to discuss the allegations under investigation or to gather and present relevant evidence; and parties whose participation is invited or expected will receive written notice of the date, time, location, participants, and purpose of all hearings, investigative interviews, or other meetings, with sufficient time for the party to prepare to participate.

Preliminary Investigative Reports

In both Title IX Sexual Harassment matters and Non-Title IX Sexual Harassment, Sexual Exploitation matters, when the investigator has completed witness interviews and the gathering of evidence as deemed appropriate by the investigator, the investigator will prepare a preliminary investigative report. The preliminary investigative report will summarize relevant evidence but will not contain any recommendations regarding whether the respondent violated Policy 311-A or any other Vermont Technical College policy at issue.

Preliminary Report Provisions Applicable only to Title IX Sexual Harassment Matters

In Title IX Sexual Harassment cases, the following additional provisions will apply during the preliminary investigative report stage of the investigation: Vermont Technical College will provide each party with an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised, including the evidence upon which Vermont Technical College does not intend to rely in reaching a determination regarding responsibility and/or which the investigator does not deem relevant, and inculpatory or exculpatory evidence whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to conclusion of the investigation. Such evidence will not include un-redacted privileged records or information that may have been gathered or received during the investigation, absent written consent from the party holding the privilege. Vermont Technical College will send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy.

Parties and advisors are not permitted to download, print or copy such evidence subject to inspection and review, and are not permitted to re-disclose such evidence without Vermont Technical College's permission. Parties and advisors will be required to sign an acknowledgment form indicating that they understand these prohibitions. Violations of these prohibitions may subject parties to Vermont Technical College discipline under applicable conduct codes.

Review and Response to Preliminary Investigative Report

In both Title IX Sexual Harassment and Non-Title IX Sexual Harassment, Sexual Exploitation matters, the complainant and the respondent will have an opportunity to review the preliminary report and 3 Parties to Non-Title IX Sexual Harassment, Sexual Exploitation matters will receive adequate notice of meetings and hearings, but such notice may not include all of these elements. provide written responses to the report. The complainant and the respondent must submit any comments, feedback, additional documents, evidence, suggested questions for individuals interviewed, requests for additional investigation, names of additional witnesses, or any other information they deem relevant to the investigator, additional documents or other evidence, within 10 calendar days after the preliminary report is sent to them for review. The parties' written responses will be considered by the investigator prior to completion of the final investigative report, and some or all of the responses may be attached or otherwise incorporated into the final investigative report.

In the event that new, relevant information is provided or identified at this stage, the information will be incorporated into the preliminary report as deemed appropriate by the investigator, and, if the investigator, in consultation with the Title IX Coordinator, determine the new information is sufficiently material to the investigation, the complainant and the respondent will be provided a second opportunity to review and provide a written response regarding the new information within five calendar days, which the investigator will consider prior to completion

of the final investigation report. Identification of new and relevant information after the parties' review of the preliminary report is likely to extend the time frame of the investigation.

Final Investigative Reports

Final Investigative Report Generally

In both Title IX Sexual Harassment matters and Non-Title IX Sexual Harassment, Sexual Exploitation matters, after considering any written response submitted by either party, or after the 10 calendar day comment period has lapsed without receiving a written response or responses, the investigator will address any relevant issues identified by the complainant and/or the respondent, and as appropriate, pursue any additional investigative steps as needed. The final investigative report may include the investigator's recommendation as to whether the respondent should be found responsible for violating the policy provisions at issue. The investigator's recommendation, if any, will be reached by applying the preponderance of evidence standard, i.e., whether it is more likely than not that the policy was violated. The final investigative report will be reviewed by the Title IX Coordinator before it is issued. Final investigative reports will be provided simultaneously to the parties and their advisors, if any, and a copy will also be provided to the Vermont Technical College's general counsel.

Final Investigative Report Provisions Applicable Only to Title IX Sexual Harassment Matters

The following provisions regarding the final investigative report will apply in Title IX Sexual Harassment matters: the final investigative report created by the investigator will fairly summarize relevant evidence and include as exhibits evidentiary materials as deemed appropriate by the investigator; At least 10 calendar days prior to the hearing referenced below, Vermont Technical College will send to each party and the party's advisor, if any, the final investigative report and exhibits in an electronic format or a hard copy, for their review and written response; any written response a party wishes to provide must be submitted to the Title IX Coordinator or designee within 10 calendar days of receiving the final investigative report and exhibits; and the final investigative report and the parties' written responses, if any, will be provided to the hearing officer in advance of the hearing.

HEARINGS

A. Hearing and Resolution Provisions Applicable Only to Title IX Sexual Harassment Matters

Hearings

Live hearings will be provided in Title IX Sexual Harassment matters, as required by May 2020 Title IX regulations.

Hearing Officers

Hearings will be presided over by a hearing officer, who will make the decision by a preponderance of the evidence as to whether or not the respondent violated the policy provisions at issue. The hearing officer has broad authority to determine the process, timing and conduct of a hearing. For example, the hearing officer will determine the order of presentation, timing and overall duration of the hearing, what information and evidence will be heard, what information and questions are relevant to the determination of the matter, and what cross-examination questions will or will not be permitted. Hearing officers will be appointed by the Title IX Coordinator. In selecting a hearing officer for a particular matter, the Title IX Coordinator will take care to select an individual who does not have a conflict of interest or bias against complainants or respondents generally or an individual complainant or respondent. Vermont Technical College will notify the parties of the identity of the hearing officer in advance of the hearing, and parties may, within three calendar days of sending such notice, object to the service of the hearing officer by providing a written statement (which may be transmitted electronically) as to why the party believes that the hearing officer has a conflict of interest or bias. The Title IX Coordinator or designee will make decisions regarding such objections and the appointment of an alternate hearing officer, as necessary.

Advisors

Each party may have an advisor of their choice present at a hearing for the limited purpose of conducting cross-examination on behalf of that party. Advisors may be, but are not required to be, attorneys. If a party does not have an advisor of their choice present at a hearing, Vermont Technical College will without fee or charge to the party provide an advisor of Vermont Technical College's choice, again for the limited purpose of conducting cross-

examination on behalf of that party. No later than 10 calendar days before the hearing, parties should inform the Title IX Coordinator of the identity of any advisor of choice who will accompany them to the hearing, so that Vermont Technical College will know whether or not it needs to arrange for the presence of a Vermont Technical College-provided advisor.

At a time and manner deemed appropriate by the hearing officer, the advisor for each party will be permitted to ask the other party and any witnesses all relevant cross-examination questions and follow-up questions, including those challenging credibility. Except for that limited role, advisors may not participate actively in the hearing and may not speak or otherwise communicate on the part of the party that the advisor is advising. However, the advisor may consult privately in a non-disruptive manner with their advisee during and/or at a recess in the hearing. Scheduling accommodations generally will not be made for advisors if they unduly delay the process. Vermont Technical College reserves the right to take appropriate action regarding any advisor who disrupts the process, or who does not abide by the restrictions on their participation as determined in the sole discretion of the hearing officer, which may include exclusion of the advisor from the hearing and the appointment of an alternate Vermont Technical College-provided advisor and, in extreme cases, exclusion of the advisor from future hearings.

Requests for Appearance of Witnesses

If a Party wishes to have an individual appear at the hearing as a witness, they must provide notice of the identity of the proposed witness and a brief description of the subject matter of the witnesses' testimony to the Title IX Coordinator or designee at least 10 calendar days before the date of the hearing. The Title IX Coordinator or designee, in consultation with the hearing officer as necessary, will determine whether the witness is likely to have information that is relevant to the hearing, and if it is determined that the witness is likely to have relevant information, the Title IX Coordinator or designee will inform the witness that their presence at the hearing is required (to the extent that Vermont Technical College has jurisdiction to require the presence of the witness) or requested.

Conduct of Hearings and Relevance

At or before the hearing, the hearing officer will receive a copy of the final investigative report, any attachments thereto, and copies of the parties' written responses to the final investigative report, if any, which will be part of the information of record to be considered by the hearing officer.

Subject to the discretion of the hearing officer, hearings will ordinarily begin with introductory remarks by the hearing officer, followed by opening statements from any party who wishes to provide one, followed by the hearing officer's asking relevant initial questions of the parties as deemed appropriate by the hearing officer. During this portion of the hearing, advisors may confer privately and in a non-disruptive manner with their advisee, but they are not allowed to make opening statements or otherwise address the hearing officer or anyone else present at the hearing.

After the hearing officer has asked their initial questions of the parties, the hearing officer will permit each party's advisor to ask the other party all relevant questions and follow-up questions, including those challenging credibility.

Subject to the discretion of the hearing officer, questioning of witnesses will generally follow a similar process, whereby the hearing officer will pose relevant questions to each witness, then the parties' advisors will be permitted to ask relevant questions of witnesses.

In accordance with May 2020 Title IX regulations, such cross-examination by advisors will be conducted directly, orally, and in real time by the party's advisor of choice and never by a party personally.

Only relevant cross-examination and other questions may be asked of a party or witness. Before a complainant, respondent, or witness answers a cross-examination or other question, the hearing officer will first determine whether the question is relevant and explain any decision to exclude a question as not relevant. Advisors are not permitted to object to hearing officer decisions regarding relevance during a hearing.

Regarding the evidence subject to inspection and review that was provided to the parties and their advisors under the Title IX Sexual Harassment matter-specific investigation procedures outlined above, a copy of such evidence will be made available at the hearing, and each party and/or their advisor (as applicable) will have an equal opportunity to refer to such evidence during the hearing, including for purposes of cross-examination.

Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent.

Information protected under a legally recognized privilege (such as, for example, privileged communications between a party and their physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in a treatment capacity, or privileged communications between a party and their attorney), is not relevant unless the person holding the privilege has waived the privilege.

At the request of either party, Vermont Technical College will provide for the hearing to occur with the parties located in separate rooms with technology enabling the hearing officer and parties to simultaneously see and hear the party or the witness answering questions. Live hearings may be conducted with all parties physically present in the same geographic location or, at Vermont Technical College's discretion, any or all parties, witnesses, and other participants may appear at the live hearing virtually, with technology enabling participants simultaneously to see and hear each other.

If a party or witness does not submit to cross-examination at the live hearing, the hearing officer will not rely on any statement of that party or witness in reaching a determination regarding responsibility; provided, however, that the hearing officer will not draw an inference about the determination regarding responsibility based solely on a party's or witness's absence from the live hearing or refusal to answer cross-examination or other questions.

At the discretion of the hearing officer, parties (but not their advisors) will usually be given an opportunity to make a closing statement at the conclusion of the hearing.

Record of Hearings

Vermont Technical College will create an audio or audiovisual recording and/or transcript (at its discretion), of any live hearing, and will make it available to the parties for inspection and review.

Determinations Regarding Responsibility

Within 30 calendar days after the hearing, the hearing officer (and, if necessary, the sanctioning officer, as provided below) will prepare and issue a written determination regarding responsibility and sanctions. In determining responsibility, the hearing officer will apply the preponderance of the evidence standard. The written determination will include: identification of the section(s) of Vermont Technical College's Policy 311-A alleged to have been violated; a description of the procedural steps taken from the receipt of the complaint through the determination, including but not limited to, as applicable, any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held; findings of fact supporting the determination; conclusions regarding the application of definitions of sexual harassment in Vermont Technical College's Policy 311-A to the facts; a statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility and, where necessary and in collaboration with the sanctioning officer, a statement regarding any sanctions and the rationale therefor; and identification of Vermont Technical College's procedures and permissible bases for the Complainant and Respondent to appeal.

The determination regarding responsibility becomes final either on the date that Vermont Technical College provides the parties with the written determination of the appeal, if an appeal is filed, or if an appeal is not filed, the date on

which the appeal would no longer be considered timely.

The determination will also notify the parties whether remedies designed to restore or preserve equal access to the Vermont Technical College's education program or activity will be provided by the Vermont Technical College to the complainant, but will not provide details about any such remedies.

If sanctions are necessary, they will be assigned in accordance with the Sanctions section below. The parties will receive notice simultaneously of the written determination regarding responsibility and, if necessary, any sanctions as determined through the procedures outlined below.

B. Resolution and Other Provisions Applicable Only to Non-Title IX Sexual Harassment, Sexual Exploitation Matters

Hearings

Live hearings will be provided in Non-Title IX Sexual Harassment, Sexual Exploitation matters.

Hearing Officers

Hearings will be presided over by a hearing officer, who will make the decision by a preponderance of the evidence as to whether or not the respondent violated the policy provisions at issue. The hearing officer has broad authority to determine the process, timing and conduct of a hearing. For example, the hearing officer will determine the order of presentation, timing and overall duration of the hearing, what information and evidence will be heard, what information and questions are relevant to the determination of the matter, and the nature and substance of any questions asked of parties and/or witnesses.

Hearing officers will be appointed by the Title IX Coordinator. In selecting a hearing officer for a particular matter, the Title IX Coordinator will take care to select an individual who does not have a conflict of interest or bias against complainants or respondents generally or an individual complainant or respondent. Vermont Technical College will notify the parties of the identity of the hearing officer in advance of the hearing, and parties may, within 3 calendar days of such notice, object to the service of the hearing officer by providing a written statement (which may be transmitted electronically) as to why the party believes that the hearing officer has a conflict of interest or bias. The Title IX Coordinator or designee will make decisions regarding such objections and the appointment of an alternate hearing officer, as necessary.

Advisors

Each party may have an advisor of their choice present at a hearing. Advisors may not participate actively in the hearing and may not speak or otherwise communicate on the part of the party that the advisor is advising. However, the advisor may consult privately in a non-disruptive manner with their advisee during and/or at a recess in the hearing. Scheduling accommodations generally will not be made for advisors if they unduly delay the process. Vermont Technical College reserves the right to take appropriate action regarding any advisor who disrupts the process, or who does not abide by the restrictions on their participation as determined in the sole discretion of the hearing officer, which may include exclusion of the advisor from the hearing and the alternate appointment of a Vermont Technical College-provided advisor and, in extreme cases, exclusion of the advisor from future hearings

Requests for Appearance of Witnesses

If a party wishes to have an individual appear at the hearing as a witness, they must provide notice of the identity of the proposed witness and a brief description of the subject matter of the witnesses' testimony to the Title IX Coordinator or designee at least 10 calendar days before the date of the hearing. The Title IX Coordinator or designee, in consultation with the hearing officer as necessary, will determine whether the witness is likely to have information that is relevant to the hearing, and if it is determined that the witness is likely to have relevant information, the Title IX Coordinator or designee will inform the witness that their presence at the hearing is required (to the extent that Vermont Technical College has jurisdiction to require the presence of the witness) or requested.

Conduct of Hearings

At or before the hearing, the hearing officer will receive a copy of the final investigative report, any attachments thereto, and copies of the parties' written responses to the final investigative report, if any, which will be part of the information of record to be considered by the hearing officer.

Subject to the discretion of the hearing officer, hearings will ordinarily begin with introductory remarks by the hearing officer, followed by opening statements from any party who wishes to provide one, followed by the hearing officer's asking relevant initial questions of the parties as deemed appropriate by the hearing officer. During this portion of the hearing, advisors may confer privately and in a non-disruptive manner with their advisee, but they are not allowed to make opening statements or otherwise address the hearing officer or anyone else present at the hearing.

After the hearing officer has asked their initial questions of the parties, the hearing officer will permit each party to submit to the hearing officer proposed questions that they would like the hearing officer to pose to the other party. The hearing officer may at their discretion pose, rephrase, or decline to pose any and all such proposed questions. Subject to the discretion of the hearing officer, questioning of witnesses will generally follow a similar process, whereby the hearing officer will pose relevant questions to each witness, then the parties may submit to the hearing officer proposed questions that they would like the hearing officer to pose to each witness. The hearing officer may at their discretion pose, rephrase, or decline to pose any and all such proposed questions. No direct cross-examination of parties or witnesses by parties or their advisors will be permitted.

Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent.

Information protected under a legally recognized privilege (such as, for example, privileged communications between a party and their physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in a treatment capacity, or privileged communications between a party and their attorney), is not relevant unless the person holding the privilege has waived the privilege. At the request of either party, Vermont Technical College will provide for the hearing to occur with the parties located in separate rooms with technology enabling the hearing officer and parties to simultaneously see and hear the party or the witness answering questions. Live hearings may be conducted with all parties physically present in the same geographic location or, at Vermont Technical College's discretion, any or all parties, witnesses, and other participants may appear at the live hearing virtually, with technology enabling participants simultaneously to see and hear each other.

Formal rules of evidence do not apply to hearings under these procedures. The hearing officer will accept, consider and give weight to information as deemed appropriate at the discretion of the hearing officer.

At the discretion of the hearing officer, parties (but not their advisors) will usually be given an opportunity to make a closing statement at the conclusion of the hearing.

Record of Hearings

Vermont Technical College will create an audio or audiovisual recording, and/or transcript (at its discretion), of any live hearing and make it available to the parties for inspection and review.

Determinations Regarding Responsibility

Within 30 calendar days after the hearing, the hearing officer (and, if necessary, the sanctioning officer, as provided below) will prepare and issue a written determination regarding responsibility and sanctions. In determining responsibility, the hearing officer will apply the preponderance of the evidence standard. The written determination will include:

identification of the section(s) of VSC's Policy 311-A alleged to have been violated; a description of the procedural steps taken from the receipt of the complaint through the determination, including but not limited to, as applicable, any

notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held; findings of fact supporting the determination; conclusions regarding the application of definitions of sexual harassment in VSC's Policy 311-A to the facts; a statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility and, where necessary and in collaboration with the sanctioning officer, a statement regarding any sanctions and the rationale therefor; and identification of Vermont Technical College's procedures, timelines and permissible bases for the complainant and respondent to appeal (as outlined below).

The determination regarding responsibility becomes final either on the date that Vermont Technical College provides the parties with the written determination of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which the appeal would no longer be considered timely.

Determination and Sanctions

The parties will receive notice simultaneously of the written determination and, if necessary, any sanctions.

1. Student Respondents

The RCA is not bound by the investigators' report and may accept or reject the investigators' recommended conclusion, in whole or in part, or may request additional relevant information before making a final determination. The complainant and respondent may request to meet individually with the RCA before a final determination is made and may be accompanied by an advisor of their choosing. The advisor may confer privately with the individual but cannot act as a speaking advocate. The RCA may request to meet with either party or any other person(s) the RCA considers appropriate before making a final determination. The parties have seven (7) calendar days from the date the report is sent to the RCA to request a meeting with the RCA.

After conducting any such meetings and considering the investigators' report, any supplements to the report, and any additional relevant information, the RCA will issue a determination as to whether a violation of Policy 311-A (or a violation of other Vermont Technical College or VSC policies, if applicable) occurred. The determination will be based on the preponderance of the evidence standard.

If the RCA determines that a student has engaged in conduct that violates this policy (or other Vermont Technical College or VSC policies, if applicable), the RCA shall impose disciplinary sanctions on the student. The RCA shall consider what sanctions are: (1) fair and appropriate given the facts of the particular case, including whether the respondent has accepted responsibility for his or her actions, and the impact of separating a student from his or her education; (2) consistent with the sanctions imposed in similar cases; and (3) adequate to protect the safety of the complainant and the Vermont Technical College community.

Possible disciplinary sanctions include verbal and written warnings, written reprimands, education, counseling, loss of privileges, probationary status, suspension, dismissal/expulsion, revocation of degree, and/or withholding of transcript or other action determined to be appropriate under the circumstances. The sanctions of probation, removal from College housing, and suspension will be for a particular period of time, ranging from a number of days to a number of semesters, as determined on a case-by-case basis.

Regardless of the finding, other non-disciplinary action may be taken as appropriate under the circumstances, including but not limited to room changes, class changes, building restrictions, extracurricular activity restrictions, modification of no contact orders, and other actions to preserve the right of the complainant to a safe environment.

To the extent permitted by law, the complainant and respondent will be notified, simultaneously and in writing, of: (1) the RCA's determination; (2) the disciplinary sanctions, if any, to be imposed; and (3) Vermont Technical College's procedures for complainants and respondents to appeal the determination and disciplinary sanctions. The notification will include the rationale for the determination and for any sanctions. A copy of the RCA's determination shall be sent to the Title IX Coordinator and to VSC's general counsel.

Absent extenuating circumstances, the RCA will endeavor to issue a determination as to whether a violation of VSC's policies has occurred and the imposition of any sanctions (or other action) within fourteen (14) calendar days after receiving the investigators' report or within seven (7) calendar days of obtaining additional information or meeting with the parties, whichever is later. This period may be extended for good cause, with written notification to the parties, if, for example, the RCA determines that further information or investigation is needed.

Disciplinary Action

If the hearing officer determines that a student has engaged in conduct that violates Policy 311-A (or other VSC policies, if applicable), information about the matter will be provided to the RCA, and the RCA will impose disciplinary sanctions on the student. The RCA shall consider what sanctions are: (1) fair and appropriate given the facts of the particular case, including whether the respondent has accepted responsibility for their actions, and the impact of separating a student from their education; (2) necessary to restore or preserve the complainant's equal access to the education programs or activities of the Vermont Technical College; and (3) adequate to protect the safety of the complainant and the Vermont Technical College community.

Possible disciplinary sanctions include verbal and written warnings, written reprimands, education, counseling, loss of privileges, probationary status, removal from College housing, suspension, dismissal/expulsion, revocation of degree, and/or withholding of transcript or other action determined to be appropriate under the circumstances. The sanctions of probation, removal from campus housing, and suspension will be for a particular period of time, ranging from a number of days to a number of semesters, as determined on a case-by-case basis.

Regardless of the finding, other non-disciplinary action may be taken as appropriate under the circumstances, including but not limited to room changes, class changes, building restrictions, extracurricular activity restrictions, modification of no contact orders, and other actions to restore or preserve the complainant's equal access to the education programs or activities of the Vermont Technical College.

To the extent permitted by law, the complainant and respondent will be notified, simultaneously and in writing, of: (1) the hearing officer's determination (as described above); (2) the disciplinary sanctions, if any, to be imposed by the RCA; and (3) the Vermont Technical College's procedures for complainants and respondents to appeal the determination and disciplinary sanctions. Again, the notification will include the rationale for the determination and for any sanctions. A copy of the hearing officer's and RCA's determination will be sent to the Title IX Coordinator and to VSC's general counsel.

Time-frame

Absent extenuating circumstances, the RCA will endeavor to issue a determination as to any sanctions (or other action) within fourteen (14) calendar days after receiving notice of the hearing officer's decision regarding responsibility. This period is included within the 30-day period for the hearing officer to issue a final determination, detailed above, and may be extended for good cause, with written notification to the parties.

2. Employee Respondents

The RCA is not bound by the investigators' report and may accept or reject the investigators' recommended conclusion in whole or in part, or may request additional relevant information before making a final determination.

Within seven (7) calendar days of receiving the investigators' report or any additional relevant information, whichever is later, the RCA shall notify the complainant and respondent, simultaneously and in writing, of the RCA's initial determination as to whether a violation of Policy 311-A (or a violation of any other policy, agreement or handbook, if applicable) occurred and shall outline the discipline, if any, being contemplated, to the extent permitted by law. The determination will be based on whether the RCA finds, by a preponderance of the evidence, that the respondent violated Policy 311-A (or other applicable Vermont Technical College or VSC policies). The RCA shall consider what sanctions are: (1) fair and appropriate given the facts of the particular case, including whether the respondent has accepted responsibility for his or her actions; (2) consistent with the sanctions imposed in similar cases; and (3) adequate to protect the safety of the complainant and the Vermont Technical College community.

The complainant and respondent may request to meet individually with the RCA, before a final determination is made, and may be accompanied by an advisor of their choosing. If the respondent is an employee who is covered by a collective bargaining agreement, the procedures and mutual obligations of Vermont Technical College and the employee regarding disciplinary action delineated in those agreements will apply.

Within seven (7) calendar days of issuing the initial determination or meeting with the parties, whichever is later, the RCA shall notify the complainant and respondent, simultaneously and in writing, of the RCA's final determination as to whether a violation of Policy 311-A (or a violation of any other policy, agreement or handbook, if applicable) occurred and the disciplinary sanction(s) to be imposed, to the extent permitted by law. The RCA shall also notify the complainant and respondent, in writing, as to any right that the parties may have to appeal the determination and disciplinary action, pursuant to the relevant employee collective bargaining agreement or the Vermont Technical College or VSC personnel handbook for those employees not covered by a collective bargaining agreement. A copy of the RCA's determination shall be sent to the Title IX Coordinator and to VSC's general counsel.

Disciplinary action under existing policies and/or contracts may include verbal warnings, written warnings, written reprimands, probation, suspension, termination of employment, non-renewal of a contract, or other action determined to be appropriate under the circumstances. The sanctions of probation and suspension will be for a particular period of time, ranging from a number of days to a number of semesters, as determined on a case-by-case basis.

Regardless of the finding, other non-disciplinary action may be taken as appropriate under the circumstances, including, but not limited to, extending and modifying no contact orders, room changes, class changes, work schedule changes, building restrictions, and other actions to preserve the rights of the complainant to a safe environment.

Absent extenuating circumstances, the RCA will endeavor to issue a final determination as to whether a violation of the VSC's or Vermont Technical College's policies has occurred and the imposition of any discipline (or other action) within the time frame set forth above, however this time period may be shorter or longer depending on the circumstances, including any contractual rights of the parties. The parties will be notified if changes are made to the time-frame. A copy of the RCA's determination shall be sent to the Title IX Coordinator and to VSC's general counsel.

Disciplinary Action

If the hearing officer determines that an employee has engaged in conduct that violates Policy 311-A (or other Vermont Technical College policies, if applicable), information about the matter will be provided to the RCA, and the RCA will impose disciplinary sanctions on the employee, consistent with the applicable terms of any collective bargaining agreement.

Disciplinary action under existing policies and/or contracts may include verbal warnings, written warnings, written reprimands, probation, suspension, termination of employment, non-renewal of a contract, referral to a separate process (for determination of employment-status sanctions only) as defined by or provided in the applicable collective bargaining agreement, or other action determined to be appropriate under the circumstances. The sanctions of probation and suspension will be for a particular period of time, ranging from a number of days to a number of semesters, as determined on a case-by-case basis.

Regardless of the finding, other non-disciplinary action may be taken as appropriate under the circumstances, including, but not limited to, extending and modifying no contact orders, room changes, class changes, work schedule changes, building restrictions, and other actions to preserve the rights of the complainant to a safe environment.

Time-frame

Absent extenuating circumstances, the RCA will endeavor to issue a determination regarding sanctions within fourteen (14) days of receiving notice of the hearing officer's decision regarding responsibility. This period is included within

the 30-day period for the hearing officer to issue a final determination, detailed above, and may be shorter or longer depending on the circumstances, including any contractual rights of the parties. The parties will be notified if changes are made to the time-frame. A copy of the written determination will be sent to the Title IX Coordinator and to VSC's general counsel.

Appeal

1. Student Respondents

In cases in which the respondent is a student, both the complainant and respondent have the right to appeal the Title IX Coordinator's dismissal of a formal complaint for Title IX purposes based on the Title IX Coordinator's determination that it did not fall within the definition of Title IX Sexual Harassment or the result of a hearing and/or sanctioning process, on the following grounds: procedural irregularity that affected the outcome of the matter; new evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; the Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter; and/or the sanction is substantially disproportionate to the findings.

Within seven (7) calendar days of receiving notice of the Title IX Coordinator's dismissal for Title IX purposes or the final determination and notification of any discipline or sanctions to be imposed, the parties may appeal to the President of the Institution (or the President's designee) by delivering a written statement of appeal to the President and to the Title IX Coordinator. The Title IX Coordinator will notify the other party of the appeal and the other party will be given seven (7) calendar days in which to submit a written response to the appeal to the President (or the President's designee), with a copy to the Title IX Coordinator. Both parties will be informed simultaneously and in writing, of (1) any change to the discipline and/or sanctions imposed while the appeal is pending, and (2) the final decision, to the extent permitted by law. The decision of the President (or the President's designee) is final. A copy of the President's decision will be sent to the Title IX Coordinator and to VSC's general counsel.

2. Employee Respondents

Appeals From Initial Determinations

In cases in which the respondent is an employee, both the complainant and respondent have the right to appeal the Title IX Coordinator's dismissal of a formal complaint for Title IX purposes based on the Title IX Coordinator's determination that it did not fall within the definition of Title IX Sexual Harassment. Within seven (7) calendar days of receiving the notification of such a decision by the Title IX Coordinator, the parties may appeal to the President of the Institution (or the President's designee), or to the Chancellor (or the Chancellor's designee) as appropriate, by delivering a written statement of appeal to the President or Chancellor and to the Title IX Coordinator. The Title IX Coordinator will notify the other party of the appeal and the other party will be given seven (7) calendar days in which to submit a written response to the appeal to the President (or the President's designee) or to the Chancellor (or the Chancellor's designee) as appropriate, with a copy to the Title IX Coordinator. Both parties will be informed simultaneously and in writing, of the President's or Chancellor's decision. The decision of the President (or the President's designee) or the Chancellor (or the Chancellor's designee) as appropriate, is final.

Appeals in Title IX Sexual Harassment Cases

In Title IX Sexual Harassment cases where the respondent is an employee, both the complainant and respondent have the right to appeal the result of a hearing and/or sanctioning process, on the following grounds: Procedural irregularity that affected the outcome of the matter; New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and/or The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter.

Within seven (7) calendar days of receiving the final determination and notification of any discipline or sanctions to be imposed, the parties may appeal to the President of the Institution (or the President's designee), or to the Chancellor (or the Chancellor's designee) as appropriate, by delivering a written statement of appeal to the President or the Chancellor and to the Title IX Coordinator. The Title IX Coordinator will notify the other party of the appeal and the other party will be given seven (7) calendar days in which to submit a written response to the appeal to the President (or the President's designee), or to the Chancellor (or the Chancellor's designee) as appropriate, with a copy to the Title IX Coordinator. Both parties will be informed simultaneously and in writing, of (1) any change to the discipline and/or sanctions imposed while the appeal is pending, and (2) the final decision, to the extent permitted by law. The decision of the President (or the President's designee) or the Chancellor (or the Chancellor's designee) as appropriate, is final. A copy of the President's or Chancellor's decision will be sent to the Title IX Coordinator and to VSC's general counsel.

Appeals in Non-Title IX Sexual Harassment, Sexual Exploitation Cases

In Non-Title IX Sexual Harassment, Sexual Exploitation cases where the respondent is an employee, the respondent's right to appeal shall be governed by the relevant employee collective bargaining agreement or the Vermont Technical College or VSC personnel handbook for those employees not covered by a collective bargaining agreement. Both parties will be informed simultaneously and in writing, of (1) any change to the discipline and/or sanctions imposed while the appeal is pending, and (2) the final decision, to the extent permitted by law. A copy of the decision shall be sent to the Title IX Coordinator and to VSC's general counsel.

Informal Resolution

The parties may voluntarily agree to participate in an informal resolution that does not involve a formal hearing-based resolution procedure, if all parties consent in writing after receiving a full disclosure of the allegations and their options for formal resolution, and if Vermont Technical College determines that the particular complaint is appropriate for informal resolution. Informal resolution may be used in Title IX Sexual Harassment matters in which a formal complaint has been filed by a Complainant or signed by the Title IX Coordinator, and in Non-Title IX Sexual Harassment, Sexual Exploitation matters when deemed appropriate by the Title IX Coordinator. The Vermont Technical College will not offer to facilitate an informal resolution process in any matter that involves allegations that an employee sexually harassed a student. At any time prior to reaching a determination regarding responsibility, Vermont Technical College may facilitate an informal resolution process (e.g., mediation or restorative justice) where requested by a party and agreed to by both parties.

Notices

For purposes of this policy, written notifications to the parties and written responses from the parties may be hand-delivered, mailed, and/or sent to or from the parties' official Vermont Technical College e-mail addresses and/or other e-mail addresses if known to Vermont Technical College, and/or sent via the Vermont Technical College's secure file-sharing service. The same method of communication will be used where practicable for both the complainant and the respondent.

Training

Investigators and Responsible College Administrators receive annual training. The training typically covers issues related to sexual harassment, sexual exploitation, domestic violence, dating violence, sexual assault, and stalking. Training includes how to conduct investigations that are prompt, fair and impartial and, as appropriate, on how to conduct an investigation and an adjudicatory process, free from conflicts of interest or bias, that seeks to protect the safety of a complainant, respects the due process rights of a respondent, and promotes accountability.

**Appendix C to Chancellor’s Procedures for Implementation of Policy 311-A:
Sexual Harassment, Sexual Exploitation, Domestic Violence, Dating Violence, Sexual Assault and Stalking
CONTACT INFORMATION FOR VERMONT’S SPECIAL INVESTIGATION UNITS**

<p style="text-align: center;"><u>Addison County</u></p> <p>Addison County Unit for Special Investigations Caroline Mellish Executive Director 1590 Rt 7 South, Ste 4 Middlebury, VT 05753 (802) 388-2025 Caroline.Mellish@vermont.gov</p>	<p style="text-align: center;"><u>Bennington County</u></p> <p>Bennington County Child Advocacy Ctr/ SIU Joy Kitchell Executive Director P.O. Box 163 129 Elm Street Bennington VT 05201 (802) 442-5107 Joy.Kitchell@partner.vermont.gov</p>
<p style="text-align: center;"><u>Caledonia and Southern Essex Counties</u></p> <p>Caledonia Children’s Advocacy Center/SIU Christopher St Cyr Executive Director PO Box 272 Saint Johnsbury, VT 05819-0272 (802) 424-1227 Christopher.StCyr@partner.vermont.gov</p>	<p style="text-align: center;"><u>Chittenden County</u></p> <p>Chittenden Children’s Advocacy Center/CUSI Veronica Rathgeb Executive Director 50 Cherry Street, Suite 102 Burlington, VT 05401 (802) 652-0391 vrathegb@bpdvt.org</p>

Franklin & Grand Isle Counties

Northwest Unit for Special Investigations
NUSI/CAC
Betty Lavoie
Executive Director
5 Lemnah Drive
St. Albans, VT 05478
(802) 524-7961
Betty.Lavoie@partner.vermont.gov

Lamoille County

Lamoille County Special Investigation
Unit/CAC
Tracy Patnoe
Executive Director
P.O. Box 16
Hyde Park, VT 05655
(802)-793-2226
tpatnoe@lamoillesiu.org

Orange County

Orange County SIU/CAC
Wendy Loomis
Interim Director
354 VT Route 110
PO Box 254
Chelsea, VT 05038
(802) 685-4712
Wendy.Loomis@partner.vermont.gov

Orleans and Northern Essex Counties

The Orleans County Child Advocacy
Center/SIU
Dawn Kelly
Executive Director
PO Box 1133
Newport, VT 05855
(802) 334-6002
Dawn.kelly@partner.vermont.gov

Rutland County

Child First Advocacy Center/ Rutland Unit for
Special Investigations
Wendy Loomis
Executive Director
P.O. Box 6822
Rutland, VT 05702
(802) 747-0200
wendy.loomis@partner.vermont.gov

Washington County

OUR House of Central Vermont, Inc. CAC/SIU
Rebecca Duranleau
Executive Director
38 Summer Street
Barre, Vermont 05641
(802) 476-8825
ourhousebarredirector@gmail.com

Windham County

Windham County Safe Place
CAC/ SUSI
Joy Kitchell
Interim Director
112 Hardwood Way
Brattleboro, VT 05301
(802) 579-1358
Joy.Kitchell@partner.vermont.gov

Windsor County

The CACs of the Family Place/ Windsor County
SIU
Julie Gaudette
Director
319 US Route 5, South
Norwich, VT 05055
(802) 295-3882
julieg@the-family-place.org