

# VERMONT TECH

## Department of Public Safety

### Annual Security and Fire Report

2022



*Includes crime and fire statistics for 2019-2021 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 is open 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://mk0vermonttechn1rsw8.kinstacdn.com/wp-content/uploads/VTC-Emergency-Action-Plan-10.4.2019.pdf>

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 "RAVE Guardian" 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
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.

**2021 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

**2020 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

**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

**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](http://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.

**VSC Policy 311: Non-discrimination and Prevention of Harassment and Related Unprofessional Conduct and the Chancellor’s Implementing Procedures: (Full document found on page # 41)**

#### **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.

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

**Vermont Technical College Title IX/ Policy 311 Coordinator**

**Name** Jason Enser  
**Title** Dean of Students  
**Address** Conant Hall room 200  
**Email** [jenser@vtc.edu](mailto:jenser@vtc.edu)  
**Phone** 802-728-1212

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.

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	Enser	Jason	Dean of Students	802-728-1212	<a href="mailto:jenser@vtc.edu">jenser@vtc.edu</a>
Policy 311 Investigator	Riso	Kelly Rue	Director of Human Resources	802-728-1211	<a href="mailto:kriso@vtc.edu">kriso@vtc.edu</a>
Policy 311 Investigator	Clark	Jean-Marie	Dean of Williston Campus	802-879-2322	<a href="mailto:jclark@vtc.edu">jclark@vtc.edu</a>
Policy 311 Investigator	Fredette	Emile	Director of Public Safety	802-879-1212	<a href="mailto:efredette@vtc.edu">efredette@vtc.edu</a>
Title IX Coordinator	Enser	Jason	Dean of Students	802-728-1212	<a href="mailto:jenser@vtc.edu">jenser@vtc.edu</a>
ADA/Section 504 Coordinator	Enser	Jason	Dean Of Students	802- 728-1212	<a href="mailto:jenser@vtc.edu">jenser@vtc.edu</a>

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.

**CHANCELLOR'S PROCEDURES FOR IMPLEMENTATION OF**  
**POLICY 311-A: SEXUAL HARASSMENT, SEXUAL EXPLOITATION, DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL**  
**ASSAULT, AND STALKING: (Full document found on PAGE # 59 )**



## 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.

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

### Vermont Technical College Title IX Coordinator

**Name** Jason Enser  
**Title** Dean of Students  
**Address** Conant Hall room 200  
**Email** [jenser@vtc.edu](mailto:jenser@vtc.edu)  
**Phone** 802-728-1212

### 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 campus site.

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

Counseling	Jessica Beaty	802-442-8811
Health	Jessica Beaty	802-442-8811
Mental Health	Jessica Beaty	802-442-8811
Complainant Advocacy	Office of Student Affairs	802-728-1212
Legal Assistance	Office of Student Affairs	802-728-1212
Visa and Immigration Assistance	Kathleen Mason	802-728-1366
Substance Abuse	Jessica Beaty	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		

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

Counseling	Kelly Dixon	802-451-6619
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Health	Kelly Dixon	802-451-6619
Mental Health	Kelly Dixon	802-451-6619
Complainant Advocacy	Office of Student Affairs	802-728-1212
Legal Assistance	Office of Student Affairs	802-728-1212
Visa and Immigration Assistance	Kathleen Mason	802-728-1366
Substance Abuse	Kelly Dixon	802-451-6619

**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 Off-Campus: Dartmouth**

Counseling	Phyllis Mitchell	802-626-6538
Health	Phyllis Mitchell	802-626-6538
Mental Health	Phyllis Mitchell	802-626-6538
Complainant Advocacy	Office of Student Affairs	802-728-1212
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 On-Campus: Lyndonville**

Counseling	Phyllis Mitchell	802-626-6538
Health	Phyllis Mitchell	802-626-6538
Mental Health	Phyllis Mitchell	802-626-6538
Complainant Advocacy	Office of Student Affairs	802-728-1212
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	Meghan Sperry	802-728-1586
Health	Meghan Sperry	802-728-1586
Mental Health	Meghan Sperry	802-728-1586
Complainant Advocacy	Office of Student Affairs	802-728-1212
Legal Assistance	Office of Student Affairs	802-728-1212
Visa and Immigration Assistance	Kathleen Mason	802-728-1366
Substance Abuse	Meghan Sperry	802-728-1586

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

Counseling	Jessica Beaty	802-442-8811
Health	Jessica Beaty	802-442-8811
Mental Health	Jessica Beaty	802-442-8811
Complainant Advocacy	Office of Student Affairs	802-728-1212
Legal Assistance	Office of Student Affairs	802-728-1212
Visa and Immigration Assistance	Kathleen Mason	802-728-1366
Substance Abuse	Jessica Beaty	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	Office of Student Affairs	802-728-1212
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 (Sarah Billings-Berg)	802-728- 1270
Mental Health	Center for Academic Success	802-728-1367
Complainant Advocacy	Office of Student Affairs	802-728-1212
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	Kelly Dixon	802-451-6619
Health	Kelly Dixon	802-451-6619
Mental Health	Kelly Dixon	802-451-6619
Complainant Advocacy	Office of Student Affairs	802-728-1212
Legal Assistance	Office of Student Affairs	802-728-1212
Visa and Immigration Assistance	Kathleen Mason	802-728-1366
Substance Abuse	Kelly Dixon	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	Office of Student Affairs	802-728-1212
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	Office of Student Affairs	802-728-1212
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	Office of Student Affairs	802-728-1212
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	Office of Student Affairs	802-728-1212
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](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>

## 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 2019 to 2021

Clery Act Reportable Offense	2019	2020	2021
Criminal Homicide	0	0	0
Murder/Non-negligent manslaughter	0	0	0
Negligent manslaughter	0	0	0
Robbery	0	0	0
Aggravated Assault	2	0	1
Burglary	0	0	0
Motor Vehicle Theft	0	1	0
Arson	0	0	0
Domestic Violence	0	0	0
Dating Violence	3	0	0
Stalking	0	0	0
<b>Sex Offenses</b>			
Rape	0	0	0
Fondling	0	0	0
Incest	0	0	0
Statutory Rape	0	0	0
Crimes of Prejudice	0	0	0
<b>Arrest</b>			
Liquor Law Violations	7	0	0
Drug Law Violations	0	0	0
Illegal Weapons Violations	0	0	0
<b>Campus Judicial Referrals</b>			
Liquor Law Violations	58	9	10
Drug Law Violations	25	11	4
Illegal Weapons Violations	0	0	8



Vermont Technical College **Williston Campus** Crime Statistics 2019 to 2021

<b>1</b>			
<b>Clery Act Reportable Offense</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>
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
<b>Sex Offenses</b>			
Rape	0	0	0
Fondling	0	0	0
Incest	0	0	0
Statutory Rape	0	0	0
Crimes of Prejudice	0	0	0
<b>Arrest</b>			
Liquor Law Violations	0	0	0
Drug Law Violations	0	0	0
Illegal Weapons Violations	0	0	0
<b>Campus Judicial Referrals</b>			
Liquor Law Violations	0	0	0
Drug Law Violations	0	1	0
Illegal Weapons Violations	0	0	0

Vermont Technical College **Nursing Sites** Crime Statistics 2019 to 2021

Clery Act Reportable Offense	2019	2020	2021
Criminal Homicide	0	0	0
Murder/Non-negligent manslaughter	0	0	0
Negligent manslaughter	0	0	0
Robbery	0	0	0
Aggravated Assault	4	0	0
Burglary	1	0	0
Motor Vehicle Theft	1	0	0
Arson	0	0	0
Domestic Violence	0	0	0
Dating Violence	0	0	0
Stalking	0	0	0
<b>Sex Offenses</b>			
Rape	0	0	0
Fondling	2	0	0
Incest	0	0	0
Statutory Rape	0	0	0
Crimes of Prejudice	0	0	0
<b>Arrest</b>			
Liquor Law Violations	0	0	0
Drug Law Violations	0	1	0
<b>Campus Judicial Referrals</b>			
Liquor Law Violations	0	0	0
Drug Law Violations	0	0	0
Illegal Weapons Violations	0	0	0

*In 2020 Brattleboro had 1 Drug Law Arrest on non-campus property.*

*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 – **Randolph Campus** Breakdown of Crime Statistics for 2021

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	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0
Arson	0	0	0	0	0
<b>Sex Offenses</b>					
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
<b>Arrest</b>					
Liquor Law Violations	0	0	0	0	0
Drug Law Violations	0	0	0	0	0
Illegal Weapons Violations	0	0	0	0	0
<b>Campus Judicial Referrals</b>					
Liquor Law Violations	9	1	10	0	0
Drug Law Violations	3	1	4	0	0
Illegal Weapons Violations	1	7	8	0	0

Vermont Technical College – **Randolph Campus** Crime Breakdown of Statistics for 2020

Clery Act Reportable Offense	On Campus Student Housing	On Campus Other	On Campus Total	Non-campus Property	Public Property
<b>Criminal Homicide</b>					
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	1	1	0	0
Arson	0	0	0	0	0
<b>Sex Offenses</b>					
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
<b>Arrest</b>					
Liquor Law Violations	0	0	0	0	0
Drug Law Violations	0	0	0	0	0
Illegal Weapons Violations	0	0	0	0	0
<b>Campus Judicial Referrals</b>					
Liquor Law Violations	9	0	9	0	0
Drug Law Violations	11	0	11	0	0
Illegal Weapons Violations	0	0	0	0	0

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	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
<b>Sex Offenses</b>					
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
<b>Arrest</b>					
Liquor Law Violations	0	7	7	0	0
Drug Law Violations	0	0	0	0	0
Illegal Weapons Violations	0	0	0	0	0
<b>Campus Judicial Referrals</b>					
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 – **Williston Campus & Nursing Sites** Breakdown of Crime Statistics for 2021

Clery Act Reportable Offense	On Campus Student Housing	On Campus Other	On Campus Total	Non-campus Property	Public Property
<b>Criminal Homicide</b>					
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
<b>Sex Offenses</b>					
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
<b>Arrest</b>					
Liquor Law Violations	0	0	0	0	0
Drug Law Violations	0	0	0	0	0
Illegal Weapons Violations	0	0	0	0	0
<b>Campus Judicial Referrals</b>					
Liquor Law Violations	0	0	0	0	0
Drug Law Violations	0	0	0	0	0
Illegal Weapons Violations	0	0	0	0	0

Vermont Technical College – **Williston Campus & Nursing Sites** Breakdown of Crime Statistics for 2020

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
<b>Sex Offenses</b>					
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
<b>Arrest</b>					
Liquor Law Violations	0	0	0	0	0
Drug Law Violations	0	0	0	1	0
Illegal Weapons Violations	0	0	0	0	0
<b>Campus Judicial Referrals</b>					
Liquor Law Violations	0	0	0	0	0
Drug Law Violations	1	0	1	0	0
Illegal Weapons Violations	0	0	0	0	0

*In 2020 Brattleboro had 1 Drug Law Arrest on non-campus property.*

*In 2020 Williston Campus had 1 Drug Law Referral in on campus housing.*

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	0
Arson	0	0	0	0	0
<b>Sex Offenses</b>					
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
<b>Arrest</b>					
Liquor Law Violations	0	0	0	0	0
Drug Law Violations	0	0	0	0	0
Illegal Weapons Violations	0	0	0	0	0
<b>Campus Judicial Referrals</b>					
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*



## 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 2021

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	1	0	0	0	0
TOTAL	0	1	0	0	0	0

**Vermont Technical College Bias Crimes 2020**

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
	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 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

### **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.”<sup>2</sup>

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**

The taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.

**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.”<sup>5</sup>

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.



**VERMONT STATE COLLEGES  
CHANCELLOR'S PROCEDURES FOR IMPLEMENTATION OF POLICY 311:  
NON-DISCRIMINATION AND PREVENTION OF HARASSMENT  
AND RELATED UNPROFESSIONAL CONDUCT**

**I. INTRODUCTION**

The following procedures outline the steps available to students and employees who may have been subjected to discrimination, harassment (including sexual harassment), and related unprofessional conduct as those terms are defined in Policy 311: *Non-Discrimination and Prevention of Harassment and Related Unprofessional Conduct*, and describe the institutional procedures and responsibilities for handling complaints involving such misconduct. These procedures incorporate by reference the terms and conditions of Policy 311 and are to be read consistently with the requirements of any state or federal laws and regulations, any collective bargaining agreement, and any personnel handbook governing the rights and responsibilities of the VSC, its member Colleges and its employees. These procedures may be modified as necessary to comply with federal and state law and to respond promptly and effectively to incidents of discrimination, harassment and related unprofessional conduct. If there is any conflict between these Procedures and federal or state law, these Procedures are to be interpreted consistent with applicable federal or state law.

**II. DEFINITIONS**

The definitions set forth in Policy 311 are incorporated herein by reference. The following additional definitions apply to these procedures.

**“ADA/Section 504 Coordinators”** means the administrator(s) at each College selected by the President, and the person at the Office of the Chancellor selected by the Chancellor, who is responsible for coordinating the institution's compliance with Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990. Contact information for the ADA/Section 504 Coordinators is located in Appendix B.

**“Complainant”** means a person who files a complaint alleging that she or he has been subjected to conduct that violates Policy 311.

**“Dean of Students”** means the Dean of Students at a member College or any person carrying out that function, however named.

**“Designated contact person”** means those persons designated by the Office of the Chancellor and the member Colleges to advise individuals with questions about behaviors that may violate Policy 311 and to provide information about the informal and formal complaint processes to address such behaviors. The names of the designated contact persons at each institution will be published online and made available at the office of the Dean of Students and the office of the Human Resources Administrator for each member College, as well as the office of the Director of Human Resources at the Office of the Chancellor.

**“EIT Coordinators”** means the administrator(s) at each College selected by the President who is responsible for overseeing the accessibility of the institution’s Electronic Information Technology (“EIT”). Contact information for the EIT Coordinators is located in Appendix C.

**“Employee”** means all VSC employees, including student employees, such as Resident Advisors and work study students (within their capacity as Resident Advisors and work study students).

**“Parties”** means the complainant and the respondent.

**“Respondent”** means a person against whom a complaint has been filed alleging that the person’s conduct violated Policy 311.

**“Responsible College Administrator” or “RCA”** means (1) the President or Dean of Students from the member College where the violation allegedly occurred; (2) the Director of Human Resources at the Office of the Chancellor, if the violation allegedly occurred at the Office of the Chancellor; (3) the Chancellor if the Director of Human Resources or a President allegedly violated Policy 311; (4) the Chair of the Board of Trustees if the Chancellor allegedly violated Policy 311; and (5) any designee of the aforementioned.

**“Third Parties”** means individuals who are neither students nor employees, such as visitors, parents, vendors, and independent contractors.

**“Title IX/Policy 311 Coordinator”** means the administrator(s) at each College selected by the President, and the person at the Office of the Chancellor selected by the Chancellor, to serve as a Title IX or a Policy 311 Coordinator for the purposes of coordinating the VSC’s efforts to comply with and carry out its responsibilities under Title IX and under other state and federal non-discrimination and prevention of harassment laws, regulations and policies, and any designee of the Title IX or Policy 311 Coordinator. The positions of Title IX Coordinator and Policy 311 Coordinator may be held by the same person concurrently or may be held by separate people. Contact information for the Title IX/Policy 311 Coordinators is located in Appendix A.

**“VSC” and “Colleges”** refer collectively to the Vermont State Colleges and its member institutions: Castleton University, Community College of Vermont, Northern Vermont University, and Vermont Technical College, however named or configured.

### **III. REPORTING VIOLATIONS OF POLICY 311**

#### **A. Advice and Information**

Any person (including students, employees, and third parties) who believes she or he is the victim of discrimination, harassment or related unprofessional conduct, or who has information about alleged violations of Policy 311, may seek advice or information on reporting violations and how to file a complaint from the Title IX/Policy 311 Coordinator, an ADA/Section 504 Coordinator (for disability discrimination and disability harassment), a designated contact person, or a Responsible College Administrator.

Individuals with a disability may request accommodations to ensure their full and equal participation in reporting violations of Policy 311, as well as in the investigatory and adjudicatory process under this Policy. Requests for accommodations in the Policy 311 process are determined on an individual basis by the Title IX or Policy 311 Coordinator, in consultation with the ADA/Section 504 Coordinator as appropriate. Individuals with questions about the accessibility of an institution's Electronic Information Technology should contact the institution's EIT Coordinator.

Students and employees are encouraged to report instances of harassing behavior, even if the alleged conduct is not sufficiently severe or pervasive as to create a hostile work or educational environment, so that the behavior may be addressed before it creates a hostile environment for the affected individual and in a manner reasonably calculated to prevent its recurrence.

The VSC encourages the accurate and prompt reporting of any misconduct, including sexual harassment, which rises to the level of criminal conduct to a member College's Office of Public Safety, to the Dean of Administration at Community College of Vermont, and/or to state or local law enforcement.

## **B. Reporting Obligations of Employees**

Except in circumstances where an employee is acting within the scope of his or her role as a specifically-designated confidential resource, employees who are aware or have been made aware of incidents of prohibited discrimination, harassment or related unprofessional conduct are required to report this information to one of the following: a Title IX/Policy 311 Coordinator, a designated contact person, the Dean of Students, the President, or, if the employee works in the Office of the Chancellor, to the Director of Human Resources.

Employees are not expected to and should not investigate alleged incidents, unless this is part of their job duties or they are assigned to investigate a complaint made under this Policy. The report should include all known relevant details, including a description of the alleged incident(s), the names of anyone involved or present, the date, time, and location.

Failure by an employee to report such incidents may result in disciplinary action. The procedures and mutual obligations of the VSC and the employee under any collective bargaining agreement, or the VSC personnel handbook, will apply to any such disciplinary action.

## **IV. PROTECTIVE MEASURES**

Sometimes it may be necessary to take steps to protect the rights and interests of a complainant before or during an investigation so that the complainant feels safe in his or her work or educational environment. Upon request, the Title IX/Policy 311 Coordinator, with the assistance of other VSC officials as appropriate, will provide complainants with appropriate protective measures. Protective measures may include, but are not limited to, altering academic or work schedules, altering transportation arrangements, changing living arrangements, issuing no contact or no trespassing orders, placing an employee on leave, or suspending a student. Any measure taken should seek to minimize the burden on the complainant while respecting the due process rights of the respondent. The temporary

imposition of any protective measure does not indicate a presumption of guilt, nor does it preclude subsequent disciplinary action.

Interim measures may be offered as appropriate to the respondent, as well as the complainant. Assessment of a party's need to receive an interim measure will generally be made on an individualized basis, as appropriate, based on information gathered by the Title IX/Policy 311 Coordinator. The measures needed by each party may change over time and the Title IX/Policy 311 Coordinator should communicate with the parties throughout the investigation to evaluate whether the measures provided are necessary and effective based on the parties' evolving needs.

If the VSC has reasonable cause to believe that a student accused of violating Policy 311 poses a substantial threat to him or herself, the alleged victim, other people, property, or the continuance of normal VSC operations, the VSC 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, changing residence hall assignments, and issuing no contact orders, before imposing an interim suspension, so as to avoid depriving a student of his or her education where possible.

An interim suspension may 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 will 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) will 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 the VSC. 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 will have the opportunity to be heard in person or in writing before the interim suspension takes effect.

## **V. FILING A COMPLAINT**

Any member of the VSC community who believes that she or he has been subjected to conduct that violates Policy 311, or who has information about an alleged violation, may file a formal or informal complaint.

### **A. Timing**

A complaint should be filed as soon as possible but in no event later than 180 calendar days from the date the complainant reasonably becomes aware of the discrimination, harassment or related unprofessional conduct that is alleged to have occurred. Filing may be permitted beyond the 180-day deadline where extraordinary circumstances are present and documented.

## **B. Informal Complaint**

An informal complaint may be made, either orally or in writing, to a designated contact person, Title IX/Policy 311 Coordinator, or member College administrator, alleging a violation of Policy 311 and specifically requesting an informal resolution process. Examples of informal resolution processes include a meeting between the parties to the complaint, a meeting between a designated contact person or Responsible College Administrator and the respondent, a letter to the respondent requesting that the offending behavior cease, or other informal methods reasonably calculated to stop the offending behavior and to prevent its recurrence.

Participating in an informal complaint resolution process is not required before filing a formal complaint, nor does it prevent a complainant from filing a formal complaint. A complainant has the right to end the informal complaint process at any time and begin the formal complaint process or pursue other legal options.

## **C. Formal Complaint**

A formal complaint is a written statement, signed and dated by the complainant, alleging a violation of Policy 311, which is submitted to a Title IX/Policy 311 Coordinator or designated contact person, or to one of the following Responsible College Administrators or their designee ("RCA"):

- (1) The Dean of Students, if the complaint is against a student;
- (2) The President of the College, if the complaint is against an employee of that member College;
- (3) The Director of Human Resources in the Office of the Chancellor, if the complaint is against an employee in the Chancellor's Office;
- (4) The Chancellor, if the complaint is against a President of a member College or the Director of Human Resources in the Chancellor's Office; or
- (5) The Chair of the Board of Trustees, if the complaint is against the Chancellor.

A formal complaint may be hand-delivered, sent by mail, or submitted by e-mail. The complaint should include a description of the alleged conduct, the date(s) and time(s) it occurred, the name of the respondent, the circumstances surrounding the alleged conduct, and the identity of any person who may have knowledge or information about the conduct. Individuals with a disability may request assistance in reporting violations of Policy 311 from the Title IX/ Policy 311 Coordinator or the ADA/Section 504 Coordinator.

Unionized employees also have the right to file grievances under their collective bargaining agreements, alleging violations of the non-discrimination provisions of those contracts, and in accordance with the procedures of those contracts.

#### **D. Complaint brought by the VSC**

The VSC may investigate and pursue disciplinary action against a respondent whose conduct allegedly violates Policy 311 in the absence of an informal or formal complaint, or as otherwise deemed appropriate by the College. If this occurs, the VSC will follow the procedures set forth below to the extent reasonably possible and may extend the full rights of a complainant, as defined in this policy, to affected parties as deemed appropriate by the Title IX/Policy 311 Coordinator, as applicable.

#### **E. Preliminary Evaluation**

The Title IX/Policy 311 Coordinator or a designated contact person will conduct a preliminary evaluation of the complaint to determine whether the allegations, if true, would constitute a violation of Policy 311. If the alleged actions of the respondent would be a violation of VSC Policy 311-A, *Sexual Harassment, Sexual Exploitation, Domestic Violence, Dating Violence, Sexual Assault and Stalking*, that policy and the Chancellor's Procedures for Implementation of Policy 311-A will control the processing of the report, including notice, investigation, adjudication, sanctions (if any) and appeals. If the alleged actions of the respondent do not meet the definitions of Prohibited Conduct in Policy 311-A, but would constitute a violation of Policy 311, the procedures set forth below will be followed. If the alleged actions of the respondent would not be a violation of this Policy, the evaluator will consider whether the alleged actions would otherwise subject the respondent to discipline under any other VSC policy, policies of the member College, any collective bargaining agreement, or personnel handbook. If so, the procedures applicable for handling such other alleged offenses will be followed. No further action, other than to inform the complainant, will be taken if the alleged actions of the respondent as set forth in the written statement, if true, would not constitute an offense subject to discipline.

### **VI. INFORMAL COMPLAINT PROCESS**

If an informal complaint is submitted to a designated contact person or member College administrator, the designated contact person or member College administrator will notify the Title IX/Policy 311 Coordinator of the complaint and the details of the alleged incident or behavior. The person to whom the informal complaint was submitted, the Title IX/Policy 311 Coordinator, or a designee, will then meet with the complainant to discuss the incident or behavior that is of concern and the informal dispute resolution options open to the complainant, as well as the option to file a formal complaint or pursue available legal remedies.

### **VII. FORMAL COMPLAINT PROCESS**

#### **A. Preparing the Complaint**

The complainant will meet with the Title IX/Policy 311 Coordinator or designated contact person to discuss the incident or behavior that is of concern. If the complainant has not already prepared a formal complaint, the complainant will be asked to prepare a written statement describing the alleged conduct. The complainant will be given a physical copy of and/or the links to Policy 311 and its implementing procedures on the VSC's website. Copies of the complaint will be provided to the Title IX/Policy 311 Coordinator, the investigators, and the VSC's general counsel.



**B. Notice to the Respondent**

The respondent will be informed, in writing, of the alleged policy violation(s) and provided with a summary of complainant's allegations. The notice typically includes the identities of the parties involved, the specific section(s) of Policy 311 and any other policy that has allegedly been violated, a description of the conduct allegedly constituting the potential violation, and the date and location of the alleged violation. The respondent should also be given a physical copy of and/or the links to Policy 311 and its implementing procedures on the VSC's website. The respondent will be notified that taking any retaliatory action (directly or through others) against the complainant or any person involved in the investigation is prohibited and will be considered a separate violation of VSC policy. Copies of the written notice to the respondent will be provided to the investigators and VSC's general counsel.

**C. Acceptance of Responsibility**

If at any point during the investigation, a respondent chooses to accept responsibility under this Policy, the RCA may issue a determination and impose disciplinary sanctions upon the respondent in accordance with sub-section E below. The RCA may also take other action that is reasonably calculated to address the harassment or discriminatory 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.

**D. The Investigation**

**(1) Appointment of Investigators**

The Title IX/Policy 311 Coordinator shall appoint two investigators to conduct an adequate, reliable and impartial investigation into the alleged violations of Policy 311. The investigators shall 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 investigators. Investigators may be employees of the member College, other VSC employees, or outside investigators.

The complainant and 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.

**(2) Witnesses and Evidence**

The investigators 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 investigators to review; (b) witnesses they would like the investigators to interview; and (c) questions they would like the investigators to ask other witnesses. The investigators have 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.

**(3) Advisors**

Complainants and respondents may have an advisor of their choosing present at any interview or meeting with investigators.<sup>1</sup> 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. Because a Policy 311 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.

**(4) 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 VSC policies, policies of the member College, any collective bargaining agreement, or personnel handbook, the investigators will inform the respondent, in writing, of such allegations. The respondent will be given an opportunity to respond to the additional allegations before the investigators complete their investigation. If the alleged additional violations are unrelated to the allegations contained in the complaint, the VSC may choose to address these separately and not as part of the ongoing investigatory and adjudicatory process.

**(5) Time-frame**

The investigation will be conducted as promptly as possible, without compromising thoroughness. The investigators will endeavor to prepare their report within forty-five (45) calendar days from their appointment to serve as investigators, excluding scheduled breaks during the fall and spring semesters. This time frame may be extended for good cause with written notice to the parties of the delay and the reason(s) for the delay.

**(6) The Investigators' Report**

At the conclusion of the investigation, the investigators will prepare a report setting forth their findings of fact and recommended conclusion. The findings of fact and recommended conclusion 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 report will include:

- (a) A statement summarizing the allegations;
- (b) A procedural summary, including the date the investigators were appointed, the names of the witnesses and dates when each was interviewed, and a list of the documents reviewed;

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<sup>1</sup> Parties should avoid choosing an advisor who may have relevant information and be interviewed as part of the investigation. A party may change advisors during the course of the investigatory and adjudicatory process. A party may request that the Title IX/Policy 311 Coordinator and/or the investigators copy their advisor on communications with the party. Typically, each party may have only one advisor present at an interview or meeting, however, in extenuating circumstances, the Title IX Coordinator may grant a party's request for permission to have an additional advisor or support person attend a meeting or interview during the investigatory and adjudicatory process.



- (c) Applicable definitions, including the definition of the alleged violation(s) of Policy 311;
- (d) A summary of the relevant exculpatory and inculpatory evidence;
- (e) The investigators' findings of fact, including how they weighted the evidence and reconciled any significant discrepancies in the statements of witnesses;
- (f) The conclusion, in which the investigators explain how the findings of fact are applied to the standards set forth in Policy 311 to reach a determination as to whether the Policy was violated; and
- (g) Any general recommendations for consideration by the RCA, such as trainings, education, or other actions that may reduce/eliminate prohibited misconduct in the future. Unless specifically requested to do so by the RCA, investigators will not make recommendations about possible sanctions.

Typically, the investigators shall send the report to the complainant and respondent, with a copy to the Title IX/Policy 311 Coordinator but, if warranted by the specific circumstances, the Title IX/Policy 311 Coordinator (after consultation with the investigators) may share the report with the parties. To the extent reasonably possible, the parties shall be provided with the report simultaneously. Certain identifying information may be redacted from the materials provided to the complainant and respondent, if necessary, to comply with the Family Educational Rights and Privacy Act of 1974 (FERPA), 20 U.S.C. § 1232g. The parties will each have the opportunity to review the investigators' report and to provide a written response to the report to the investigators within seven (7) calendar days.

The investigators will send the final report, along with copies of any written response to the Title IX/Policy 311 Coordinator. The Title IX/Policy 311 Coordinator will forward the final report, plus any responses and attachments, to the RCA, with copies to VSC's general counsel, the complainant, and the respondent.

## **E. Determination and 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 choose to meet with the RCA individually 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 may not address the RCA directly. The parties have seven (7) calendar days from the date the report is sent to the RCA to request a meeting with the RCA. The RCA may request to meet with either party or any other person(s) the RCA considers appropriate before making a final determination.

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 (or a violation of other VSC policies, if applicable) occurred. The determination

will be based on whether the RCA finds, by a preponderance of the evidence, that the respondent violated Policy 311 (or other applicable VSC policies).

If the RCA determines that a student has engaged in conduct that violates this Policy (or other applicable VSC policies), the RCA will impose disciplinary sanctions on the student. The RCA will consider what sanction(s) are: (1) fair and appropriate given the facts of the particular case, (2) consistent with the sanctions imposed in similar cases; and (3) adequate to protect the safety of the complainant and the VSC community.

Absent extenuating circumstances, the RCA will endeavor to issue a determination as to whether a violation of Policy 311 (or a violation of other VSC policies, if applicable) occurred and any applicable sanctions (or other actions) 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. The parties will be notified, simultaneously and in writing, of: (1) the determination; (2) the sanction, to the extent permitted by law; and (3) the appeal procedures. Copies will be sent to the Title IX/Policy 311 Coordinator and to the VSC's general counsel.

## **(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 determination. After considering the investigators' report, any supplements to the report, and any additional relevant information, the RCA will notify the complainant and respondent, simultaneously and in writing, of the RCA's initial determination as to whether a violation of Policy 311 (or a violation of any other policy, agreement or handbook, if applicable) occurred and will outline the discipline, if any, being contemplated. The determination will be based on whether the RCA finds, by a preponderance of the evidence, that the respondent violated Policy 311 (or other applicable VSC policies).

The complainant and respondent may each request to meet 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 VSC and the employee regarding disciplinary action delineated in those agreements will apply.

Absent extenuating circumstances, the RCA will endeavor to issue a final determination as to whether a violation of the VSC's policies has occurred and the imposition of any discipline (or other actions) within seven (7) calendar days of receiving the investigators' report, obtaining additional information, or meeting with the parties, whichever is later. 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. The complainant and respondent will be notified, simultaneously and in writing, of the final determination and the disciplinary sanctions, if any, to be imposed, to the extent permitted by law. A copy of the notification will be sent to the Title IX/Policy 311 Coordinator and to the VSC's general counsel.

## **F. Appeal**

### **(1) Student Respondents**

Both the complainant and respondent have the right to appeal the outcome on the following grounds: (1) procedural error where the error prevented fundamental fairness; (2) the discovery of previously unavailable evidence that could significantly impact the outcome of the case; (3) the determination is arbitrary or capricious; or (4) the sanction is substantially disproportionate to the findings. Within seven (7) calendar days of receiving the notice of the determination and any applicable discipline, the parties may appeal to the President of the College (or the President's designee) by delivering a written statement of appeal to the President and to the Title IX/Policy 311 Coordinator.

The Title IX/Policy 311 Coordinator will notify the other party of the appeal and the other party will have 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/Policy 311 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. A copy of the notification will be sent to the Title IX/Policy 311 Coordinator and to the VSC's general counsel. The decision of the President (or the President's designee) is final.

### **(2) Employee Respondents**

In cases where the respondent is an employee, the respondent's right to appeal will be governed by the relevant employee collective bargaining agreement or the VSC personnel handbook for those employees not covered by a collective bargaining agreement. The complainant may request to meet with the Chancellor. Both parties will be notified, 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 notification will be sent to the Title IX/Policy 311 Coordinator and to the VSC's general counsel.

## **VIII. 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' e-mail addresses, if the e-mail addresses are known to the VSC. The same method of communication will be used where practicable for both the complainant and the respondent.

## **IX. CONFIDENTIALITY**

The VSC is committed to maintaining the privacy of all individuals involved in a Policy 311 investigation to the extent it can reasonably do so. Reports of discrimination, harassment, and related unprofessional conduct and related complaints, investigative reports, and final determinations will be treated as confidential, to the extent allowed by law.

## **X. RECORD-KEEPING**

The Title IX/Policy 311 Coordinators will track reports alleging violations of Policy 311 and the outcomes of Policy 311 complaints for statistical and reporting purposes. This information may be used to satisfy any VSC or member College legal reporting requirements and for planning and assessing progress toward elimination of discrimination, harassment and related unprofessional conduct.

## **XI. OTHER REMEDIES**

Nothing contained in these Procedures precludes a student or employee from seeking other remedies through state and federal resources to redress grievances related to discrimination, harassment and related unprofessional conduct. An individual, at any time permitted under state or federal law, may elect to file a complaint with the Equal Employment Opportunity Commission, the United States Department of Education Office for Civil Rights, the Office of the Vermont Attorney General, the Vermont Human Rights Commission, or any other entity charged with receiving complaints of discrimination, harassment and related unprofessional conduct. *See Appendix D* for contact information.

## **XII. EDUCATION**

The member Colleges and the Office of the Chancellor will provide educational programs and activities that work toward eliminating discrimination and harassment and informing students and employees how to address incidents of discrimination, harassment and related unprofessional conduct when they arise, including the filing of complaints under Policy 311 and these procedures. These programs and activities will include:

- making Policy 311, its implementing procedures and appendices (which include contact information for Title IX/Policy 311 Coordinators, ADA/Section 504 Coordinators, and state and federal agencies designated to receive complaints of discrimination and harassment) available in the VSC Policy Manual located on the VSC web site;
- including references or links to Policy 311 and these procedures in appropriate publications provided to students and employees;
- making materials available to students and employees containing educational information on discrimination and harassment and on the rights and responsibilities of individuals under Policy 311 and these procedures;
- providing information and learning experiences to incoming students, faculty and staff to heighten awareness of the issues and of the College's expectations;

**Revised effective August 20, 2021**

- selecting and training Responsible College Administrators, designated contact people, Title IX/Policy 311 Coordinators, ADA/Section 504 Coordinators, and persons who may be appointed as Policy 311 investigators.

The member Colleges and the Office of the Chancellor will continue to support, monitor and revise the educational programs as they work toward the goals of eliminating discrimination, harassment and related unprofessional conduct and enhancing mutual trust and respect.

Revised effective August 20, 2021

**Policy 311: Appendix A**  
**Policy 311/Title IX Coordinators**

<b>Office of the Chancellor:</b>	Katrina Meigs, System Director of Human Resources and Benefits (both) <a href="mailto:Katrina.Meigs@vsc.edu">Katrina.Meigs@vsc.edu</a> (802) 224-3014
<b>Castleton University:</b>	Janet Hazelton, Director of Human Resources (both) <a href="mailto:Janet.Hazelton@castleton.edu">Janet.Hazelton@castleton.edu</a> (802) 468-1207  Victoria Angis, Deputy Title IX Coordinator (Students) Associate Dean of Students <a href="mailto:Victoria.Angis@castleton.edu">Victoria.Angis@castleton.edu</a> (802) 468-1231  Deanna Tyson, Deputy Title IX Coordinator (Athletics) Associate Dean for Athletics and Recreation <a href="mailto:Deanna.Tyson@castleton.edu">Deanna.Tyson@castleton.edu</a> (802) 468-1365
<b>Community College of Vermont:</b>	Angie Albeck, Associate Dean of Students (both)* <a href="mailto:Angela.Albeck@ccv.edu">Angela.Albeck@ccv.edu</a> (802) 654-0690  Bo Finnegan, Director of Human Resources, Deputy Coordinator <a href="mailto:Robert.Finnegan@ccv.edu">Robert.Finnegan@ccv.edu</a> (802) 828-2816
<b>Northern Vermont University:</b>	Michele Whitmore, Associate Dean of Students (Title IX Coordinator – NVU; Policy 311 Coordinator – Johnson) <a href="mailto:Michele.Whitmore@NorthernVermont.edu">Michele.Whitmore@NorthernVermont.edu</a> (802) 635-1452 (Johnson)  Denise Bourbeau-Moses, Director of Academic Support and Disability Services (Deputy Title IX/Policy 311 Coordinator – Lyndon) <a href="mailto:Denise.Moses@NorthernVermont.edu">Denise.Moses@NorthernVermont.edu</a> (802) 626-6424 (Lyndon)

**Revised effective August 20, 2021**

**Vermont Technical College:** Mary Kathryn Juskiewicz, Associate Dean for Outreach  
and Support (both)  
[MJuskiew@vtc.vsc.edu](mailto:MJuskiew@vtc.vsc.edu)  
(802) 728-1673

\*Designated contact persons for each CCV site are listed at: <https://resolve.vsc.edu/contacts/>

**Policy 311: Appendix B**  
**ADA/Section 504 Coordinators**

Office of the Chancellor:	Katrina Meigs, Director of Human Resources 575 Stone Cutters Way, Montpelier, VT 05602 <a href="mailto:Katrina.Meigs@vsc.edu">Katrina.Meigs@vsc.edu</a> (802) 224-3014
Castleton University (Employees):	Janet Hazelton, Director of Human Resources Woodruff Hall, Castleton University, Castleton, VT 05735 <a href="mailto:Janet.Hazelton@castleton.edu">Janet.Hazelton@castleton.edu</a> (802) 468-1207
Castleton University (Students):	Dennis Proulx, Dean of Students, Student Life Office Campus Center, 49 University Drive, Castleton University, Castleton, VT 05735 <a href="mailto:Dennis.Proulx@castleton.edu">Dennis.Proulx@castleton.edu</a> (802) 468-1249
Community College of Vermont (Employees):	Robert “Bo” Finnegan, Director of Human Resources 660 Elm Street, Montpelier, VT 05602 <a href="mailto:Robert.Finnegan@ccv.edu">Robert.Finnegan@ccv.edu</a> (802) 828-2816
Community College of Vermont (Students):	Angie Albeck, Associate Dean of Students* 1 Abenaki Way, Winooski, VT 05404 <a href="mailto:Angie.Albeck@ccv.edu">Angie.Albeck@ccv.edu</a> (802) 654-0690
Northern Vermont University (Employees):	Nicole White, Human Resources Coordinator 1001 College Road, Lyndonville, VT 05851 <a href="mailto:Nicole.White2@northernvermont.edu">Nicole.White2@northernvermont.edu</a> (802) 626-6410
Northern Vermont University (Students – Johnson campus):	Karen Madden, Director, Academic Support Services Room 113, Dewey Hall, 337 College Hill, Johnson, VT 05656 <a href="mailto:Karen.Madden@NorthernVermont.edu">Karen.Madden@NorthernVermont.edu</a> (802) 635-1438
Northern Vermont University (Students – Lyndon campus)	Thom Anderson, Associate Dean of Faculty & Academic Affairs LAC 322, 1001 College Road, Lyndonville, VT 05851 <a href="mailto:Thomas.Anderson@NorthernVermont.edu">Thomas.Anderson@NorthernVermont.edu</a> (802) 626-6346
Vermont Technical College (Employees):	Kelly Rue Riso, Director of Human Resources Administration Building, Randolph Center, VT 05061 <a href="mailto:KRiso@vtc.vsc.edu">KRiso@vtc.vsc.edu</a> (802) 728-1211
Vermont Technical College (Students):	Jason Enser, Dean of Students Morey Hall, Randolph Center, VT 05061 <a href="mailto:jenser@vtc.edu">jenser@vtc.edu</a> (802) 728-1434

\* Designated contact persons for students with disabilities at each CCV site are listed at  
<http://ccv.edu/discover-resources/students-with-disabilities/>



**Policy 311: Appendix C**  
**EIT Coordinators**

<b>Location</b>	<b>Name</b>	<b>Title</b>	<b>E-mail</b>	<b>Phone</b>
<b>Office of the Chancellor</b>	Kellie Campbell	Chief Information Officer	<a href="mailto:kcampbell@vsc.edu">kcampbell@vsc.edu</a>	(802) 233-0271
<b>Castleton University</b>	Gayle Malinowski	Chief Technology Officer	<a href="mailto:Gayle.Malinowski@castleton.edu">Gayle.Malinowski@castleton.edu</a>	(802) 468-1389
<b>Community College of Vermont</b>	Jeremy Vaughn	Coordinator of Academic Services	<a href="mailto:Jeremy.Vaughn@ccv.edu">Jeremy.Vaughn@ccv.edu</a>	(802) 828-4063
<b>Northern Vermont University</b>	Jason Ryan	Interim Chief Technology Officer	<a href="mailto:Jason.Ryan@northernvermont.edu">Jason.Ryan@northernvermont.edu</a>	(802) 626-6456
<b>Vermont Technical College</b>	Ken Bernard	Assistant Technology Officer	<a href="mailto:kbernard@vtc.edu">kbernard@vtc.edu</a>	(802) 879-2324

**Policy 311: Appendix D**  
**State and Federal Agencies Designated to**  
**Receive Complaints of Discrimination and Harassment**

Vermont Human Rights Commission

14-16 Baldwin Street  
Montpelier, VT 05633-6301  
(800) 416-2010 (voice)  
(802) 828-2481 (fax)  
(877) 294-9200 (TTY)  
[human.rights@state.vt.us](mailto:human.rights@state.vt.us)

Vermont Attorney General's Office - Civil Rights Unit

109 State Street  
Montpelier, VT 05609-1001  
(888) 745-9195 (toll-free)  
(802) 828-3657 (voice)  
(802) 828-3665 (TTY)  
(802) 828-2154 (fax)  
Civil Rights Information: [ago.civilrights@state.vt.us](mailto:ago.civilrights@state.vt.us)  
General Information: [ago.info@state.vt.us](mailto:ago.info@state.vt.us)

Equal Employment Opportunity Commission

John F. Kennedy Federal Building  
475 Government Center  
Boston, MA 02203  
(800) 669-4000 (voice)  
(617) 565-3196 (fax)  
(800) 669-6820 (TTY)

U.S. Department of Education's Office for Civil Rights

8th Floor  
5 Post Office Square  
Boston, MA 02109-3921  
(617) 289-0111 (voice)  
(617) 289-0150 (fax)  
[OCR.Boston@ed.gov](mailto:OCR.Boston@ed.gov)

## CHANCELLOR’S PROCEDURES FOR IMPLEMENTATION OF POLICY 311-A: SEXUAL HARASSMENT, SEXUAL EXPLOITATION, DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING

### I. INTRODUCTION

The following procedures outline the steps available to individuals who may have been subjected to sexual harassment, sexual exploitation, domestic violence, dating violence, sexual assault, or stalking, as defined in Policy 311-A, and describe the institutional procedures for handling complaints involving such misconduct. These procedures incorporate by reference the terms and conditions of Policy 311-A, *Sexual Harassment, Sexual Exploitation, Domestic Violence, Dating Violence, Sexual Assault, and Stalking*, and are to be read consistently with the requirements of any state or federal laws and regulations, and unless specifically provided otherwise in these procedures, with any collective bargaining agreement, and any personnel handbook governing the rights and responsibilities of the Vermont State Colleges (“VSC”), its member institutions and its employees. These procedures may be modified as necessary to comply with federal and state law and to respond promptly and effectively to incidents of sexual harassment, sexual exploitation, domestic violence, dating violence, sexual assault, and stalking. If there is any conflict between these procedures and applicable federal or state law, these procedures are to be interpreted consistent with applicable federal or state law.

### II. DEFINITIONS

The definitions set forth in Policy 311-A are incorporated here by reference. The following additional definitions apply to these procedures.

**“Complainant”** means an individual who is reported to have experienced conduct that could constitute Prohibited Conduct, regardless of whether the individual makes a report or seeks disciplinary action. In some cases (such as, e.g., cases in which a person involved in an incident of alleged Prohibited Conduct does not wish to participate in the process but VSC decides that the alleged misconduct needs to be investigated), VSC may pursue an investigation and adjudication under this policy without a designated complainant, in accordance with the Chancellor’s Procedures. In these cases, VSC may extend some or all of the rights of a complainant as defined in this policy to affected parties as deemed appropriate by VSC and/or as required by law.

For ease of reference, the term “complainant” is also used throughout these procedures to refer generally to an individual who was reported by another to have been subjected to Prohibited Conduct, even if they do not participate in any related process.

**“Dean of Students”** means the Dean of Students at a Member Institution or any person carrying out that function, however named.

**“Designated contact person”** means those persons designated by the Office of the Chancellor and the Member Institutions to advise individuals with questions about Policy 311-A, to provide

information about available resources for complainants, to assist in the reporting of an incident that may constitute a violation of Policy 311-A, and to explain the process for filing a complaint. The names of the designated contact persons at each institution shall be published online and made available at the office of the Dean of Students and the office of the Human Resources Administrator for each Member Institution, as well as the office of the Director of Human Resources at the Office of the Chancellor.

**“Employee”** means all VSC employees, including student employees, such as Resident Advisors and work study students (within their capacity as work study students).

**“Parties”** means the complainant and the respondent.

**“Respondent”** means an individual who has been reported to have engaged in conduct that could constitute Prohibited Conduct and whose alleged conduct is being investigated to determine if it is in violation of VSC’s policies.

**“Responsible College Administrator” or “RCA”** means (1) the President or Dean of Students from the Member Institution where the violation allegedly occurred; (2) the Director of Human Resources at the Office of the Chancellor, if the violation allegedly occurred at the Office of the Chancellor; (3) the Chancellor, if the VSC Director of Human Resources or a President allegedly violated Policy 311-A; (4) the Chair of the Board of Trustees, if the Chancellor allegedly violated Policy 311-A; and (5) any designee of the aforementioned.

**“Third Parties”** means individuals who are neither students nor employees, such as visitors, parents, vendors, and independent contractors.

**“Title IX Coordinator”** means the administrator at each Member Institution selected by the President, and the person at the Office of the Chancellor identified and authorized by the Chancellor, to serve as Title IX Coordinator for the purposes of coordinating the VSC’s efforts to comply with and carry out its responsibilities under Title IX, as well as any designee of the Title IX Coordinator. For the purposes of Policy 311-A, the Title IX Coordinator’s responsibilities include overseeing the process for handling all Title IX complaints and identifying and addressing any patterns or systemic problems that arise during the review of such complaints. The Title IX Coordinator prepares annual reports on the nature and outcome of complaints at the institution, which are to be used for satisfying any VSC or Member Institution’s legal reporting requirements and for planning and assessing progress toward the goal of preventing sexual misconduct. Contact information for the Title IX Coordinators is located in **Appendix A** to these Procedures.

**“VSC”** and **“Member Institution”** refer collectively to the Vermont State Colleges and its individual member institutions: Castleton University, Community College of Vermont, Northern Vermont University, and Vermont Technical College, however named or configured.

### **III. CONTACT INFORMATION**

Any person (including students, employees, and third parties) who believes that they have been subjected to sexual harassment, sexual exploitation, domestic violence, dating violence, sexual assault or stalking (“Prohibited Conduct” and as defined further in Policy 311-A), or who has information about such an incident, may seek advice or information from the Title IX Coordinator, designated contact persons, or Responsible College Administrators. Such individuals have the option to notify law enforcement, to be assisted by VSC officials in notifying law enforcement, or to decline to notify law enforcement.

The VSC encourages all members of the VSC community affected by Prohibited Conduct to seek immediate assistance. Seeking prompt assistance is important to promote a person’s physical safety, to obtain medical care or other support, and to preserve evidence for any legal or disciplinary action. Preservation of evidence is important even if an individual initially chooses not to pursue a complaint, criminal charge or protective order, because the individual may decide to do so at a later time.

Contact information for: (1) trained campus and community advocates and counselors who can provide an immediate confidential response in a crisis situation; and (2) Public Safety, state and local law enforcement, and other first responders, shall be published on VSC websites (currently: <https://resolve.vsc.edu/>) and made available at the offices of the Chancellor, President, Dean of Students, Human Resources, Public Safety, and counseling/student health center.

### **IV. SUPPORT AND ASSISTANCE**

#### **(A) Court Orders**

The VSC is committed to promoting 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. Such individuals may have the right to obtain orders of protection, restraining orders and/or relief from abuse orders from Vermont courts. Upon request, the VSC will assist individuals 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 a complaint with the VSC.

#### **(B) Supportive Measures**

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 VSC. 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 VSC’s education programs or activities without

unreasonably burdening the other party, including measures designed to protect the safety of all parties or the VSC'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 VSC property, and/or other properties on which VSC 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. VSC 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.

Where a complainant reportedly subjected to Prohibited Conduct makes a reasonable request for supportive measures like those described above, VSC is obligated to comply with that request if such measures are reasonably available and not materially inconsistent with established academic guidelines or requirements.

Students and employees seeking supportive measures should direct their request to the Title IX Coordinator for their campus or location. Requests will be evaluated and responded to by the Title IX Coordinator or designee after consultation, as needed, with other campus personnel whose cooperation may be necessary or helpful in evaluating or providing requested measures. The Title IX Coordinator is ultimately responsible for coordinating the effective implementation of supportive 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.

The VSC will take reasonable steps to maintain as confidential any supportive measures provided, to the extent that maintaining such confidentiality does not impair the VSC's ability to provide the accommodations or protective measures.

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.

## **(C) Interim Suspension, Emergency Removal and Administrative Leave**

### **1. Interim Suspension of Students in Non-Title IX Sexual Misconduct Cases**

In cases that fall within the definition of Non-Title IX Sexual Misconduct found in Policy 311-A, if the VSC has reasonable cause to believe that a student reported to have committed Non-Title IX Sexual Misconduct poses a substantial threat to themselves, the complainant, other people, property, or the continuance of normal VSC operations, the VSC may suspend the student for an interim period, pending the outcome of the disciplinary process. Careful consideration should be given to alternative supportive measures, such as changing class schedules, changing residence hall assignments, and issuing no contact orders or building access restrictions, before imposing an interim suspension, so as to avoid depriving a student of their education where possible. Consideration should also be given to providing a respondent with remote access to classes, where available and feasible under the circumstances.

An interim suspension will not be imposed without prior notice to the student (either written or oral) of the contemplated suspension and a summary of the factual basis for it. The student 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) to contest the interim suspension. The Dean of Students (or the Dean's designee) shall consider factors such as: (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 themselves, the complainant, other people, property, or the normal operations of the VSC. 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.

## **2. Emergency Removal of Students or Employees in Title IX Sexual Harassment Cases**

When VSC 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, VSC can remove a respondent from the education program or activity (which may include removing an employee respondent from their employment at VSC 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. VSC will make the decision to remove a respondent from the education program or activity based on an individualized assessment and risk analysis.

If VSC 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).

### **c. Non-student Administrative Leave in Title IX Sexual Harassment Cases**

VSC 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.

VSC 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 VSC 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 VSC institution, or the Chancellor or their designee if the respondent is a President or employee at the Chancellor's Office.

**V. REPORTING SEXUAL MISCONDUCT, SEXUAL EXPLOITATION, DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, OR STALKING**

**(A) Report by Complainants or Others with Information**

Any person (including students, employees, and third parties) who believes that they have been subjected to sexual harassment, sexual exploitation, domestic violence, dating violence, sexual assault, or stalking, or who has information about an alleged incident of such Prohibited Conduct, may report the incident to the Title IX Coordinator, a designated contact person, a Responsible College Administrator, Public Safety, or Human Resources.

Individuals with a disability may request accommodations to ensure their full and equal participation in reporting incidents of such Prohibited Conduct, as well as the investigatory and adjudicatory process under this policy. Requests for accommodations in the Policy 311-A process are determined on an individual basis by the Title IX Coordinator, in consultation with the ADA/Section 504 Coordinator as appropriate.

**(B) Reporting Obligations of Employees**

Except in circumstances where an employee is acting within the scope of their role as a specifically-designated confidential resource, employees who are aware or have been made aware of an incident of sexual harassment, sexual exploitation, domestic violence, dating violence, sexual assault, or stalking are required to report this information to one of the following: the Title IX Coordinator, the Dean of Students, the President, or, if the employee works in the Office of the Chancellor, to the Director of Human Resources.

Employees are not expected to and should not investigate alleged incidents, unless this is part of their job duties or they are assigned to investigate a complaint made under this policy. The report should include all known relevant details, including a description of the alleged incident, the names of anyone involved or present, the date, time, and location.

Failure by an employee to report a complaint or alleged acts of sexual harassment, sexual exploitation, domestic violence, dating violence, sexual assault, or stalking is considered a violation of policy and may result in disciplinary action. The procedures and mutual obligations of the VSC and the employee under any collective bargaining agreement, or the VSC personnel handbook, will apply to any such disciplinary action.

**(C) Reporting to Law Enforcement Agencies**

The VSC encourages accurate and prompt reporting of all crimes to Public Safety and/or to state and local enforcement, when the victim of a crime elects to make a report, as well as when the victim is unable to make a report due to physical or mental incapacity. Definitions of consent and the crimes of dating violence, domestic violence, sexual assault, and stalking under Vermont law are set forth in **Exhibit B** to these Procedures. Contact information for Vermont's Special Investigation Units, by county, is set forth in **Exhibit C** to these Procedures. Additional contact information for local law enforcement agencies shall be published on VSC websites (visit <https://resolve.vsc.edu/>) and made available at the offices of the Chancellor, President, the Dean of Students, Human Resources, Public Safety, and any campus counseling/health center.

The VSC will not wait for the conclusion of a criminal investigation or proceeding to process complaints or begin its own investigation under this policy. The VSC will, however, comply with valid requests by law enforcement for cooperation in a criminal investigation and may, if so requested, temporarily delay an investigation while law enforcement initially gathers evidence.

In certain circumstances, the VSC may need to report an incident of sexual harassment, sexual exploitation, domestic violence, dating violence, sexual assault, or stalking to law enforcement, such as where the incident warrants undertaking safety and security measures for the protection of an individual and/or the VSC community, including but not limited to situations where there is clear and imminent danger and/or where a weapon may be involved. The complainant may choose whether to assist law enforcement.

## **VI. REPORTING AND INITIAL PROCEDURES REGARDING REPORTS OF PROHIBITED CONDUCT**

### **(A) Reporting**

Any VSC student, faculty member, staff member or third party who has reasonable cause to believe that sexual harassment, sexual exploitation, domestic violence, dating violence, sexual assault or stalking has occurred or is occurring should report this information to the immediate attention of the appropriate Title IX Coordinator. Contact information can be found in Appendix A.

A report or complaint may be made verbally (in person, by phone, or videoconferencing) during applicable business hours, or in writing (via mail, email or through <https://resolve.vsc.edu/>) 24 hours per day, 7 days per week.

#### **1. Reports Regarding Students**

A report regarding sexual harassment, sexual exploitation, domestic violence, dating violence, sexual assault, or stalking by a student shall be filed with the Title IX Coordinator.

#### **2. Reports Regarding Employees**

A report regarding sexual harassment, sexual exploitation, domestic violence, dating violence, sexual assault, or stalking by an employee shall be filed with the Title IX Coordinator. A

complaint against a Title IX Coordinator shall be filed with the President of the Member Institution, who will designate an alternate contact person. A complaint against a President shall be filed with the Chancellor, who will designate an alternate contact person. A formal complaint against an employee in the Office of the Chancellor shall be filed with the VSC Director of Human Resources (or the Director's designee). A complaint against the VSC Director of Human Resources shall be filed with the Chancellor, who will designate an alternate contact person. A formal complaint of such misconduct against the Chancellor shall be filed with the Chair of the Board of Trustees.

Respondents who are represented by a union may exercise their rights, pursuant to federal and state labor law, through these procedures, including, but not limited to, the right to have a union representative present for any interview or meeting.

### **3. Reports Regarding Third Parties**

A report regarding sexual harassment, sexual exploitation, domestic violence, dating violence, sexual assault, or stalking committed by a third party shall be filed with the Title IX Coordinator. The VSC's ability to take disciplinary action against a third party may be limited, depending on the particular circumstances, but may include banning the third party from campus.

#### **(B) Initial Communication with Complainant**

If the report alleges conduct that would, if proved, be prohibited by Policy 311-A, the Title IX Coordinator will:

- promptly contact the complainant to discuss the availability of supportive measures as defined above;
- consider the complainant's wishes with respect to supportive measures;
- inform the complainant of the availability of supportive measures with or without the filing of a formal complaint; and
- explain to the complainant the process for filing a formal complaint.

#### **(C) Formal Complaints**

After an initial discussion, the complainant will be asked to prepare a written statement describing the alleged conduct. The statement should include information such as (if known) the date and time of the alleged misconduct, the name of the respondent, the circumstances surrounding the alleged conduct, and the identity of any person who may have knowledge or information about the conduct. The complainant may incorporate by reference a previously-prepared statement (such as an e-mail, an affidavit, or a statement provided to law enforcement). 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 VSC investigate reported Prohibited Conduct.

**(D) Determinations of Applicable Procedures, Dismissals, Transfers and Appeals of Such Determinations**

When a complainant requests an investigation, the Title IX Coordinator will promptly upon receipt of a formal complaint:

- 1) determine whether the conduct alleged would, if proved, constitute Title IX Sexual Harassment (i.e., *Quid Pro Quo* Sexual Harassment, Severe, Pervasive and Objectively Offensive Sexual Harassment, Sexual Assault, or sex-based Domestic Violence, Dating Violence or Stalking) as defined in the Title IX Sexual Harassment definition in Policy 311-A;
- 2) determine whether the conduct allegedly occurred in VSC's education program or activity;
- 3) determine whether the conduct allegedly occurred in the United States; and
- 4) determine whether at the time the formal complaint was made, the complainant was participating or attempting to participate in a VSC program or activity.

If a formal complaint of conduct that would, if proved, satisfy all four of these elements and constitute Title IX Sexual Harassment as defined in this policy is received or signed by the Title IX Coordinator, it will be investigated and resolved through the procedures applicable to Title IX Sexual Harassment matters as outlined below.

VSC will, as noted above, investigate alleged Title IX Sexual Harassment when a complainant submits a signed or electronically-submitted formal complaint to the Title IX coordinator and requests an investigation. In cases where the complainant does not wish to submit a formal complaint but the Title IX Coordinator decides in their discretion to sign a complaint and initiate an investigation and resolution process, the Title IX Coordinator will not be a complainant or otherwise a party to the matter.

If some but not all of the conduct alleged in the complaint satisfies all four of these elements and a formal complaint is received from a complainant or signed by the Title IX Coordinator, VSC will, in its discretion, address the entire matter through the procedures applicable to Title IX Sexual Harassment matters as outlined below (that is, it will as required by federal regulations follow Title IX Sexual Harassment procedures to address the alleged Title IX Sexual Harassment, and it will, to promote efficiency, choose to follow Title IX Sexual Harassment procedures to address Non-Title IX Sexual Misconduct and other non-Title IX alleged

misconduct in such mixed cases, 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, VSC 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 Misconduct procedures outlined here or in other VSC procedures, as deemed appropriate by VSC.

Even if the allegations of a matter fall within the definition of Title IX Sexual Harassment, VSC 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 therein;
- the respondent is no longer enrolled or employed by VSC; or
- specific circumstances prevent VSC from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.

If a formal complaint is dismissed by VSC under the circumstances described above, VSC 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 outlined below.

If the respondent is 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.

#### **(E) Notice**

If VSC initiates an investigation of Title IX Sexual Harassment or Non-Title IX Sexual Misconduct it will provide to the parties a written notice (by electronic or other means) that includes:

- Information about VSC'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. Sufficient details include the identities of the parties involved in the incident, if known, the conduct

allegedly constituting Prohibited Conduct, and the date and location of the alleged incident, if known;

- 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 VSC's presumption of good faith reporting and a summary of the false information policy outlined in Policy 311-A; and
- 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.
- 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 VSC 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, as provided below.

Copies of the written notice to the respondent shall be provided to the complainant, the Title IX Coordinator, the investigators, and VSC's general counsel.

If, in the course of an investigation, VSC 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.

#### **(F) Consolidation of Formal Complaints**

VSC may consolidate formal complaints as to allegations of Title IX Sexual Harassment and/or Non-Title IX Sexual Misconduct 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. Where a grievance process involves more than one complainant or more than one respondent, references in this section to the singular "party," "complainant," or "respondent" include the plural, as applicable.

#### **(G) Acceptance of Responsibility**

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 RCA may issue a determination and impose disciplinary sanctions upon the respondent in accordance with Article IX below. 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.

## **VII. INVESTIGATIONS**

### **(A) Appointing Investigators**

The Title IX Coordinator will appoint at its discretion an investigator or investigators<sup>2</sup> 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 VSC 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.

### **(B) 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 VSC 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.

#### **(1) 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

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<sup>2</sup> For ease of reference, the singular “investigator” will be used throughout the remainder of these procedures.



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. VSC 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, and such information will not be deemed relevant to an investigation or adjudication absent the voluntary, written consent of the party.

## **(2) 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.<sup>3</sup> 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.

## **(3) 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 VSC 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 VSC may choose to address these separately and not as part of the ongoing investigatory and adjudicatory process.

## **(4) General Investigation Provisions Applicable Only to Title IX Sexual Harassment Matters**

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<sup>3</sup> A party may change advisors during the course of the investigatory and adjudicatory process. A party may request that the Title IX Coordinator and/or the investigators copy their advisor on communications with the party. Typically, each party may have only one advisor present at an interview or meeting, however, in extenuating circumstances, the Title IX Coordinator may grant a party's request for permission to have an additional advisor or support person attend a meeting or interview during the investigation adjudicatory process. A party may have a different advisor during the investigation than the advisor they have to conduct cross-examine during the hearing in the matter, as discussed below.



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.<sup>4</sup>

### **(C) Preliminary Investigative Report**

In both Title IX Sexual Harassment matters and Non-Title IX Sexual Misconduct 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 VSC policy at issue.

#### **1. 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:

- VSC 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 VSC 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

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<sup>4</sup> Parties to Non-Title IX Sexual Misconduct matters will receive adequate notice of meetings and hearings, but such notice may not include all of these elements.

records or information that may have been gathered or received during the investigation, absent written consent from the party holding the privilege.

- VSC 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 VSC'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 VSC discipline under applicable conduct codes.

#### **(D) Review and Response to Preliminary Investigative Report**

In both Title IX Sexual Harassment and Non-Title IX Sexual Misconduct matters, the complainant and the respondent will have an opportunity to review the preliminary report and 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.

#### **(E) Final Investigative Report.**

##### **1. Final Investigative Report Generally**

In both Title IX Sexual Harassment matters and Non-Title IX Sexual Misconduct 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 VSC's general counsel.

## **2. 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, VSC 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.

## **VIII. HEARINGS**

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

#### **1. Hearings**

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

#### **2. 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. VSC 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.

### **3. 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, VSC will without fee or charge to the party provide an advisor of VSC'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 VSC will know whether or not it needs to arrange for the presence of a VSC-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. VSC 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 VSC-provided advisor and, in extreme cases, exclusion of the advisor from future hearings.

### **4. 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 VSC has jurisdiction to require the presence of the witness) or requested.

## **5. 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, VSC 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 VSC'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 has discretion, upon evaluation consistent with applicable legal principles, to 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.

## **6. Record of Hearings**

VSC 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.

## **7. 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 VSC's procedures and permissible bases for the Complainant and Respondent to appeal (as outlined below).

The determination regarding responsibility becomes final either on the date that VSC 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 VSC's education program or activity will be provided by the VSC 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 Misconduct Matters**

### **1. Hearings**

Live hearings will be provided in Non-Title IX Sexual Misconduct matters.

### **2. 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. VSC 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.

### **3. 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. VSC 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 VSC-provided advisor and, in extreme cases, exclusion of the advisor from future hearings

### **4. 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 VSC has jurisdiction to require the presence of the witness) or requested.

### **5. 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, VSC 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 VSC'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.

## **6. Record of Hearings**

VSC 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.

## **7. 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 VSC'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 VSC 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.

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 and, if necessary, any sanctions as determined through the procedures outlined below.

## **IX. SANCTIONS**

### **(A) Student Respondents**

**(1) 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 VSC; and (3) adequate to protect the safety of the complainant and the VSC 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 VSC.

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 VSC'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.

**(2) 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.

**(B) Employee Respondents**

**(1) Disciplinary Action**

If the hearing officer determines that an employee 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 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.

**(2) 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.

**IX. APPEAL**

**(A) 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.

## **(B) Employee Respondents**

### **1. 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.

## **2. 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.

## **3. Appeals in Non-Title IX Sexual Misconduct Cases**

In Non-Title IX Sexual Misconduct 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 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.

## **X. INFORMAL RESOLUTION**

Informal resolution is a voluntary resolution option that does not involve formal hearing-based resolution procedures. 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 Misconduct matters when deemed appropriate by the Title IX Coordinator. The VSC 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, VSC may facilitate an informal resolution process (e.g., mediation or restorative justice) where requested by a party and agreed to by both parties. If a party requests the initiation of an informal resolution process and the Title IX Coordinator agrees that the matter is appropriate for informal resolution, VSC will provide to each party a written notice that discloses:

- The allegations;
- The requirements of the informal resolution process including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations-
  - As noted below, VSC generally permits parties to withdraw from the informal resolution process and initiate or re-initiate a formal investigation and hearing process at any time before the informal resolution process is completed and any informal resolution is agreed to in writing by the parties; and
- Any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared.

All parties and the Title IX Coordinator must agree to informal resolution for this option to be used. The Title IX Coordinator will assess the request for informal resolution in light of factors such as, but not limited to, the severity of the alleged violation and the potential risks to campus community members posed by the reported misconduct. VSC will only proceed with an informal resolution process if both parties provide their voluntary, written consent to having the matter resolved through the informal resolution process.

The matter will be deemed resolved if and when the parties expressly agree in writing to an outcome that is acceptable to them and which is approved by the Title IX Coordinator (in consultation with other VSC administrators as deemed necessary). A party may withdraw from the informal resolution process at any time prior to their execution of a written informal resolution agreement, consistent with the procedure developed by VSC. After an informal



resolution is agreed to in writing between the parties, neither party may initiate a formal resolution process regarding the same factual allegations.

At any time before a matter is resolved through informal resolution, the Title IX Coordinator may terminate an informal resolution process and initiate or re-initiate a formal investigation and resolution process at any time, as they deem appropriate in their discretion.

## **XI. 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 VSC e-mail addresses and/or other e-mail addresses if known to the VSC, and/or sent via the VSC's secure file-sharing service. The same method of communication will be used where practicable for both the complainant and the respondent.

## **XII. RECORD-KEEPING**

The Title IX Coordinator and designated College officials will treat reports of sexual harassment, sexual exploitation, domestic violence, dating violence, sexual assault, or stalking and related complaints, investigative reports, and final determinations as confidential, to the extent allowed by law. The Title IX Coordinator will track these reports for statistical and reporting purposes. The Title IX Coordinator will also maintain records and post information as required by the May 2020 Title IX regulations.

## **XIII. EDUCATIONAL PROGRAMMING**

The VSC 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 to recognize warning signs of abusive behavior; and (4) ongoing prevention and awareness programs for students and employees. The VSC shall 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's Policies and Procedures page of its website (<http://www.vsc.edu/about-vsc/Pages/Policies-and-Procedures.aspx>) and on the websites of member institutions, including at <https://resolve.vsc.edu/>;
- Include links to Policy 311-A and its implementing procedures in appropriate publications provided to 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 programs;
- Develop primary and ongoing prevention and awareness programs for students and employees;
- Select and train Title IX Coordinators;
- Select and train designated contact persons;
- Select and train investigators regularly 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
- Regularly train Responsible College Administrators 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.

The member institutions and 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.

## **XIX. OTHER REMEDIES**

Individuals who believe that their rights under Title IX have been violated may file a claim with the United States Department of Education's Office for Civil Rights:

### **Regional Office**

Office for Civil Rights  
8th Floor  
5 Post Office Square  
Boston, MA 02109-3921

Telephone: 617-289-0111  
FAX: 617-289-0150  
TDD: 800-877-8339  
Email: [OCR.Boston@ed.gov](mailto:OCR.Boston@ed.gov)

### **National Headquarters**

Office for Civil Rights  
Lyndon Baines Johnson Dep't of Education Bldg  
400 Maryland Avenue, SW  
Washington, DC 20202-1100

Telephone: 800-421-3481  
FAX: 202-453-6012  
TDD: 800-877-8339  
Email: [OCR@ed.gov](mailto:OCR@ed.gov)

Revised effective August 20, 2021.

**Appendix A to Chancellor's Procedures for Implementation of Policy 311-A:  
Sexual Harassment, Sexual Exploitation, Domestic Violence, Dating Violence, Sexual  
Assault, and Stalking**

**TITLE IX COORDINATORS**

Office of the Chancellor:	<b>Katrina Meigs</b> , Title IX Coordinator System Director of Human Resources and Benefits 575 Stone Cutters Way, Montpelier, VT 05602 <a href="mailto:Katrina.Meigs@vsc.edu">Katrina.Meigs@vsc.edu</a> (802) 224-3014
Castleton University:	<b>Janet Hazelton</b> , Title IX Coordinator Director of Human Resources Woodruff Hall, 62 Alumni Drive, Castleton, VT 05735 <a href="mailto:Janet.Hazelton@castleton.edu">Janet.Hazelton@castleton.edu</a> (802) 468-1207  <b>Victoria Angis</b> , Deputy Title IX Coordinator (Students) Associate Dean of Students Campus Center, Room 162, 49 University Drive, Castleton, VT 05735 <a href="mailto:Victoria.Angis@castleton.edu">Victoria.Angis@castleton.edu</a> (802) 468-1231  <b>Deanna Tyson</b> , Deputy Title IX Coordinator (Athletics) Associate Dean for Athletics and Recreation Spartan Athletic Complex, Room 186, 190 University Drive, Castleton, VT 05735 <a href="mailto:Deanna.Tyson@castleton.edu">Deanna.Tyson@castleton.edu</a> (802) 468-1365
Community College of Vermont:	<b>Angela Albeck</b> , Title IX Coordinator and Equity Officer* Associate Dean of Students 1 Abenaki Way, Winooski, VT 05404 <a href="mailto:Angela.Albeck@ccv.edu">Angela.Albeck@ccv.edu</a> (802) 654-0690  <b>Robert "Bo" Finnegan</b> , Deputy Title IX Coordinator Director of Human Resources

660 Elm Street, Montpelier, VT 05602

[Robert.Finnegan@ccv.edu](mailto:Robert.Finnegan@ccv.edu)

(802) 828-2816

\*Designated contact persons for each CCV site are listed at: <https://resolve.vsc.edu/contacts/>

Northern Vermont University:

**Michele Whitmore**, Title IX Coordinator

Associate Dean of Students

Dewey Hall, 337 College Hill, Johnson, VT 05656

[Michele.Whitmore@NorthernVermont.edu](mailto:Michele.Whitmore@NorthernVermont.edu)

(802) 635-1452

**Denise Bourbeau-Moses**, Deputy Title IX Coordinator

Director of Academic Support & Disability Services

LAC, Room 325

1001 College Road, Lyndonville, VT 05851

[Denise.Moses@NorthernVermont.edu](mailto:Denise.Moses@NorthernVermont.edu)

(802) 626-6424

Vermont Technical College:

**Mary Kathryn Juskiewicz**, Title IX Coordinator

Associate Dean for Outreach and Support

Room 122B, Office of Student Affairs

124 Admin Drive, Randolph Center, VT 05061

[MJuskiew@vtc.vsc.edu](mailto:MJuskiew@vtc.vsc.edu)

(802) 728-1673

Inquiries regarding the application of Title IX and other laws, regulations and policies prohibiting discrimination may also be directed to the United States Department of Education's Office for Civil Rights at 5 Post Office Square, 8<sup>th</sup> Floor, Boston, MA 02109-3921; Tel: (617) 289-0111; Fax: (617) 289-0150; Email: [OCR.Boston@ed.gov](mailto:OCR.Boston@ed.gov)

**Appendix B to Chancellor’s Procedures for Implementation of Policy 311-A:  
Sexual Harassment, Sexual Exploitation, Domestic Violence, Dating Violence, Sexual  
Assault, and Stalking**

**DEFINITIONS OF CONSENT, DATING VIOLENCE, DOMESTIC VIOLENCE,  
SEXUAL ASSAULT AND STALKING UNDER VERMONT LAW**

**Dating and Domestic Violence**

**15 V.S.A. § 1101. Definitions**

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

(2) ‘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.”

**13 V.S.A. § 1041. Definition**

“As used in this subchapter, ‘family or household members’ means persons who are eligible for relief from abuse under chapter 21 of Title 15.”

**13 V.S.A. § 1042. Domestic assault**

“Any person who attempts to cause or willfully or recklessly causes bodily injury to a family or household member, or willfully causes a family or household member to fear imminent serious bodily injury shall be imprisoned not more than 18 months or fined not more than \$5,000.00, or both.”

**13 V.S.A. § 1043. First degree aggravated domestic assault**

“(a) A person commits the crime of first degree aggravated domestic assault if the person:

- (1) attempts to cause or wilfully or recklessly causes serious bodily injury to a family or household member; or
- (2) uses, attempts to use or is armed with a deadly weapon and threatens to use the deadly weapon on a family or household member; or
- (3) commits the crime of domestic assault and has been previously convicted of aggravated domestic assault.”

### **13 V.S.A. § 1044. Second degree aggravated domestic assault**

“(a) A person commits the crime of second degree aggravated domestic assault if the person:

- (1) commits the crime of domestic assault and such conduct violates:
  - (A) specific conditions of a criminal court order in effect at the time of the offense imposed to protect that other person;
  - (B) a final abuse prevention order issued under 15 V.S.A. § 1103 or a similar order issued in another jurisdiction;
  - (C) a final order against stalking or sexual assault issued under 12 V.S.A. § 5133 or a similar order issued in another jurisdiction; or
  - (D) a final order against abuse of a vulnerable adult issued under 33 V.S.A. § 6935 or a similar order issued in another jurisdiction.
- (2) commits the crime of domestic assault; and
  - (A) has a prior conviction within the last 10 years for violating an abuse prevention order issued under section 1030 of this title; or
  - (B) has a prior conviction for domestic assault under section 1042 of this title.”

### **Consent and Sexual Assault**

#### **13 V.S.A. § 3251. Definitions**

“As used in this chapter:

- (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) ‘Sexual conduct’ means any conduct or behavior relating to sexual activities of the complaining witness, including but not limited to prior experience of sexual acts, use of contraceptives, living arrangement and mode of living.
- (3) ‘Consent’ means the affirmative, unambiguous, and voluntary agreement to engage in a sexual act, which can be revoked at any time.

- (4) ‘Serious bodily injury’ shall have the same meaning as in subdivision 1021(2) of this title.
- (5) ‘Bodily injury’ means physical pain, illness or any impairment of physical condition.
- (6) ‘Actor’ means a person charged with sexual assault or aggravated sexual assault.
- (7) ‘Deadly force’ means physical force which a person uses with the intent of causing, or which the person knows or should have known would create a substantial risk of causing, death or serious bodily injury.
- (8) ‘Deadly weapon’ means:
  - (A) any firearm; or
  - (B) any weapon, device, instrument, material or substance, whether animate or inanimate, which in the manner it is used or is intended to be used, is known to be capable of producing death or serious bodily injury.”
- (9) “Law enforcement officer” means a person certified as a law enforcement officer under the provisions of 20 V.S.A chapter 151.
- (10) “Incapable of consenting” means the person: (A) is incapable of understanding the nature of the conduct at issue; (B) is physically incapable of resisting, declining participation in, or communicating unwillingness to engage in the conduct at issue; or (C) lacks the mental ability to make or communicate a decision about whether to engage in the conduct at issue.

**13 V.S.A. § 3252. Sexual assault**

“(a) No person shall engage in a sexual act with another person:

- (1) without the consent of the other person;
  - (2) by threatening or coercing the other person;
  - (3) by placing the other person in fear that any person will suffer imminent bodily injury;
  - or
  - (4) when the person knows or reasonably should know that the other person is asleep, unconscious, or otherwise unaware that the sexual act is occurring.
- (b)(1) No person shall administer any alcohol, drugs, or other intoxicants to another person without the person’s knowledge or against the person’s will and, while the person is impaired by the alcohol, drugs, or intoxicants, engage in a sexual act with that person.
- (2) No person shall engage in a sexual act with another person when the other person is incapable of consenting to the sexual act due to substantial impairment by alcohol, drugs, or other intoxicants and that condition is known or reasonably should be known by the 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.”

(f)(1) A person who violates subsection (a), (b), (d), or (e) of this section shall be imprisoned not less than three years and for a maximum term of life, and, in addition, may be fined not more than \$25,000.00.

(2) A person who violates subsection (c) of this section shall be imprisoned for not more than 20 years, and, in addition, may be fined not more than \$10,000.

(g) A person convicted of violating subsection (a), (b), (d), or (e) of this section shall be sentenced under section 3271 of this title.

### **13 V.S.A. § 3253. Aggravated sexual assault**

“(a) A person commits the crime of aggravated sexual assault if the person commits sexual assault under any one of the following circumstances:

- (1) At the time of the sexual assault, the actor causes serious bodily injury to the victim or to another.
- (2) The actor is joined or assisted by one or more persons in physically restraining, assaulting or sexually assaulting the victim.
- (3) The actor commits the sexual act under circumstances which constitute the crime of kidnapping.
- (4) The actor has previously been convicted in this state of sexual assault under subsection 3252(a) or (b) of this title or aggravated sexual assault or has been convicted in any jurisdiction in the United States or territories of an offense which would constitute sexual assault under subsection 3252(a) or (b) of this title or aggravated sexual assault if committed in this state.
- (5) At the time of the sexual assault, the actor is armed with a deadly weapon and uses or threatens to use the deadly weapon on the victim or on another.
- (6) At the time of the sexual assault, the actor threatens to cause imminent serious bodily injury to the victim or to another and the victim reasonably believes that the actor has the present ability to carry out the threat.

- (7) At the time of the sexual assault, the actor applies deadly force to the victim.
- (8) The victim is under the age of 13 and the actor is at least 18 years of age.
- (9) The victim is subjected by the actor to repeated nonconsensual sexual acts as part of the same occurrence or the victim is subjected to repeated nonconsensual sexual acts as part of the actor's common scheme and plan.”

## **Stalking**

### **13 V.S.A. § 1061. Definitions**

“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.
- (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.

### **13 V.S.A. § 1062. Stalking**

“Any person who intentionally stalks another person shall be imprisoned not more than two years or fined not more than \$5,000.00, or both.”

### **13 V.S.A. § 1063. Aggravated stalking**

“(a) A person commits the crime of aggravated stalking if the person intentionally stalks another person, and:

- (1) such conduct violates a court order that prohibits stalking and is in effect at the time of the offense;
- (2) has been previously convicted of stalking or aggravated stalking;
- (3) has been previously convicted of an offense an element of which involves an act of violence against the same person;
- (4) the person being stalked is under 16 years of age; or
- (5) had a deadly weapon, as defined in section 1021 of this title, in his or her possession while engaged in the act of stalking.



(b) A person who commits the crime of aggravated stalking shall be imprisoned not more than five years or be fined not more than \$25,000.00, or both.

(c) Conduct constituting the offense of aggravated stalking shall be considered a violent act for the purposes of determining bail.”

### **13 V.S.A. § 1064. Defenses**

“In a prosecution under this subchapter, it shall not be a defense that the defendant was not provided actual notice that the course of conduct was unwanted.”

### **Orders against Stalking or Sexual Assault**

### **12 V.S.A. § 5131. Definitions**

“As used in this chapter:

- (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) [Repealed.]
- (3) ‘Nonphysical contact’ includes telephone calls, mail, e-mail, social media commentary or comment, or other electronic communication, fax, and written notes.
- (4) ‘Reasonable person’ means a reasonable person in the victim’s circumstances.
- (5) ‘Sexually assaulted the plaintiff’ means that the defendant engaged in conduct that meets elements of lewd and lascivious conduct as defined in 13 V.S.A. § 2601, lewd and lascivious conduct with a child as defined in 13 V.S.A. § 2602, sexual assault as defined in 13 V.S.A. § 3252, aggravated sexual assault as defined in 13 V.S.A. § 3253, use of a child in a sexual performance as defined in 13 V.S.A. § 2822, or consenting to a sexual performance as defined in 13 V.S.A. § 2823 and that the plaintiff was the victim of the offense.
- (6) ‘Stalk’ means to engage purposefully in a course of conduct that the person engaging in the conduct knows or should know would cause a reasonable person to:
  - (A) fear for his or her safety or the safety of a family member; or
  - (B) suffer substantial emotional distress as evidenced by:
    - (i) a fear of unlawful sexual conduct, unlawful restraint, bodily injury, or death; or
    - (ii) significant modifications in the person’s actions or routines, including moving from an established residence, changes to established daily routes to and from work that cause a serious disruption in the person’s life, changes to the person’s employment or work schedule, or the loss of a job or time from work.
- (7) ‘Stay away’ means to refrain from knowingly:
  - (A) initiating or maintaining a physical presence near the plaintiff;
  - (B) engaging in nonphysical contact with the plaintiff directly or indirectly; or

(C) engaging in nonphysical contact with the plaintiff through third parties who may or may not know of the order.

(8) [Repealed.]”

## **12 V.S.A. § 5132. Jurisdiction and venue**

“(a) The Superior Court shall have jurisdiction over proceedings under this chapter.

(b) Proceedings under this chapter may be commenced in the county in which the plaintiff resides. If the plaintiff has left his or her residence to avoid being stalked or sexually assaulted, the plaintiff shall have the option to bring an action in the county of the previous residence or the county of the new residence.”

## **12 V.S.A. § 5133. Requests for an Order against Stalking or Sexual Assault**

“(a) A person, other than a family or household member as defined in 15 V.S.A. § 1101(2), may seek an order against stalking or sexual assault on behalf of him- or herself or his or her children by filing a complaint under this chapter. A minor 16 years of age or older may file a complaint under this chapter seeking relief on his or her own behalf. The plaintiff shall submit an affidavit in support of the order.

(b) Except as provided in section 5134 of this title, the court shall grant the order only after notice to the defendant and a hearing. The plaintiff shall have the burden of proving by a preponderance of the evidence that the defendant stalked or sexually assaulted the plaintiff.

(c) In a hearing under this chapter, neither opinion evidence of nor evidence of the reputation of the plaintiff’s sexual conduct shall be admitted. Evidence of prior sexual conduct of the plaintiff shall not be admitted; provided, however, where it bears on the credibility of the plaintiff or it is material to a fact at issue and its probative value outweighs its private character, the court may admit any of the following:

- (1) evidence of the plaintiff’s past sexual conduct with the defendant;
- (2) evidence of specific instances of the plaintiff’s sexual conduct showing the source of origin of semen, pregnancy, or disease; or
- (3) evidence of specific instances of the plaintiff’s past false allegations of violations of 13 V.S.A. chapter 59 or 72.

(d) If the court finds by a preponderance of evidence that the defendant has stalked or sexually assaulted the plaintiff, or has been convicted of stalking or sexually assaulting the plaintiff, the court shall order the defendant to stay away from the plaintiff or the plaintiff’s children, or both, and may make any other order it deems necessary to protect the plaintiff or the plaintiff’s children, or both.

(e) Relief shall be granted for a fixed period, at the expiration of which time the court may extend any order, upon motion of the plaintiff, for such additional time as it deems necessary to protect the plaintiff or the plaintiff’s children, or both. It is not necessary for the court to find that the defendant stalked or sexually assaulted the plaintiff during the pendency of the order to

extend the terms of the order. The court may modify its order at any subsequent time upon motion by either party and a showing of a substantial change in circumstance.

(f) No filing fee shall be required.

(g) Every order under this chapter shall contain the name of the court, the names of the parties, the date of the petition, and the date and time of the order and shall be signed by the judge.

(h) Form complaints and form orders for an ‘Order Against Stalking or Sexual Assault’ shall be provided by the Court Administrator and shall be maintained by the clerks of the courts.

(i) When findings are required under this section, the court shall make either written findings of fact or oral findings of fact on the record.

(j) Every final order issued under this section shall bear the following language: ‘VIOLATION OF THIS ORDER IS A CRIME SUBJECT TO A TERM OF IMPRISONMENT OR A FINE, OR BOTH, AND MAY ALSO BE PROSECUTED AS CRIMINAL CONTEMPT PUNISHABLE BY FINE OR IMPRISONMENT, OR BOTH.’

(k) Affidavit forms required pursuant to this section shall bear the following language: ‘MAKING FALSE STATEMENTS IN THIS AFFIDAVIT IS A CRIME SUBJECT TO A TERM OF IMPRISONMENT OR A FINE, OR BOTH, AS PROVIDED BY 13 V.S.A. § 2904.’

(l) A finding by the court pursuant to this chapter that the defendant stalked or sexually assaulted the plaintiff shall not be admissible in any subsequent civil proceedings for the purpose of establishing liability.”

## **12 V.S.A. § 5134. Emergency relief**

“(a) In accordance with the Vermont Rules of Civil Procedure, a person other than a family or household member as defined in 15 V.S.A. § 1001(2) may file a complaint for a temporary order against stalking or sexual assault. Such complaint shall be filed during regular court hours. The plaintiff shall submit an affidavit in support of the order. The court may issue a temporary order under this chapter ex parte, without notice to the defendant, upon motion and findings by the court that the defendant has stalked or sexually assaulted the plaintiff. The court may order the defendant to stay away from the plaintiff or the plaintiff’s children, or both, and may make any other such order it deems necessary to protect the plaintiff or the plaintiff’s children, or both.

(b) Every order issued under this section shall contain the name of the court, the names of the parties, the date of the petition, and the date and time of the order and shall be signed by the judge. Every order issued under this section shall state upon its face a date, time, and place that the defendant may appear to petition the court for modification or discharge of the order. This opportunity to contest shall be scheduled as soon as reasonably possible, which in no event shall be more than 14 days from the date of issuance of the order. At such hearings, the plaintiff shall have the burden of proving by a preponderance of the evidence that the defendant stalked or sexually assaulted the plaintiff. If the court finds that the plaintiff has met his or her burden, it

shall continue the order in effect and make such other orders as it deems necessary to protect the plaintiff or the plaintiff's children, or both.

(c) Form complaints and form orders shall be provided by the Court Administrator and shall be maintained by the clerks of the courts.

(d) Every order issued under this chapter shall bear the following language: 'VIOLATION OF THIS ORDER IS A CRIME SUBJECT TO A TERM OF IMPRISONMENT OR A FINE, OR BOTH, AND MAY ALSO BE PROSECUTED AS CRIMINAL CONTEMPT PUNISHABLE BY FINE OR IMPRISONMENT, OR BOTH.'

(e) Affidavit forms required pursuant to this section shall bear the following language: 'MAKING FALSE STATEMENTS IN THIS AFFIDAVIT IS A CRIME SUBJECT TO A TERM OF IMPRISONMENT OR A FINE, OR BOTH, AS PROVIDED BY 13 V.S.A. § 2904.'

## **Vermont Children's Advocacy Centers – SIU Contacts**

### **Addison County**

Addison County Unit for Special Investigations  
Caroline Mellish, Executive Director  
1590 Route 7 South, Ste. 4, Middlebury, VT 05753  
(802)-989-7438      [caroline.mellish@vermont.gov](mailto:caroline.mellish@vermont.gov)

### **Bennington County**

Bennington County Child Advocacy Center/ SIU  
Jenna Caslin, Executive Director  
129 Elm Street, Bennington VT 05201  
(802) 442-5107      [Jenna.Caslin@partner.vermont.gov](mailto:Jenna.Caslin@partner.vermont.gov)

### **Caledonia and Southern Essex Counties**

Caledonia Children's Advocacy Center  
Chris St. Cyr, Executive Director  
PO Box 272, Saint Johnsbury, VT 05819-0272  
(802)-424-1227      [christopher.stcyr@partner.vermont.gov](mailto:christopher.stcyr@partner.vermont.gov)

### **Chittenden County**

Chittenden Children's Advocacy Center  
Veronica Rathgeb, Executive Director  
50 Cherry Street, Suite 102, Burlington, VT 05401  
(802) 652-6800      [vrathgeb@bpdvt.org](mailto:vrathgeb@bpdvt.org)

### **Franklin & Grand Isle Counties**

Northwest Unit for Special Investigations NUSI/CAC  
Betty Lavoie, Executive Director  
5 Lemnah Drive, St. Albans, VT 05478  
(802) 582-4658      [betty.lavoie@partner.vermont.gov](mailto:betty.lavoie@partner.vermont.gov)

### **Lamoille County**

Lamoille County Special Investigation Unit  
Tracy Patnoe, Executive Director  
P.O. Box 16, 111 W. Main Street, Hyde Park, VT 05655  
[802-851-8116](tel:802-851-8116)      [tpatnoe@lamoillesiu.org](mailto:tpatnoe@lamoillesiu.org)

### **Orange County**

Orange County Special Investigations Unit & Child Advocacy Center  
Wendy Loomis, Interim Executive Director  
PO Box 254, 354 Vermont Route 110, Chelsea, VT 05038

802-685-4712, Ext. 100      [wendy.loomis@partner.vermont.gov](mailto:wendy.loomis@partner.vermont.gov) \_

**Orleans and Northern Essex Counties**

The Orleans County Child Advocacy Center

Meghan Gyles, Executive Director

PO Box 1133, Newport, VT 05855

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**Rutland County**

Child First Advocacy Center & Rutland Unit for Special Investigations

Wendy Loomis, Executive Director

80 West Street, Ste 203, P.O. Box 6822, Rutland, VT 05702

(802) 747-0200      [Wendy.loomis@partner.vermont.gov](mailto: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

802-622-0821      [ourhousebarredirector@gmail.com](mailto:ourhousebarredirector@gmail.com)

**FOR INTAKES** – [WashingtonCountySIU@gmail.com](mailto:WashingtonCountySIU@gmail.com)

**Windham County**

Windham County Safe Place CAC/ SUSI

Samantha (Sam) Prince, Executive Director

112 Hardwood Way, Brattleboro, VT 05301

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**Windsor County**

The CACs of the Family Place/ Windsor County SIU

319 US Route 5, South, Norwich, VT 05055

2 Main Street, North Springfield, VT 05150

Julie Gaudette, Director

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