



2017

ANNUAL SECURITY REPORT
&
FIRE SAFETY REPORT

(Contents include)

Personal Safety

Hate Crime Reporting

Daily Crime Log

Missing Student Notifications

Sexual Harassment, Sexual Misconduct, Domestic Violence, Dating
Violence and Stalking Policy, Bystander Intervention Reporting

Procedures and Support Services

Maintaining a Drug-Free Environment

Annual Crime Statistics

Annual Fire Safety Report

Dublin & Montreal Support Resources

Emergency Response Preparedness

Table of Contents

Jeanne Clery Disclosure	pg. 1
Campus Safety and Security Reporting	pg. 2
Campus Public Safety Department	pg. 3
Daily Crime Log	pg. 3
Crime Reporting and CPS Response	pg.4
Security Awareness and Crime Prevention	pg. 4
Building Security	pg. 5
Residential Hall Safety	pg. 6
Emergency Call Boxes	pg.6- 7
Potential Threats	pg. 7-8
Campus Alert Notification System (RAVE)	pg.8-10
Missing Student Protocol	pg. 10-12
Weapons on Campus	pg. 12
Hate Crimes	pg. 12
Personal Responsibility	pg. 12
Sexual Harassment, Sexual Misconduct, Domestic Violence, Dating Violence and Stalking Policy, Bystander Intervention, Reporting Procedures and Support Services	pg. 12-35
Alcohol and Drug Policy	pg. 36-39
Definitions of Crimes	pg. 40-42
Crime Statistics for 2014, 2015, 2016	pg. 42-46
Fire Safety and Related Statistics	pg. 46-53
Resource Contact Numbers	pg. 54
Dublin and Montreal	pg. 55-56
Emergency Response and Evacuation Procedure	pg. 56-62
Appendix A: VT Crime Definitions for Dating Violence, DV, Sex Assault, Stalking	pg. 63-64

Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Document.

I am pleased to present the 2017 Champlain College Campus Public Safety Annual Security Report (ASR) and Fire Safety Report. This report is prepared by Campus Public Safety in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act and is intended to disseminate important information to the Champlain College Community. Crime statistics include those reported to local police, CPS, and designated campus officials. With this publication, it is our intent to communicate not only mandatory information, such as crime statistics and fire safety data, but also to inform current students and employees and assist prospective students and their families in the decision-making process of selecting a college or university by describing the many ways in which we strive to keep this community safe.

Our efforts include high-visibility patrols, responding to and investigating campus incidents, providing customer services to our affiliates and increasing student and employee awareness through crime prevention seminars, workshops, and other campus activities. Campus Public Safety is committed to working with the community as a whole in order to achieve a safe and welcoming campus environment. The Office of Campus Public Safety encourages you to read, understand, and use all the precautions outlined herein, and to use the services made available to you. This ASR published as of October 1, 2017 is Champlain's official ASR.

Respectfully,

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An Overview of Campus Safety and Security Reporting

Choosing a College is a monumental decision for students and their families. Along with academic, financial and geographic considerations, the topic of safety plays a vital role in their decision process. In 1990, Congress enacted the *Crime Awareness and Campus Security Act of 1990* (Title II of Public Law 101-542), which amended the *Higher Education Act of 1965* (HEA). This act required all postsecondary institutions participating in HEA's Title IV student financial assistance programs to disclose campus crime statistics and security information. The act was amended in 1992, 1998 and 2000. The 1998 amendments renamed the law, The *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act* in memory of a student who was slain in her dorm room in 1986. It is generally referred to as the *Clery Act*.

On Aug. 14, 2008, the *Higher Education Opportunity Act* or HEOA (Public Law 110-315) reauthorized and expanded the *Higher Education Act of 1965*, as amended. HEOA amended the *Clery Act* and created additional safety related requirements for institutions to follow. Specifically, it added:

- New categories to the list of hate crimes all institutions must disclose (Clery amendment);
- A new disclosure regarding the relationship of campus security personnel with state and local law enforcement agencies (Clery amendment);
- Implementation and disclosure of emergency notification and evacuation procedures for all institutions (Clery amendment);
- Implementation and disclosure of missing student notification procedures for institutions with on-campus student housing facilities (HEOA);
- Fire safety reporting requirements for institutions with on-campus student housing facilities (HEOA);
- Text clarifying the definition of an on-campus student housing facility (Clery and HEOA); and
- A Program Participation Agreement (PPA) requirement concerning disclosure of the results of disciplinary proceedings to the alleged victim of any crime of violence or a non-forcible sex offense (HEOA).

Although HEA, as amended, is the law that governs the administration of all federal higher education programs, as used in this handbook, HEA refers only to the *Clery Act* and HEOA safety- and security-related requirements.

Campus Public Safety (CPS)

Champlain College takes great strides to ensure the welfare and safety of our students, staff, faculty and their guests. The College has developed procedures, policies, and programs to help promote a safe and secure learning and working environment. No town, large or small, is truly free of all crime, but we believe that the implementation of these policies and procedures, combined with the cooperation of the campus community, will work to make Champlain a safer community.

Campus Public Safety (CPS) Officers are available 24 hours a day 365 days a year. The Office of Campus Public Safety is located in Durick Hall, 174 South Willard Street. The Department consists of proprietary and contractual officers whose primary objective is to promote a safe and secure environment. The Public Safety Officers are not sworn police officers and therefore do not have powers of arrest, however they do work closely with the local law enforcement agencies—although no formal written memoranda of understanding exist. Should the need arise, CPS officers also work closely with state law enforcement agencies. The CPS Officers are a resource for the Champlain College community and provide a myriad of services to include the promotion of safety and security for the campus and other premises owned, leased or otherwise controlled (in Vermont) by the College.

Officers conduct continuous patrols on foot and with marked vehicles and are trained in first aid and CPR as well as how to utilize life-saving AED devices and administer Naloxone (“Narcan”) nasal spray. CPS Officers carry secure two-way radios to communicate with one another as well as a 24-hour live dispatch center located within the University of Vermont Police Services Department.

CPS benefits from a close professional working relationship with the Burlington, Winooski and University of Vermont Police Departments as well as some federal law enforcement agencies. These working relationships are invaluable and assist us with staying current with public safety issues on both the local and national landscape.

Daily Crime Log and the Annual Security Report

The purpose of the daily crime log is to record all criminal incidents and alleged criminal incidents that have occurred on College property as well as properties under our control and adjacent public property. In order to promote transparency Champlain College Campus Public Safety includes and posts all its calls for service on the daily crime log. The crime log is updated no later than 48 hours after our learning of a crime and it is housed within the Campus Public Safety office.

The College’s Annual Security Report (ASR) is also located at Campus Public Safety and a copy is attached to the information bulletin board. Anyone is welcome to stop by and review the ASR or request a copy, no explanation is needed nor is there any associated cost.

Campus Crime Reporting and CPS Response

CPS patrols cannot be everywhere at all times and therefore we rely upon the members of the Champlain Community to report suspicious activity, crimes and emergencies as they become aware of them. We encourage accurate and prompt reporting of all crimes to our office and the appropriate police agencies as needed, including when the victim of crime elects to, or is unable to, make such a report. Campus Public Safety can be reached by calling **802-865-6465** or simply dialing **6465** from any Champlain College phone. **911** is always an option during an emergency.

Upon receiving a report CPS personnel will promptly respond to evaluate the situation, and if need be, coordinate with local authorities and additional campus staff. In a police, fire, or medical emergency, public safety will respond and stay on scene until the responding agency has cleared and ensure all necessary parties are apprised of the situation.

Campus Public Safety maintains an excellent working relationship with the local police and fire departments. The Campus Public Safety Director meets regularly with the police commander that oversees the area in which our main campus is located. Although a written memorandum of understanding does not exist, local police have and will continue to respond to calls for service on our campus and will investigate all alleged criminal offenses. The College does not have officially recognized student organizations with off-campus addresses.

Students looking for information or those who want to discuss crime prevention should feel to contact Campus Public Safety regardless of the time of day. This office will assist the student in reporting the incident or suspicious activity and connect them with additional resources. Students, faculty and staff are encouraged to contact CPS with questions regarding personal safety, loss, theft, or damage of personal property.

Because the College does not carry insurance on students' personal property, it cannot assume responsibility for any of your personal possessions that may be lost, stolen or damaged. You are responsible for insuring your personal property, and you may be able to do so under your family's homeowner's policy. If you suspect that any of your belongings have been stolen, please notify Campus Public Safety.

Violations of the law will quickly be referred to law enforcement agencies and the Office of Community Standards for review. All violations will be recorded on the daily crime log as well.

Security Awareness and Crime Prevention Efforts

Campus Public Safety has on-going programs to educate members of the campus community about safety practices. Programs include:

Safety Presentations: Beginning with a 60 minute safety presentation during the new student orientation week. CPS staff and Residential Life staff visit residence halls to educate all residents of various aspects related to remaining safe, including CPS procedures and practices. Topics range from fire safety, theft prevention, personal safety, dating and domestic violence prevention, stalking and sexual assault prevention, but to name a few. The common goal of all presentations is to encourage students to be aware of their responsibility for their own security and the security of others. Similar safety awareness and crime prevention presentations entitled, “Keeping Champlain Safe” take place for all new employees during new hire orientation which occurs on a monthly basis. Existing employees are offered this training on a routine annual basis.

Self Defense Classes: In partnership with the Burlington Police Department, Campus Public Safety personnel facilitate classes on (RAD) a personal self- defense course, free of charge, to students, faculty and staff alike.

Investigations: All reports of incidents are reviewed initially by the Director of Public Safety and/or the Assistant Director. If a report requires follow up, supervision is provided and results are sent back to the Director, local agencies are notified as needed. Campus incidents are reviewed weekly by the Student Care & Response Team (SCART). SCART is a multi-disciplinary team that evaluates behaviors that may be perceived as threatening, harmful or disruptive to the student or others. Team members consist of Residential Life, Campus Public Safety, Counseling Services, the Provost’s Office and the school’s medical department. Collaboratively they work to identify concerning trends and provide ongoing training and development of new protocols and procedures.

Safety Escort Service: A 24-hour a day safety escort service is available to Campus community members. Affiliates are welcome to call Public Safety and be provided a safety escort between points on campus, this includes vehicle transports to the local hospital for non-emergency medical attention.

Lighting and Grounds Surveys: CPS officers perform walking tours of the campus area day and night to review exterior lighting and to identify safety issues using Crime Prevention Through Environmental Design (CPTED) techniques. During inclement weather CPS will monitor snow & ice to ensure walkways are safe for pedestrian travel.

Building Security

Champlain College is an active member in the local Burlington Community, hosting many activities and programs that are open to the public. The campus and its buildings (with the exception of residential halls) are open to the general public during business hours. In order to promote safety CPS conducts a series of lock-up routines, each evening, for the administrative and academic buildings. Residential halls are locked 24 hours a day with the exception of specific events such as campus move in and move out days.

Residential Hall Safety

Champlain College currently has 26 co-ed residential halls, which house over 1,300 students during the academic year. Resident students are provided ID cards that serve as electronic access cards, or a standard key to access their residence halls. Guests and delivery personnel may use the front door to contact residents. Students are expected to meet their guests and accept deliveries at the entrance. Throughout the year, Resident Assistants (RA), Student Life Staff and CPS staff will remind residents not to admit strangers into the residence hall.

Residents locked out of their room, when no RA is on duty, may contact CPS to gain entry into their room. CPS officers will require a photo ID and will verify, from a current student roster, that the student is assigned to the room in question. If a student is unable to provide a student ID, their identity will be verified through the school photo database.

Each day and evening CPS officers check the interior and the exterior perimeter of the residence halls. Continuous safety patrols of the residence hall areas are conducted and potential problems are addressed accordingly.

Emergency Call Boxes

Emergency call box phones are available at several locations around campus for the immediate reporting of security emergencies. A blue light situated above each telephone identifies the phone location. The height of the phones makes them accessible to students or staff in wheelchairs. These telephones are unable to complete any other campus, local or long distance connections, to ensure that the phones are available when needed. They are strictly for emergency use.

Emergency Call Box Locations:

- Alumni Auditorium, north entrance
- Bader Hall, east
- Boardman Hall, garage and north entrance
- Cushing Hall, east entrance
- Cushing Hall, front walkway
- Foster Hall, front walkway
- Hauke Center, north entrance
- Joyce Hall, northwest entrance
- Lakeview, Adirondack, Butler & Valcour Halls, courtyard
- Perry Hall, north entrance
- S.D. Ireland Center for Global Business & Technology, south entrance
- Durick Hall, west walkway
- Whiting Hall, west end walkway

How to Use Emergency Call Boxes:

Depress and release the button marked "**PUSH.**" No dialing is necessary; the call will automatically be connected to the Campus Public Safety on duty officer via cell phone.

What to Tell Campus Public Safety When Calling:

1. Your name
2. Your location
3. The nature of the emergency

CPS will then issue further instructions and respond immediately to the emergency location.

Potential Threats

When a potentially dangerous threat to the College community arises, timely reports or warnings will be issued through e-mail announcements, the posting of flyers at residence halls, in-person announcements, or other appropriate means.

All students, faculty and staff should be committed to ensuring the safety and security of the campus and workplace environment. As such, anyone who believes that an individual (student, faculty or staff member) has committed or may commit an act of violence, is engaging in behavior or making statements that generate concern about the potential for violence, or otherwise may pose an imminent threat to the health or safety of any member of the College community (such as, for example, incidents of violence, threatening behavior or statements, unwanted pursuit, stalking, and personal harassment) should call Campus Public Safety immediately at (802) 865-6465. In case of an emergency please also call 911.

Other individuals who may be contacted when a threat is imminent or when a crime has occurred are listed below.

Office of Counseling	Skip Harris	(802) 651-5961
Office of Residential Life	Danelle Berube	(802) 860-2702
Office of Student Life	Angela Batista	(802) 651-5851
Office of Public Safety	Bruce Bovat	(802) 860-2755
Office of Student Conduct	Donna Swartwout	(802) 865-6428

Where behavior or statements of concern do not appear to present an imminent threat, individuals may also contact one of the following individuals:

Office of Residential Life	Danelle Berube	(802) 860-2702
Office of Counseling	Skip Harris	(802) 651-5961
People and Technology	Jennifer Archambault	(802) 865-5485
Office of Diversity and Inclusion/Student Life	Lisa Mazzariello	(802) 651-5904
Office of Academic Affairs	Lauri Quinn	(802) 860-2729
Campus Public Safety	Bruce Bovat	(802) 860-2755

Reports will be evaluated to determine the appropriate response; the response may include, but not be limited to, a referral to a mental health counselor or a conduct officer. In situations where an individual has concerns about someone's behavior, but is unsure whether such behavior poses a "threat" to self or others, should report the information to Campus Public Safety or one of the individuals listed above, to allow the College the opportunity to assess the situation and respond as necessary. Individuals who wish to report crimes voluntarily and confidentially, that is to say anonymously, may still call Campus Public Safety at **(802) 865-6465**. Campus Public Safety is more concerned with your information, than your name. The College will defer to the professional judgment of its counseling staff as to whether they should, if and when they deem appropriate, inform persons that they are counseling of the procedures to report crimes on a voluntary basis for inclusion in the College's annual crime statistics. The College's professional counselors are not required to report crimes for inclusion in the statistics that they learn of in the course of their counseling work with clients.

Campus Alert Emergency Notification System (RAVE)

Timely Warnings: The Campus Public Safety Director will provide timely warning notices to the community whenever information reported to campus security authorities or local police agencies is determined by the College to represent a serious or continuing threat to the campus community. If the timely warning is associated with a crime the College will withhold the names of any victims as confidential, and will provide information intended to aid in the prevention of similar occurrences. Notices are sent by campus email, voice messages and text messages, utilizing the RAVE Campus Alert System.

Tips for reporting a crime or emergency:

- Remain calm.
- Give the location of the incident-building name, room number, and parking lot
- Etcetera, if applicable.
- Identify yourself and give a callback telephone number. Your identity will remain confidential if you wish; however, it is important that we are able to contact you if we need additional information.
- State the incident you are reporting (i.e., theft, medical emergency, fire).
- Describe the scene-who and how many people are there, if medical treatment is being given, description of subjects, and other information.
- State the Person of Interest (POI's) direction of flight, if applicable.
- Stay on the phone until the coordinator has recorded all of the information.

When a crime or other serious incident is reported, a Campus Public Safety Officer will be dispatched to the scene to render assistance and investigate the incident. The local police may be contacted if circumstances dictate.

Emergency Notifications: Like many colleges and universities nationwide, Champlain College has implemented a campus emergency alert mass notification system (RAVE) as a tool to warn employees and students when danger is present on or near the College campus. This system is used to immediately notify the campus community upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the campus.

The College will, without unneeded delay, and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless the notification will, in the professional judgment of responsible authorities, compromise efforts to assist victims or to contain, respond to, or otherwise mitigate the emergency.

If warranted, a special campus alert notification will be sent, via the RAVE system, to the campus community by the Campus Public Safety Director or a member of the Strategic Communications Division. If a situation arises that requires mass notification of a crisis, imminent danger, evacuation or other urgent situation. If an alert is sent, affiliates will be given instructions about the danger and where to go for more information. Follow- on notifications will be sent periodically to try and keep everyone apprised of the unfolding situation.

Campus Public Safety will confer with key College officials to determine the appropriate segment or segments of the campus community to receive a notification by evaluating the situation. Campus Public Safety will determine the content of the notification by considering the reported and known information, the mitigating factors described above, confidentiality-related issues, and the safety interests of the campus community. If necessary, Campus Public Safety would disseminate information about an on-campus emergency situation to the larger community by contacting local first responder authorities (e.g., Burlington Police Department, Burlington Fire Department, 911 dispatcher). The person ultimately responsible for carrying out these actions is Bruce Bovat, Director of Campus Public Safety ((802) 865-2725), or designee at Campus Public Safety ((802) 865-6465).

The RAVE alert system is designed to inform Champlain students, faculty and staff about present dangers occurring on or near campus. Affiliates are automatically registered to receive timely email warnings to their college email address from the RAVE campus alert system. Affiliates are encouraged to add their mobile devices to receive alerts and can do so by following the instruction link below:

<http://www.champlain.edu/current-students/campus-services/campus-safety/emergencies-and-closures/sign-up-for-alerts>

Employees and students are enrolled in the program at no additional expense. We encourage affiliates to login to the Rave Mobile Safety site to confirm their contact information and choose their notification preferences. (Note that cellular phone providers may charge a per-text message fee for the delivery of emergency notifications to your phone).

Your username is (your champlain.edu email).

Your initial password is (your Champlain user password).

You may sign in using your current Champlain College email address. Once logged in, you can manage your account (for example, you can opt-out of receiving text and/or voice alerts).

The campus alert notification system is tested at the beginning of each semester. Tests are publicized in advance so as to mitigate any confusion. The College documents, for each test, a description of the exercise, the date and time it occurred, and whether it was announced or unannounced. Individualized Emergency Response and Evacuation Procedure considerations are taken into account for students with special needs. The last test of the Alert system was March 14, 2017 and the report shows 98% of the targeted recipients received either a text, phone call or email.

In addition to emergency notifications, if circumstances warrant, special printed security alerts and advisories are also prepared by the Director of Campus Public Safety and the Residential Life office. They are distributed on campus by a CPS officer when necessary. In addition, they are sent via e-mail to each member of the campus community, student, staff and faculty member.

In keeping with federal requirements, a daily crime log is maintained on the College Website and is available for review at:

https://my.champlain.edu/page_form_security_crime_log/view

Anyone with knowledge of a crime or possible crime should contact Campus Public Safety at 802-865-6465. Your information can be held in confidence and will only be released to other investigating authorities as needed.

Missing Student Investigations / Notifications (Suzanne's Law)

Suzanne's laws is a federal law concerning missing persons signed into law by President Bush as part of the national "Amber Alert". It provides that there shall be no waiting period before a law enforcement agency initiates an investigation of a missing person under the age of twenty one and reports the missing person to the National Crime Information Center of the Department of Justice. To do so, it amends Section 3701 (a) of the Crime Control Act of 1990. It requires local authorities to notify the National Crime Information Center immediately if someone between the ages of 18 and 21 goes missing.

Since Champlain College maintains on-campus housing facilities, it has policies and procedures for investigating reports of missing students. It is the policy of Champlain College Campus Public Safety to immediately investigate reports of missing students, regardless of the student's age, or the length of time they have been reported missing, when it has been reported that the person's last known whereabouts involves our campus. Any person who believes a student might be missing student shall immediately bring it to the attention of Campus Public Safety.

Champlain College requires all students living in residence halls to register a contact person to be notified in the event of an emergency. Students who live in residence halls also have the right, regardless of age, to register one or more individuals to be a contact strictly for missing person purposes. This person need not be your emergency contact. This person's contact information will be kept confidentially and this information will be accessible only to authorized campus officials, and may not be disclosed, except to law enforcement personnel in furtherance of a missing person investigation.

Campus affiliates receiving an initial report of a missing student are to report the information to Campus Public Safety officers (802) 865-6465) who will then notify the local police immediately. It is Campus Public Safety policy to notify a missing student's parents or guardians of a missing student if the student is under 18 years of age and not emancipated. The College will notify the Burlington Police Department or other law enforcement agency with jurisdiction when **ANY** student who lives in on-campus student housing has been determined to be missing for 24 hours. Campus Public Safety officers will follow the Missing Persons Protocol located on file in the Campus Public Safety Office upon receiving an initial report.

Emergency and Crime Reporting Procedures on Campus: The Office of Campus Public Safety is the central emergency reporting center for the College. In case of an emergency, community members should use the following numbers and procedures:

For all Police, Fire, or Medical Emergencies dial **911** –

CPS officers will be automatically dispatched to your location. Police and Fire departments are located less than one mile from Champlain College.

Champlain College Public Safety

Emergencies dial (x 6465 from any campus phone) Non-Emergencies dial 802-865-6465

Burlington Police Department

Emergencies Dial **911**

Non-Emergencies Dial 802-658-2700

Burlington Fire Department

Emergencies Dial **911**

Non-Emergencies Dial 802-864-5311

Winooski Police Department (Spinner Place Residents) Emergencies Police & Fire Dial **911**

Non-Emergencies Dial 802-655-0221

Champlain College Blue Light Telephone: Press the call button and speak into the callbox

Most residence halls, excluding Spinner Place, have an exterior phone that reaches Campus Public

Safety by dialing 3333 or 6465. Additionally, there are multiple Blue Light Phones around campus that can be used to report emergencies or criminal incidents.

All campus telephones can be used to reach emergency services by dialing **911**.

Weapons: All weapons are **prohibited** on the Champlain College campus. “Weapon” should be understood to include, but not be limited to: firearms, paintball guns, BB guns, air soft guns, slingshots, bows, arrows, swords, spears, whips, various kinds of knives other than cooking utensils and pocket knives, and various kinds of martial arts devices capable of being used as weapons.

Hate Crime Reporting: Champlain College Campus Public Safety is required to report to law enforcement any occurrence of any of the following offenses that are motivated by bias: murder and non-negligent manslaughter, sexual assault, robbery, aggravated assault, burglary, motor vehicle theft, arson, larceny-theft, simple assault, intimidation, and destruction, damage, or vandalism of property.

Personal Responsibility: The involvement of students, faculty and staff in the campus safety program is vital to its success.

Students, faculty and staff should assume responsibility for their own personal safety and the security of their personal belongings by taking simple, common-sense precautions. Room doors and windows should be closed and locked at night and whenever the room is unoccupied. Valuable items such as computers, stereos and cameras should be marked and serial numbers should be logged in a safe location.

It is important to promptly report any suspicious persons, activities or unusual incidents in residence halls or other campus buildings to the Public Safety Office.

JEANNE CLERY DISCLOSURE OF CAMPUS SECURITY POLICY AND CAMPUS CRIME STATISTICS ACT, AS AMENDED BY THE VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT OF 2013

Champlain College does not discriminate on the basis of sex in its educational programs; sexual harassment and sexual violence are types of sex discrimination. Other acts can also be forms of sex-based discrimination and are also prohibited whether sexually based or not and include dating violence, domestic violence, and stalking. As a result, Champlain College issues this statement of policy to inform the community of our comprehensive plan addressing sexual misconduct, educational programs, and procedures that address sexual assault, domestic violence, dating violence, and stalking, whether the incident occurs on or off campus and when it is reported to a Responsible Employee. In this context, Champlain College prohibits the offenses of domestic violence, dating violence, sexual assault and stalking as defined by the Clery Act and College policy and reaffirms its commitment to maintain a campus environment emphasizing the dignity and worth of all members of the College community.

Sexual Harassment, Sexual Misconduct, Domestic Violence, Dating Violence and Stalking Policy, Bystander Intervention, Reporting Procedures and Support Services

Primary Prevention and Awareness Programs: As an educational institution, Champlain College is committed to promoting, through education and awareness-raising activities, a campus environment where sexual harassment, sexual misconduct (including sexual violence), domestic violence, dating violence and stalking are recognized as serious violations of the Standard of Conduct and where individuals who have or believe they have been subjected to such misconduct are provided support and avenues of redress as appropriate. These forms of misconduct, as defined below, are prohibited by the College. All first-year students are strongly encouraged to attend an orientation program during the first week of school that focuses on sexual violence, non-stranger sexual assault and the role of alcohol as a risk factor. Programs in personal safety with an emphasis on sexual violence prevention, bystander intervention, and risk reduction strategies are offered throughout the year. The College will also offer initial awareness programming and an ongoing awareness campaign of educational programming to students and employees regarding domestic violence, dating violence, sexual misconduct, and stalking, and regarding related bystander intervention and risk reduction strategies. Definitions of these crimes and consent in the applicable jurisdiction are referenced in College programming; Vermont law definitions are outlined in Appendix A to this report.

Champlain provides written notification to students and employees about existing resources both at the College and in the community, such as counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available for victims of sexual harassment, sexual misconduct, domestic violence, dating violence, and stalking.

General Terms and Definitions

Complainant: For purposes of this policy, a complainant is usually a student, employee, or third party involved in some way in an academic, college related clubs, extracurricular or residential program of the College (“covered third party complainant”) who has allegedly been subjected to conduct in violation of this policy by a student, employee or covered third party respondent.

In some cases (such as, for example, cases in which a student, employee or covered third party complainant involved in an alleged incident of sexual harassment, sexual misconduct, domestic violence, dating violence or stalking does not wish to participate in the process but the College decides that the alleged misconduct needs to be investigated and addressed), the College may move forward with an investigation and/or related disciplinary proceedings. In such cases, the College may extend the full rights of a complainant as defined in this policy to affected parties as deemed appropriate by the College. For ease of reference and consistency, the term “complainant” is used hereafter in this policy to refer to a person who believes that he or she has been subjected to sexual harassment, sexual misconduct, domestic violence, dating violence or stalking, or who is believed by another to have possibly been subjected to such conduct.

When a student or employee reports to Champlain that the student or employee has been a victim of dating violence, domestic violence, sexual assault, or stalking, the College will provide the student or employee a written notification of the student's or employee's rights and options, whether the offense occurred on or off campus. These include:

- *Existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available for reported victims both on and off campus;

- *Options for, available assistance with, and how to request, changes to academic, living, transportation and working situations, if so requested by the victim and if such accommodations are reasonably available, regardless of whether the reported victim chooses to report the crime to campus police or local law enforcement;

- *Possible sanctions or protective measures that Champlain may impose following a final determination under its Sexual Harassment, Sexual Misconduct, Domestic Violence, Dating Violence and Stalking Policy;

- *Information about the importance of preserving evidence as may be necessary to the proof of criminal domestic violence, dating violence, sexual assault or stalking or in obtaining an order of protection;

- *Information about reporting to campus officials;

- *Options to notify law enforcement (and the option not to) and to be assisted by Champlain officials in doing so;

- *The rights of reported victims, where applicable, and the College's responsibilities regarding orders of protection, No Contact Orders, restraining orders, or similar lawful orders issued by a criminal or civil court;

- *Information about how Champlain will protect the confidentiality of reported victims in reference to publicly available recordkeeping and accommodations or protective measures;

- *Information about Champlain's procedures for investigating and adjudicating complaints of sexual harassment, sexual misconduct, domestic violence, dating violence and stalking, including notification to the parties of the outcome.

Respondent: For purposes of this policy, a respondent is a student, employee or third party over whom the College has some type of control or jurisdiction ("covered third party respondent") who is reported to have violated the College's Sexual Harassment, Sexual Misconduct, Domestic Violence, Dating Violence and Stalking Policy. For ease of reference and consistency, the term "respondent" is used hereafter in this policy to refer to a student, employee or covered third party

respondent who is believed by a complainant or other reporting person to have, or who the College believes possibly may have, engaged in sexual harassment, sexual misconduct, domestic violence, dating violence or stalking toward or with a student, employee or covered third party.

Sexual Harassment: Sexual harassment of students, employees, or covered third parties by students, employees or covered third parties is prohibited by Champlain College. Sexual Harassment is defined as:

Unwelcome sexual advances, requests for sexual favors and other unwelcome verbal or physical conduct of a sexual nature. Such conduct constitutes sexual harassment when:

Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or education,
Submission to or rejection of such conduct by an individual is used as the basis for employment or academic decisions affecting that individual, or
The conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance or creating an intimidating, hostile or offensive employment, education or living environment.

Examples of verbal or physical conduct that could violate this policy if they meet the standards described above may include, but are not limited to:

- either explicitly or implicitly conditioning any term of employment or educational
- decision on the provision of sexual favors;
- touching or grabbing a sexual part of a person's body;
- touching or grabbing any part of a person's body after that person has indicated, or it is known or should be known that such physical contact is unwelcome;
- continuing to ask a person to socialize on or off-campus when that person has indicated
- he or she is not interested;
- displaying or transmitting sexually suggestive pictures, objects, cartoons, or posters if it is known or should be known that the behavior is unwelcome;
- continuing to write sexually suggestive notes or letters if it is known or should be known that the person does not welcome such behavior;
- referring to or calling a person a sexualized name if it is known or should be known that the
- person does not welcome such behavior;
- telling sexual jokes or using sexually vulgar or explicit language in the presence of a person
- if it is known or should be known that the person does not welcome such behavior;
- retaliating in any way against anyone who has filed or supported a complaint of sexual harassment (e.g. ostracizing the person, pressuring the person to drop or not support the complaint, adversely altering that person's educational, shared living, or work environment, etc.);
- communicating derogatory or provoking remarks about or relating to a student's sex;
- directing harassing acts or behavior against a person on the basis of his or her sex; or
- non-campus conduct which falls within the above definition and affects a person's on

campus educational, shared living, or work environment.

The College encourages reports of unwelcome verbal or physical conduct of a sexual nature (regardless of whether such conduct necessarily or obviously meets the full definition of sexual harassment above) so that it can determine whether this policy has been violated and take appropriate responsive action. Prohibited sexual harassment can occur regardless of the sex, gender identity or sexual orientation of any individual involved.

Champlain College recognizes that the protection of free and open speech and the open exchange of ideas are important to any academic community. This recognition is therefore an important element in the “reasonable person” standard used in judging whether sexual harassment has occurred. This policy is meant neither to proscribe nor to inhibit discussion, in or out of the classroom, of complex, controversial or sensitive matters, when in the judgment of a reasonable person they arise appropriately and with respect for the dignity of others. Champlain College also recognizes, however, that verbal conduct can be used specifically to intimidate or coerce and to inhibit genuine discourse, free inquiry and learning. Such abuses are unacceptable. If someone believes that another’s speech or writing is offensive, wrong or hurtful, he or she is encouraged to express that judgment in the exercise of his or her own free speech or to seek redress under the procedures described below.

Prohibited Conduct and Definitions

Sex or Gender-Based Discrimination: Sex or gender-based discrimination refers to the disparate treatment of a person or group because of that person’s or group’s sex, sexual orientation, or gender identity.

Sexual or Gender-Based Harassment: “Harassment” is conduct that creates an intimidating, offensive, or hostile working or learning environment or that unreasonably interferes with work or academic performance based on a person’s protected status, including sex, sexual orientation, or gender identity. All such conduct is unlawful.

“**Sexual Harassment**” is any unwelcome sexual advance, request for sexual favors, or other unwelcome conduct of a sexual nature, whether verbal, physical, graphic, or otherwise.

“**Gender-Based Harassment**” is harassment based on sex, sexual orientation, or gender identity, which may include acts of aggression, intimidation, or hostility, whether verbal, physical, graphic, or otherwise. To qualify as Gender-Based Harassment, the conduct need not involve conduct of a sexual nature.

Generally speaking, harassment can be divided into two types of conduct:

Quid Pro Quo Harassment. Submission to or rejection of such conduct is made, either explicitly or implicitly, a term or condition of an individual’s employment, academic standing, or participation in any aspect of a College program or activity or is used as the basis for the College’s decisions affecting the individual.

Hostile Environment: A hostile environment exists when the conduct is sufficiently severe, pervasive, or persistent that it unreasonably interferes with, limits, or deprives an individual from participating in or benefiting from the College's education or employment programs and/or activities. Whether conduct is sufficiently severe, pervasive, or persistent is determined both from a subjective and objective perspective. Harassing conduct can take many forms. The determination of whether an environment is hostile is based on the totality of the circumstances, including but not limited to: (1) the frequency of the conduct; (2) the nature and severity of the conduct; (3) whether the conduct was physically threatening; (4) the effect of the conduct on the complainant's mental or emotional state, with consideration of whether the conduct unreasonably interfered with the complainant's educational or work performance and/or College programs or activities; (5) whether the conduct was directed at more than one person; and (6) whether the conduct arose in the context of other discriminatory conduct.

A single isolated incident may create a hostile environment if the incident is sufficiently severe, particularly if the conduct is physical. A single incident of Sexual Assault, for example, may be sufficiently severe to constitute a hostile environment. In contrast, the perceived offensiveness of a single verbal or written expression is typically not sufficient to constitute a hostile environment.

Sexual or Gender-Based Harassment: May be blatant and intentional and involve an overt action, a threat or reprisal, or may be subtle and indirect, with a coercive aspect that is unstated.

May be committed by anyone, regardless of gender, age, position or authority. While there is often a power differential between two persons, perhaps due to differences in age, social, educational or employment relationships, harassment can occur in any context.

May be committed by a stranger, an acquaintance, or someone with whom the complainant has an intimate or sexual relationship. May be committed by or against an individual or may be a result of the actions of an organization or group. May occur by or against an individual of any sex, sexual orientation, or gender identity. May occur in the classroom, in the workplace, in residential settings, or in any other setting. May be a one-time event or can be part of a pattern of behavior. May be committed in the presence of others or when the Parties are alone. May affect the complainant and/or Third Parties who witness or observe harassment and are affected by it.

Examples of conduct that may constitute Sexual Harassment as defined above may include a severe, persistent or pervasive pattern of unwelcome conduct of a sexual nature that includes but is not limited to one or more of the following: Physical conduct, including unwelcome touching, sexual/physical assault, impeding, restraining, or blocking movements, or unwanted sexual advances; Verbal conduct, including making or using derogatory comments, epithets, slurs or humor; verbal abuse of a sexual nature, graphic verbal commentaries about an individual's body, sexually degrading words used to describe an individual, suggestive or obscene letters, notes, or invitations; or objectively offensive comments of a sexual nature, including persistent or pervasive sexually explicit statements, questions, jokes, or anecdotes; Visual conduct, including leering, making sexual gestures, displaying suggestive objects or pictures, cartoons, or posters in a public space or forum; or severe, persistent, or pervasive visual displays of suggestive, erotic, or degrading sexually oriented images that are not pedagogically appropriate; Written conduct,

including letters, notes or electronic communications containing comments, words, or images described above; Quid pro quo conduct, including direct propositions of a sexual nature between those for whom a power imbalance or supervisory or other authority relationship exists; offering educational or employment benefits in exchange for sexual favors; making submission to sexual advances an actual or implied condition of employment, work status, promotion, grades, or letters of recommendation, including subtle pressure for sexual activity, an element of which may be repeated requests for private meetings with no academic or work purpose; or making or threatening reprisals after a negative response to sexual advances.

Types of Sexual Misconduct

Sexual misconduct may include sexual assault, non-consensual sexual contact, sexual exploitation, or all of the above.

Sexual Assault: Sexual assault may be either rape, incest, or statutory rape, as defined in the Clery Act and below.

Rape: is 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.

Incest is sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law in the applicable jurisdiction.

Statutory rape is sexual intercourse with a person who is under the statutory age of consent in the applicable jurisdiction.

Sexual assault can be committed by any person against any other person, regardless of gender, gender identity, sexual orientation, or past or current relationship status. Sexual assault may occur with or without physical resistance or violence. Sexual assault is defined as including participating in a sexual act with another person: By compelling the other person to participate in the sexual act without consent; or by threatening or coercing the other person; or by placing the other person in fear that any person will suffer imminent bodily injury; or by impairing substantially the ability of the other person to appraise or control conduct by administering or employing drugs or intoxicants without the knowledge of or against the will of the other person; or when the respondent knows, or reasonably should know based on an objective standard, that the other person's ability to give or withhold consent is impaired: by the consumption of drugs, alcohol or other intoxicants; or because the other person is subject to a physical or mental incapacity such as sleep or unconsciousness. By participating in situations when the other person is physically incapable of resisting or of communicating an unwillingness to participate; or By participating in situations when the other participant is under the age of 16 or the acts in question constitute incest.

Non-consensual sexual contact: Non-consensual contact includes: acts that would constitute "fondling" as defined in the Clery Act (that is, the touching of the private body parts of another person for the purpose of sexual gratification, without the consent (as defined below) of the other

person, including instances where the victim is incapable of giving consent because of his/her temporary or permanent mental incapacity); causing an individual to touch their own private body parts, touching another individual's body with a private body part, or disrobing or exposure of another without permission. Private body parts for purposes of this definition include breasts, genitals, buttocks, or groin.

Sexual Exploitation: Sexual Exploitation occurs when a person takes sexual advantage of another person for the benefit of anyone other than that other person without that other person's consent. Examples of behavior that could constitute sexual exploitation include but are not limited to the following: intentional non-consensual contact with the private body parts of a person that does not meet the definition of behaviors prohibited under the definition of "sexual assault" found above; prostituting another person; recording or capturing through any means images (e.g., video and photographs) or audio of another person's sexual activity, intimate body parts, or nudity without that person's consent; distributing images (e.g., video or photographs) or audio of another person's sexual activity, intimate body parts or nudity if the individual distributing the images or audio knows or should have known that the person(s) depicted in the images or audio did not consent to such disclosure and object(s) or would object to such disclosure; and, viewing another person's sexual activity, intimate body parts or nudity in a place where that person had a reasonable expectation of privacy, without that person's consent, if the individual viewing the other person(s) sexual activity, intimate body parts, or nudity in such a place knows or should have known that the person(s) being viewed would object to that.

***Exception:** Champlain College's prohibition of sexual exploitation is not intended to prohibit the use of sexually explicit materials that are reasonably related to Champlain College's academic mission. Specifically this section is not intended to proscribe or inhibit the use of sexually explicit materials in or out of the classroom, when in the judgment of a "reasonable person" they arise appropriately to promote genuine discourse, free inquiry and learning.

Types of Intimate Partner Violence

Intimate Partner Violence may be either domestic violence, dating violence, or domestic or dating misconduct, defined as follows:

1. Domestic Violence: Domestic violence is violence or the threat of imminent violence committed- By a current or former spouse or intimate partner of the person subjected to the violence; By a person with whom the person subjected to the violence shares a child in common; By a person who is cohabitating with, or has cohabitated with, the person subjected to the violence as a spouse or intimate partner; By a person similarly situated to a spouse of the person subjected to the violence under the domestic or family violence laws of the jurisdiction in which the violence occurred, or; By any other person against an adult or youth who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the violence occurred.

As a matter of Champlain College policy, the College strictly prohibits conduct that would

constitute domestic violence as defined above. The College encourages complainants who believe they are being or have been subjected to such conduct, and others with knowledge of such conduct, to report the conduct to the College through the procedures described below, and to seek the support of the College and/or external resources identified in this policy.

2. Dating Violence: Dating violence is violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the person subjected to the violence. The existence of such a relationship shall be determined based on the parties' statements 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. For the purposes of this definition, dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse, if involving individuals who are or have been dating as defined here. Dating violence does not include acts covered under the definition of domestic violence stated above.

As a matter of Champlain College policy, the College strictly prohibits conduct that would constitute dating violence as defined above. The College encourages individuals who believe they are being or have been subjected to such conduct, and others with knowledge of such conduct, to report the conduct to the College through the procedures described below, and to seek the support of the College and/or external resources identified in this Policy.

3. Domestic or Dating Misconduct: Domestic or dating misconduct is defined as threatening or coercive behavior that does not involve violence, but that occurs in the context of a domestic or dating relationship. The criteria for determining the existence of a domestic or dating relationship are provided in the above definitions of Domestic Violence and Dating Violence. Examples of Domestic or Dating Misconduct include but are not limited to the following, when occurring in the context of a domestic or dating relationship: conduct that may reasonably be expected to exploit or coerce;

- kidnapping and/or restraint;
- prevention of another's ability to communicate or move freely;
- violation of another's privacy;
- unauthorized entry and/or uninvited or unwanted presence in another's room or office;
or
- stalking.

Stalking: "Stalking" is defined as engaging in a course of conduct directed at a specific person that would cause a reasonable person to: Fear for the person's safety or the safety of others; or Suffer substantial emotional distress. For the purposes of this definition:

Course of conduct means two or more acts, including, but not limited to, acts in which the alleged stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.

Reasonable person means a reasonable person under similar circumstances and with similar identities to the person subjected to the stalking.

Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

As a matter of Champlain College policy, the College strictly prohibits stalking as defined above. The College encourages complainants who believe that they are being or have been subjected to such conduct, and others with knowledge of such conduct, to report the conduct to the College through the procedures described below, and to seek the support of the College and/or external resources identified in this Policy. When part of a pattern of behavior that falls within the definition of stalking described above, examples of stalking behaviors or activities may include, but are not limited to: Non-consensual communication, including face-to-face communication, telephone calls, voice messages, e-mails, text messages, written letters, gifts, or any other communications that are unwelcome; Use of online, electronic or digital technologies in connection with such communication, including but not limited to: posting of pictures or texts in chat rooms or on websites; sending unwanted/unsolicited e-mails or talk requests; posting private or public messages on Internet sites, social networks, and/or school bulletin boards; installing spyware on a person's computer; using Global Positioning Systems (GPS) or similar technology to monitor a person. Pursuing, following, waiting, or showing up uninvited at or near a residence, workplace, classroom, or other places frequented by the person; Surveillance or other types of observation including staring or "peeping"; Trespassing; Vandalism; Non-consensual touching; Direct verbal or physical threats; Gathering information about an individual from friends, family, or co-workers; Accessing private information through unauthorized means; Threats to harm self or others; Using a third party or parties to accomplish any of the above.

Sexual Misconduct & Intimate Partner Violence: Definitions of Key Terms; Other Considerations to provide clarity to all individuals as to the kinds of behavior which constitute Sexual Misconduct, Intimate Partner Violence and/or Stalking, the College further defines key terms, which the College will use in evaluating whether Prohibited Conduct has occurred. For the purpose of this policy "consent" is defined as follows:

1. Consent: Consent is a voluntary agreement to engage in sexual activity, demonstrated by words or actions freely and actively given by each party, which a reasonable person would interpret as a willingness to participate in agreed upon sexual conduct. Someone who is incapacitated cannot effectively consent (such as when a person is incapacitated by the use of drugs or alcohol, when a person is asleep or unconscious, or when a person has an intellectual or other disability that prevents the person from having capacity to give consent). Past consent does not imply future consent. Being in an intimate relationship does not, in and of itself, imply consent. Silence or an absence of resistance does not imply consent. Consent to engage in one activity with one person does not imply consent to engage in sexual activity with another person. Consent to engage in one sexual activity with one person does not imply consent to engage in a different type of sexual activity. Consent can be withdrawn at any time. Consent obtained through coercion, force or

threat of either, or intimidation, is not valid.

The College will use an objective standard when determining whether a complainant was incapacitated; that is, the College will determine whether from the standpoint of a reasonable (and not incapacitated or intoxicated) person, the respondent knew or should have known that the complainant could not effectively consent because he or she was incapacitated. It is the responsibility of those who initiate and/or engage in sexual activity to be clear that informed, voluntary consent is given before proceeding with further sexual activity. It should be noted that ignorance of the policy noted above, or the intoxication of the respondent, will not (particularly given the College's objective standard) be considered an excuse for violating this policy.

2. Force: "Force" is the use or threat of physical violence to overcome an individual's freedom of will to choose whether or not to participate in sexual activity or provide consent. Consent obtained by force is not valid. For the use of force to be demonstrated, there is no requirement that a complainant resist the sexual advance or request. However, evidence of resistance by the complainant will be viewed as a clear demonstration of a lack of consent.

3. Intimidation: "Intimidation" is the use of implied threats to overcome an individual's freedom of will to choose whether or not to participate in sexual activity or provide consent. Consent obtained by intimidation is not valid.

4. Coercion: "Coercion" is the improper use of pressure to compel another individual to initiate or continue sexual activity against that individual's will. Consent obtained through coercion is not valid. Coercion can include a wide range of behaviors, including intimidation, manipulation, threats, and blackmail. A person's words or conduct are sufficient to constitute coercion if they wrongfully impair another individual's freedom of will and ability to choose whether or not to engage in sexual activity. Examples of coercion include threatening to "out" someone based on sexual orientation or gender identity, and threatening to harm oneself if the other party does not engage in the sexual activity. When someone indicates, verbally or physically, that they do not want to engage in a particular sexual activity, that they want to stop a particular activity, or that they do not want to go past a certain point of sexual interaction, continued activity or pressure to continue beyond that point can be coercive. The College will evaluate the following in determining whether coercion was used: (a) the frequency of the application of pressure, (b) the intensity of the pressure, (c) the degree of isolation of the person being pressured, and (d) the duration of the pressure. All four do not need to be present to determine if coercion was used.

5. Incapacitation: "Incapacitation" is a state where an individual cannot make an informed and rational decision to engage in sexual activity because of a lack of conscious understanding of the fact, nature, or extent of the act (e.g., to understand the, who, what, when, where, why, or how of the sexual interaction) and/or is physically unable to do so. For example, an individual is incapacitated, and therefore unable to give consent, if the individual is asleep, unconscious, or otherwise unaware that sexual activity is occurring. An individual will also be considered incapacitated if the person cannot understand the nature of the activity or communicate due to a mental or physical condition. Incapacitation may result from the use of alcohol, drugs, or other

medication.

The impact of alcohol and drugs varies from person to person, and evaluating incapacitation requires an assessment of how the consumption of alcohol and/or drugs impacts an individual's: (1) decision-making ability; (2) awareness of consequences; (3) ability to make informed judgments; or (4) capacity to recognize/assess the nature and the scope of the act. It shall not be a valid excuse that the respondent believed that the complainant affirmatively consented to the sexual activity if the respondent knew or reasonably should have known that the complainant was unable to consent to the sexual activity under any of the following circumstances: (a) the complainant was asleep or unconscious; (b) the complainant was incapacitated due to the influence of drugs, alcohol, or medication, so that the complainant could not understand the fact, nature, or extent of the sexual activity; (c) the complainant was unable to communicate due to a mental or physical condition. Whether the respondent reasonably should have known that the complainant was incapacitated will be evaluated using an objective reasonable person standard. The fact that the respondent was actually unaware of the Complainant complainant's incapacity is irrelevant to this analysis, particularly where the respondent's failure to appreciate the Complainant complainant's incapacitation resulted from the respondent's failure to take reasonable steps to determine the Complainant complainant's incapacitation or where the respondent's own incapacitation (from alcohol or drugs) caused the respondent to misjudge the Complainant complainant's incapacity.

It is the responsibility of each party to be aware of the intoxication level of the other party before engaging in sexual activity. In general, sexual activity while under the influence of alcohol or other drugs poses a risk to all parties. If there is any doubt as to the level or extent of the other individual's intoxication, it is safest to forgo or cease any sexual contact or activity. Being intoxicated by drugs or alcohol is no defense to any violation of this Policy and does not diminish one's responsibility to obtain consent.

6. Retaliation: Retaliation includes adverse action taken by any person over whom the College has some measure of control (e.g., faculty, staff, students, and covered third parties) against a person because they have made a good faith report of Prohibited Conduct and/or because they have participated in any proceeding under this Policy. Adverse action includes conduct that threatens, intimidates, harasses, coerces or in any other way seeks to discourage a reasonable person from engaging in activity protected under this Policy. Retaliation can be committed by or against any individual or group of individuals, not just a respondent or complainant. Retaliation does not include good faith actions lawfully pursued in response to a report of Prohibited Conduct.

The College will take immediate and responsive action to address any report of covered retaliation and will pursue disciplinary action as appropriate. An individual whose good faith activities as described above result in their being protected from retaliation under this policy is entitled to such protection even if the reported conduct is ultimately not found to be a violation of this Policy.

Days: Unless otherwise expressly stated, all references in this procedure to “days” are to business days, excluding holidays when the College is closed. Any deadline that falls on a weekend or other day when the College is closed, shall be extended to the next business day.

The College’s primary goals when responding to complaints of sexual misconduct is to promote student, employee and covered third party safety and to address the misconduct and prevent it from recurring. An individual should not hesitate to report sexual misconduct due to a concern that the investigation process may indicate that he or she was under the influence of alcohol or drugs at the time of the incident. Violations of other College policies will be handled separately from sexual misconduct complaints, and the relatively minor sanctions that may result from a violation of other College policies under the circumstances should not dissuade a person from reporting relatively serious incidents of sexual misconduct. The use of alcohol or drugs never makes the complainant at fault for sexual misconduct.

Protective Measures: Sometimes it is necessary to take steps before or during an investigation to protect the rights and interests of the Complainant and/or Respondent. Such measures may be designed to reduce or eliminate contact between the Complainant and or the Respondent so that both parties may feel safe in their work/educational environment. Protective measures may also guard against further actual or perceived discrimination or retaliation. Protective measures may include temporary changes in working conditions, (such as changes to supervisor or office location), change in class or work schedule, change in on campus residence and directives to the Complainant and Respondent to avoid personal contact or refrain from such contact without a neutral third person present, other changes in academic, living, transportation and working situations and, in severe cases, suspension of an individual.

Bystander Intervention: A bystander is someone other than the victim who is present when an act of dating violence, domestic violence, stalking or sexual assault is occurring or when a situation is occurring in which a reasonable person feels as though some protective action is required to prevent sexual assault, dating violence, domestic violence or stalking. Bystanders, if active, can prevent harm or intervene before a situation gets worse. Examples of active bystander intervention include: not leaving an overly intoxicated person in a bar/party alone, walking a classmate to his/her car after class, calling police when a potentially violent situation is unfolding, not leaving an unconscious person alone (alerting an RA, EMS, CPS, etc.), or intervening when someone is being belittled, degraded or emotionally abused (walking victim away from abuser, contacting others for help, like counseling center, RA).

The College will distribute educational materials to new students; participating in and presenting information and materials during new employee orientation; participating in the Spring and Fall Faculty orientation program; presenting programs throughout the year on a regular basis, including sessions such as: skits, clothes line projects, residence hall speaker series, an annual poster series and web-based training programs regarding the role of college employees in assisting students who disclose abuse or an assault.

Reporting and Confidential Disclosures: Know the Options

The College understands that individuals who have concerns about sexual harassment, sexual misconduct, domestic violence, dating violence or stalking may look for assurances of confidentiality. The College encourages individuals who may have been subjected to these forms of misconduct and/or crime to talk to somebody about what happened, so they can get the support they need, and the College can respond appropriately to the extent appropriate and possible given the circumstances and/or the complainant's wishes. Different employees on campus have different abilities to maintain confidentiality about these issues.

The College will complete publicly available recordkeeping, including Clery Act reporting and disclosures, without the inclusion of personally identifying information about the victim, as defined in section 40002 (a)(20) of the Violence Against Women Act of 1994 (42 U.S.C. 13925 (a)(20), and maintain as confidential any accommodations or protective measures provided to the victim, to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations or the protective measures.

Personal Counselors and Health Services Professionals as Confidential Resources: At Champlain College, the professional counselors at the Counseling and Accommodations Services Center and the licensed professionals at the Health & Wellness Center respect and protect confidential communications from students to the extent that they are able to do so under applicable law. This means that in most cases, these confidential resources will not inform anyone of such communications without a student's consent, and the College will not endeavor to take any action in response to such communications. These professionals may have the responsibility to disclose otherwise-privileged information appropriately when they perceive an immediate and/or serious threat to any person or property.

In addition, medical and mental health professionals and social workers are required by law to report any allegation of sexual assault of a person under age 18. Students who wish to talk about sexual harassment, sexual misconduct, domestic violence, dating violence or stalking-related issues confidentially, with the understanding that the College will not take any action based on such confidential communications, are encouraged to contact one of these confidential resources. In accordance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act ("Clery Act"), these confidential resources will not report Clery crimes they learn about through confidential communications for purposes of the College's compilation of campus crime statistics.

If an individual who makes a report to a confidential resource and insists that his or her name or other identifiable information not be revealed, the College will be unable to conduct an investigation into the particular incident or pursue disciplinary action against the alleged perpetrator. Even so, these confidential resources will still assist the individual in receiving other necessary protection and support, such as victim advocacy, academic support or accommodations, disability, health or mental health services, and changes to living, working or course schedules.

An individual who at first requests confidentiality may later decide to file a complaint with the College or report the incident to local law enforcement, and thus have the incident fully investigated. These confidential resources will provide the individual with assistance if the individual wishes to pursue those options.

Contact information for confidential resources is as follows: Champlain College Counseling and Accommodations Services located at 163 South Willard Street, Burlington, VT 05401. Office number: 802-865-5961. Email: Counseling@champlain.edu

Reporting to “Responsible Employees”: A “responsible employee” is a College employee who has the authority to address sexual harassment, sexual misconduct, domestic violence, dating violence or stalking, who has a duty to report related incidents to the Title IX Coordinator or other College officials, or who a student could reasonably believe has such authority or duty. The College has also chosen to designate supervisory employees and faculty members as responsible employees. Responsible employees are respectful of a complainant’s wishes to the extent appropriate and are discreet, but they are not able to guarantee confidentiality.

General inquiries or questions about the Sexual Harassment, Sexual Misconduct, Domestic Violence, Dating Violence and Stalking Policy and procedures may remain private, and the College will strive to protect the privacy of individuals to the extent it can while maintaining its obligations to uphold relevant policies and regulations and/or to take reasonable steps to promote the safety of members of the College community. Otherwise, responsible employees will report relevant details (such as the name of the complainant and respondent, any witnesses, and other relevant facts, such as the date, time and specific location of the alleged incident) to the Title IX Coordinator or other College officials. The College will then investigate the report and take reasonable steps to prevent recurrence of the behavior.

If a complainant discloses an incident to a responsible employee but wishes to maintain confidentiality or requests that no investigation into a particular incident be conducted or disciplinary action taken, the College will weigh that request against the College’s obligation to provide a safe, non-discriminatory environment for all students, faculty and staff. Factors to be considered may include but are not limited to consideration of circumstances suggesting that there is a risk of the alleged perpetrator committing additional acts of sexual violence, domestic violence, dating violence or stalking involving the complainant or others in the campus community, whether the College has received other similar complaints regarding the alleged perpetrator, whether the alleged perpetrator has a history of arrests or records from a prior school indicating a history of violence, whether the alleged perpetrator threatened or appears to pose a risk of further sexual misconduct, domestic violence, dating violence or stalking against the complainant or others, whether sexual violence was allegedly committed by multiple perpetrators, whether a pattern of perpetration (e.g., more than one report involving a particular location or group), whether violence was perpetrated with a weapon, and whether the College possesses other means to obtain relevant evidence. The Title IX Coordinator will in most cases determine whether the College needs to perform an investigation and/or take some other action

in cases where a complainant would prefer complete confidentiality. If for some reason the Title IX Coordinator is not able or is not the appropriate person to make such a determination, the determination will be made by the Dean of Students or another appropriate person designated by the President.

If an individual who makes a report insists that his or her name or other identifiable information not be revealed and the College is able to respect that request, the individual must understand that the College will be unable to conduct an investigation into the particular incident or pursue disciplinary action against the alleged perpetrator.

The College will protect the confidentiality of individuals allegedly subjected to sexual harassment, sexual misconduct, domestic violence, dating violence and/or stalking to the extent practicable in light of the need to do investigations and conduct disciplinary proceedings. Campus security authorities who become aware of Clery crimes will report them to the College's Office of Campus Public Safety so that they may be included in the College's compilation of campus crime statistics. The College will not include the names of complainants or other identifying information in publicly available reports that are compiled as required by the Clery Act.

Reporting and Resources

If you feel that you may have been subjected to an incident of sexual misconduct, domestic violence, dating violence or stalking, you should:

Contact appropriate College offices and/or local agencies immediately.

Counseling staff, Campus Public Safety staff, residential staff and administrative staff are available to assist students. Confidentiality is strictly observed by professional staff at the Counseling and Accommodation Services Center and the Health & Wellness Center staff (confidentiality issues are addressed in more detail above). Students can contact Campus Public Safety at **(802) 865-6465** or any emergency call box (blue light phone), a Residential Life staff member, the Burlington Police (**911**), or a College counselor (RAs and Campus Public Safety Officers can contact the counselor on call).

In addition, students may go directly to the emergency services department at Fletcher Allen Health Care. College staff is available to assist you in seeking help from outside law enforcement and health care resources. Even if you are unsure initially whether you will want to pursue criminal charges or seek a protection order, it is important to preserve all possible evidence in case you decide at some point to do so. Therefore, you should refrain from changing clothes, showering or otherwise changing your physical state after an incident, until after you have consulted with medical personnel, Campus Public Safety and/or law enforcement about how to best preserve evidence. You should also consult with College officials, law enforcement officers or health care professionals regarding your ability to have evidence collected by a Sexual Assault Nurse Examiner ("SANE"). You should also endeavor to preserve other evidence that may be relevant to a case of sexual harassment, sexual misconduct, domestic violence or dating violence or stalking, such as

text messages, email messages, other electronically stored information, and other physical evidence. If you have questions about how to do this, you should consult with College officials, confidential resources, or law enforcement.

1. Seek medical and counseling help immediately. Prompt medical and counseling attention will help begin the healing process and will also assist in preservation of evidence. Your health and safety are of utmost importance. You can call one of the offices listed immediately above with questions about how to best preserve evidence.
2. Consider reporting the incident to Campus Public Safety and local law enforcement authorities. It is recommended that you take advantage of the opportunity to report any incident of sexual misconduct, domestic violence, dating violence or stalking to Campus Public Safety and local law enforcement authorities. Your well-being is paramount; you have the option to notify law enforcement authorities, to be assisted by College authorities in notifying law enforcement authorities if you choose, or to decline to notify law enforcement authorities. The College contact information is listed in the resources chart below.
3. In cases where there appears to be an imminent safety risk, the College may be required to pursue an internal investigation or disciplinary proceeding itself, and/or to involve local law enforcement authorities as necessary. In assessing such situations the College will consider factors such as, but not limited to, the seriousness of the alleged conduct, the complainant's age, whether there have been other complaints about the same alleged perpetrator(s), and other factors such as, but not limited to, those listed in the Reporting and Confidential Disclosures: Know the Options section above.

On-campus counseling services are available **24 hours a day** to all students. Students are encouraged to work with College counselors, who will provide confidential counseling or refer students to local police, mental health agencies and other off-campus agencies if appropriate and/or as requested by the student.

Every reasonable attempt will be made to support your continued educational experience within a safe and comfortable environment on campus, including opportunities for assistance in changing your academic, living situations, transportation and working situations after an alleged sexual violence incident, if you request such changes and if such changes are reasonably available. You do not have to pursue a criminal or College disciplinary system complaint in order to request such assistance from the College.

Individuals who are being or who may have been subjected to sexual misconduct, domestic violence, and dating violence or stalking may have the right to obtain orders of protection, restraining orders and/or relief from abuse orders from Vermont courts. The College will support complainants if they wish to have the College's assistance in making contact with law enforcement authorities and other external resources to seek such orders. The College will respect such orders to the extent applicable. In addition, the College can also impose no-contact conditions on students, employees and third parties over which it has some measure of control.

The College will inform complainants of their options in this regard.

Resources for Victims of Domestic Violence, Dating Violence, Sexual Assault & Stalking

On-Campus

Campus Counseling Services	Durick Hall – 163 South Willard Street, Room 104	802-651-5961
Health Services	Whiting Hall – 203 South Willard Street	802-860-2711
Office of Diversity & Inclusion	IDX - Student Life Center, Room 310	802-860-2784
Office of the Title IX Coordinator	Skiff Hall – 163 South Willard Street, Room 112	802-651-5907
People & Technology	175 Lakeside Avenue, 3 rd Floor	802-651-5807
Campus Public Safety	Durick Hall – 174 South Willard Street	802-865-6465

Off-Campus

Burlington Police	1 North Avenue, Burlington	802-658-2700
Fletcher Allen Hospital	111 Colchester Avenue	802-847-0000
Women Helping Battered Women	294 N Winooski Ave	802-658-1996
Hope Works (Ending Sexual Violence)	Burlington, VT	24 HOUR HOTLINE 802.863.1236 or 1.800.489.7273
RU12 (LGBTQ Alliance)	255 S Champlain St Suite 12, Burlington	802-860-7812
Chittenden District Courthouse -Family Ct.	32 Cherry Street	802: 651-1950

(Online State & National Resources)

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

Sexual Violence Hotline:

VT Statewide Sexual Violence Hotline: 800-489-7273

<http://www.rainn.org>– Rape, Abuse and Incest National Network

<http://www.ovw.usdoj.gov/sexassault.htm>- Department of Justice

<http://www2.ed.gov/about/offices/list/ocr/index.html> Department of Education, Office of Civil Rights

Retaliation Statement

The College does not tolerate retaliation against individuals who have made a good faith report of sexual misconduct, domestic violence, dating violence or stalking. Retaliation against an individual for reporting, in good faith, unwelcome conduct of a sexual nature, sexual harassment, sexual misconduct, domestic violence, dating violence or stalking, or for cooperating in the investigation of a complaint of such conduct, violates this policy and may be unlawful. Retaliation includes, but is not limited to, adverse actions that have a substantial adverse effect on the working or educational environment of any individual involved in the complaint or an investigation, such as:

- intimidation,
- reprisal,
- ostracism,
- actions altering the person's assignments, assessment of his or her work, or his/her living and learning environment,
- threats,
- coercion, or
- otherwise discriminating against any individual for exercising his or her rights responsibilities under this policy.

Any person who believes that he or she has been subjected to such retaliation should follow the complaint resolution procedures outlined in this policy. The College will take strong responsive action if it finds that retaliation in violation of this policy has occurred.

Complaint Resolution Procedures

Campus disciplinary procedures and sanctions in cases of alleged domestic violence, dating violence, sexual assault, stalking and other offenses can be found under the sections of the College Catalog titled "Discrimination, Harassment, and Hazing Prevention Policy and Complaint Procedure" and "Conduct Review Process". Gender-based harassment/sexual harassment/domestic violence/dating violence/sexual violence- specific features of that process include, but are not limited to, the following:

- i)** Proceedings will provide a prompt, fair, and impartial investigation and resolution;
- ii)** Proceedings will be conducted by officials who receive annual training on the issues related to domestic violence, dating violence, sexual assault and stalking and how to conduct an investigation and hearing process that protects the safety of complainants and promotes accountability;
- iii)** the complainant and respondent are entitled to the same opportunities to have others present during an institutional disciplinary proceeding, including the opportunity to be accompanied to any related meeting or proceeding by an advisor of their choice (the College will not limit the choice of an advisor or their presence with a party, but has established restrictions regarding the extent to which the advisor may participate in its proceedings that are applied equally to both parties);
- iv)** both the complainant and the respondent will be simultaneously

informed, in writing: a) of the outcome of any College disciplinary proceeding that arises from an allegation of domestic violence, dating violence, sexual assault or stalking; b) the College's procedures for the complainant and respondent to appeal the results of the College disciplinary proceeding; c) of any change to the results that occurs prior to the time that such results become final; and d) when such results become final.

The College will cooperate fully with any investigation of a report of domestic violence, dating violence, sexual assault or stalking being conducted by a law enforcement agency, while fulfilling its obligation to respond to alleged incidents of sexual violence.

Gender-based discrimination and harassment, sexual harassment and sexual violence are prohibited by a federal law known as Title IX. The College's Director of Residential Life serves as the College's Title IX Coordinator. In that role, the Title IX Coordinator has oversight responsibility for Title IX-related complaints and identifying and addressing any patterns or systemic problems that arise during the review of such complaints. Inquiries concerning the application of Title IX may be referred to the Title IX Coordinator or to the U.S. Department of Education's Office for Civil Rights ("OCR").

The Champlain College Director of Residential Life contact information is: Danelle Berube (802) 860-2702, dberube@champlain.edu

OCR's contact information is: United States Department of Education, Office for Civil Rights, 33 Arch Street, Suite 900, Boston, MA 02110-1491, (617) 289-0111 (voice).

Retaliation

Champlain College is sensitive to concerns related to retaliation against individuals who in good faith report acts of violence, concerning behavior or statements, or potential threats, or who participate in an investigation under this policy. Retaliating against a person who has made a report under this policy or who has participated in an investigation is prohibited. Retaliation includes, but is not limited to, threatening or ostracizing the person, pressuring the person to drop the report or not participate in the investigation, or taking other adverse action against the person. An individual who engages in retaliation under this policy will be subject to discipline in accordance with the College's Handbook and Student Life policies, as applicable.

In addition, Champlain College affiliates should be aware that federal civil rights laws make it unlawful for the school to retaliate against an individual for bringing possible civil rights violations to their attention. This includes intimidating, threatening, coercing, or in any way discriminating against an individual because he/she complained or participated in an investigation.

Special Provisions Relating to Complaints of Sex Discrimination, Sexual Harassment, Domestic Violence, Dating Violence, Sexual Assault or Stalking:

The following procedural features apply to Conduct Review Process cases that involve allegations of sex discrimination, sexual harassment, domestic violence, dating violence or stalking, notwithstanding any other provisions in this policy, or otherwise utilized practices to the contrary.

Throughout the College's investigation and any hearings, the complainant and the respondent will have an equal opportunity to present relevant witnesses and other evidence, they will be afforded similar and timely access to any information that will be used at any hearing, they will be allowed a similar opportunity to present character witnesses (but only if either party is allowed to do so), and each party will have a similar opportunity to review statements provided by the other party. If any hearings are held, direct cross-examination of the complainant by the respondent will not be allowed.

Also, both the complainant and the respondent will have an equal right to file an appeal 48 hours after the respondent receives notification of the decision. Both parties will be notified of the outcome of any investigation, hearing, and/or appeal, to the extent permitted by law; usually, this will occur within 7 days of the conclusion of any investigation, hearing, and/or appeal, absent extenuating circumstances. The College's investigation of allegations of sex discrimination, sexual harassment, domestic violence, dating violence, sexual assault and/or stalking will ordinarily be completed within 60 days of the College's first receiving notice of the complaint, absent extenuating circumstances. If a party has a need to extend one of these time lines, he or she should contact the designee who is administering the investigation and/or hearing process, and provide a written request for an extension that includes reference to the duration of the proposed extension and the basis for the request. The responsible person will decide whether or not to grant the request or provide a shorter extension, and will inform the other party of that decision.

The College uses a "preponderance of the evidence" (that is, more likely than not) standard in its disciplinary proceedings, including those proceedings that involve reports of domestic violence, dating violence, sexual assault or stalking.

Discrimination and Harassment Policies and Procedures

Champlain College is committed to providing its staff, faculty and students the opportunity to pursue excellence in their academic and professional endeavors. This opportunity can exist only when each member of our community is assured an atmosphere of mutual respect, free from unlawful discrimination and harassment. This policy outlines expectations regarding how individuals who are members of, and visitors to, the Champlain College community are to treat others in order to ensure such an atmosphere of mutual respect and a safe environment for our students, faculty and staff.

The Discrimination, Harassment and Hazing Prevention Policy and Complaint Procedure applies to all administrators, employees, admission or employment applicants, students, members of the Board of Trustees, agents of the College and volunteers involved in College related activities. The policy also applies to those who do business with the College in their interactions with members of the College community, and to other visitors. While the procedures below apply to cases involving alleged domestic violence, dating violence, sexual assault or stalking, the policies and definitions in the College's Sexual Harassment, Sexual Misconduct, Domestic Violence, Dating Violence and Stalking Policy stated above apply to defining such misconduct at the College, rather than the policy and definitions described below regarding other types of harassment and discrimination.

Definitions related to Discrimination, Harassment and Hazing Prevention Policy

Harassment constitutes a form of discrimination and is defined as verbal or physical conduct or communications directed at, or made because of, an individual's race, creed, color, national origin, place of birth, ancestry, religion, age, sexual orientation, sex, gender identity, marital or civil union status, veteran or military service status, HIV- positive status or qualified disability, or on the basis of any other status protected by law, which has the purpose or effect of substantially interfering with the individual's employment or educational performance, or creating an intimidating, hostile or offensive environment.

Examples of Harassment: Examples of the kinds of conduct that may be harassment are unwelcome verbal, written or physical conduct, including, but not limited to:

- Pervasive Harassment: Threats of intimidation or contact that is not freely agreed upon by both parties; unwelcome touching, patting, pinching or leering; sexually graphic comments about a person's body; sexual advances, stalking; persistent, offensive verbal abuses including propositions, insulting or degrading comments or behavior, jokes, slurs, mimicking, gestures, innuendoes, vulgar language; obscene posters, notes, graffiti or telephone or e-mail messages; or harassment in work assignments.
Threats that a person's employment status, conditions of employment and/or promotional opportunities will be adversely affected if the person does not submit to sexual advances.
- Teaching practices or communications that are demeaning, hostile or alienating based on or because of a protected characteristic (Note that although the College has a policy supporting academic freedom, behavior that focuses attention on discriminatory characteristics in a context that is irrelevant to the course constitutes a serious violation of the College's harassment policy.)
- Communications in any form (including through emails, social media and other forms of electronic communication) that create an unlawful hostile environment because of or based upon the recipient's membership in a protected category

- Inappropriate personal attention by an instructor or College official who is in a position to determine a student's grade or otherwise affect the student's academic performance or professional future.

Retaliation Statement

The College prohibits retaliation against individuals who make complaints under the procedure outlined below, serve as witnesses or otherwise cooperate with investigations, regardless of whether Human Resources, Student Life or the Provost and Academic Affairs Office ultimately determines that the alleged conduct constituted unlawful discrimination, harassment or hazing. Any complainant or witness who believes he or she has been subjected to retaliatory behavior should report the conduct to Human Resources, Student Life or the Provost and Academic Affairs Office immediately. These authorities will determine whether an investigation is appropriate, and if it is, they will initiate an investigation and make findings under this procedure. Violations of this prohibition against retaliation will be treated as violations of the College's policy against harassment and discrimination. Persons determined to have engaged in retaliatory conduct are subject to disciplinary action including, but not limited to, dismissal or termination.

Disclosure to Alleged Victims of Crimes of Violence or Non-forcible Sex Offenses of Results of Disciplinary Hearing

The College will, upon written request, disclose to the alleged victim of a crime of violence or a non-forcible sex offense, the results of any disciplinary hearing conducted by the College against the alleged perpetrator of that crime or offense. If the alleged victim is deceased as a result of the crime or offense, the victim's next of kin may request in writing the results of the disciplinary hearing, and the College will so provide.

Sex Offender Registration

The federal Campus Sex Crimes Prevention Act, enacted on October 28, 2000, requires Colleges of higher education to issue a statement advising the campus community where law enforcement agency information provided by a State concerning registered sex offenders may be obtained. It also requires sex offenders already required to register in a State to provide notice, as required under State law, of each College of higher education in that State at which the person is employed, carries on a vocation, volunteers services or is a student.

In Vermont, convicted sex offenders must register with the Vermont Department of Public Safety. You can link to this information, which appears on http://vcic.vermont.gov/sex_offender website.

Medical and Community Resources

Champlain College Health Services, located at 203 South Willard Street, provides comprehensive confidential medical services for students who have experienced sexual abuse. Call (802) 860-2711 for a consultation or to schedule an appointment.

Fletcher Allen Medical Center Emergency Department is located just minutes from campus and is the only level one trauma center in Vermont. The center is staffed with competent, highly trained professionals to assist people who are injured or ill or who have experienced sexual abuse. Call (802) 847-0000 to speak with a health care professional.

Hope Works in Burlington is a community service agency dedicated to serving victims of sexual violence and their families and can be reached 24 hours a day at (802) 863-1236.

College Policy on Alcohol and Drugs

The Student Alcohol and Drug Policies, which are printed in the College Catalogue, apply to all students, graduate and undergraduate.

Champlain College prohibits the unlawful possession, use, distribution, manufacturing, or dispensing of illicit drugs and alcohol by its faculty, staff, and students on College property or in connection with any College activities. College policies relating to the use, sale and possession of alcoholic beverages and controlled substances comply with federal, state and local laws and ordinances.

Alcoholic beverages are only permitted at special non-student functions or when authorized by a specific College official. At no time are students allowed to possess or consume alcohol on campus. Illicit drugs are not permitted on campus or at any off-campus program. Students are expected to know and comply with Champlain College's regulations as well as federal, state and local laws relating to the use, possession, service and distribution of alcohol and other drugs. The College will take disciplinary action against violators, consistent with federal, state and local laws.

Help with substance abuse issues is available to any staff, faculty or student member of the College community through campus health services and through the campus counseling service.

Maintaining a Drug-Free Environment Introduction

Champlain College recognizes that substance abuse at the College poses a threat to the health, safety and general well-being of all members of the College community. The effects are not only felt by the individual abuser, but by everyone associated with him or her.

Accordingly, the College is committed to providing a learning and work environment free of the use of illicit drugs and the abuse of alcohol. This includes the proliferation of policies and the

provision of educational and treatment programs which meet federal and state regulations as well as the needs of the College and its faculty, staff and students.

To reaffirm this commitment and to comply with the Drug-Free Schools and Communities Amendments of 1989 and the Drug-Free Workplace Act of 1988, the Office of Human Resources and Organizational Development is providing you with the information that follows.

Intended for all faculty, staff, and students, it describes College policies with respect to substance abuse and the disciplinary sanctions which will be imposed on students and employees who violate these policies; federal and state laws pertaining to the unlawful possession, use, or distribution of illicit drugs and alcohol; the health risks associated with the use of illicit drugs and the abuse of alcohol; and descriptions of how and where to seek assistance in dealing with a drug and/or alcohol problem.

Students, faculty and employees are accountable for the consequences of their own decisions to use or distribute illicit drugs or to serve or consume alcohol. They are also responsible for knowing and complying with applicable College policies and federal, state and local laws relating to drugs and alcohol.

Drug-Free Workplace Policy

Under the regulations of the Drug-Free Workplace Act of 1988, any individual who is a Champlain College employee, including students working under a federal grant or contract, must notify their supervisor of a workplace-related criminal drug conviction within 5 days of the conviction. In addition, the College will take action within 30 days of the notice of conviction, take appropriate disciplinary action and the employee must participate in an approved drug abuse or substance rehabilitation program.

College Disciplinary Sanctions: The College will impose disciplinary sanctions on students, faculty, and employees who violate the above-stated policies. Depending on the circumstances, these sanctions may range from a minimum of satisfactory participation in a rehabilitation program to a maximum of separation or termination from the College. Although the College does not act as a law enforcement agency, it will not protect individuals who have violated the law. Further, the College will cooperate to every feasible extent with law enforcement officials if an on-campus investigation is necessary.

Drugs: Consistent with the College's goal of providing a safe and healthy campus, the following behaviors are prohibited:

- Sale, use, distribution or possession of any controlled substance, including psychoactive or illicit drugs. Controlled substances include, but are not limited to, marijuana (or any derivative thereof), prescription drugs intended for recreational use, cocaine, heroin, opium, mescaline, Ecstasy, hallucinogenic mushrooms and acid/LSD. The College prohibits the use or possession of legal substances with psychoactive properties. A College staff member may refer individuals in violation of this policy to a law enforcement agency. All

drugs, and paraphernalia with residue, will be confiscated and will be destroyed.

- The possession, sale, manufacture, or distribution of any controlled substance is illegal under both Vermont and federal laws. The College does not have law enforcement authority, so while it cannot enforce state or federal law, the College prohibits conduct that violates these laws. Vermont criminal sanctions for violation of these laws range from fines to imprisonment. The severity of the penalty depends upon factors such as the nature and amount of the controlled substance and may be compounded for repeat offenses.
- Possessing a "common source" of marijuana. A common source of marijuana is an amount that implies intent to distribute or share.
- Possessing prescription medication without appropriate prescription or packaging.
- Possessing drug paraphernalia. This includes equipment that can be used for legal or illegal substances. All paraphernalia will be confiscated and may be destroyed.
- Residual evidence of drug use is prohibited. This includes the odor of marijuana, stems and seeds.
- Being present in a room with alcohol or drugs may lead to judicial sanctions.
- College staff cannot always determine those using alcohol or drugs at a particular event; therefore, all those present will be documented on an incident report.
- Displaying of posters or decorations indicating drug use, or the encouragement thereof in public areas, including hallways, door exteriors, windows, lounges, etc.
- The smoking of cigarettes inside any College building or parking garage.
- Ashtrays with cigarette butts and ashes imply that cigarettes were smoked in the room, and the student's use will be documented.

Federal law now makes students convicted of the possession or distribution of controlled substances ineligible for any federally sponsored loan, grant or work-assistance program. The period of ineligibility varies according to the type of offense and the number of prior offenses, as do the requirements for reinstatement. Students with concerns regarding the scope and effect of this law should consult their financial aid officer.

Alcohol: In the state of Vermont, possession of liquor or alcoholic beverages by a person under 21 years of age is a violation of law and punishable by fine. State law also establishes penalties of fines and/or imprisonment for persons who falsely represent their age for the purpose of obtaining alcoholic beverages for themselves or others under the age of 21, and for persons who sell or provide such beverages to minors. Serious penalties may also be imposed for alcohol related traffic offenses. While the College does not have law enforcement authority and cannot enforce state law, the College prohibits conduct that violates state law.

Where to Get Help: There are a number of agencies that can provide confidential information and consultation regarding drug and alcohol issues. Contact the College Drug/Alcohol Counselor for further information.

Students: While there is a popular myth that all college students binge drink, the actual national survey statistics show that most college students choose to drink moderately.

There are nonetheless some students who drink in high quantities and/or drink frequently. If you are concerned about your (or someone else's) relationship with alcohol and other drugs, please make use of a variety of resources available on campus through Health Services. A continuum of alcohol and other drug related services and programs including prevention, education, intervention and treatment are available to all students.

Prevention and Educational Programs: Prevention programs include the comprehensive strategies implemented by the Alcohol and Drug Education Office to promote a safer and healthier campus environment. The Coordinator of that office contacts a variety of Champlain student organizations, staff and faculty to participate in on-going prevention programs.

For educational programs, the Coordinator of alcohol and drug education office provides group-specific workshops, presentations and interactive sessions for student organizations, undergraduate groups, College departments, faculty and college staff.

Students who violate alcohol or other drug policies, or who are experiencing difficulties with these substances, are encouraged to attend the educational workshops offered through the Alcohol and Drug Education Office. Staff, students, and faculty can refer someone or students can contact the Alcohol and Drug Education office.

Health Risks: Serious health and personal risks are associated with the use of illicit drugs and abuse of alcohol. They include temporary or permanent physical or mental impairment, injury or death. Consequences may include temporary or permanent loss of educational opportunities

Alcohol Effects: Alcohol consumption causes a number of marked changes in behavior. Even in low doses alcohol impairs the judgment and coordination required to drive a car safely. Low to moderate doses of alcohol also increase the incidence of a variety of aggressive acts, including relationship and sexual abuse. Moderate to high doses of alcohol cause marked impairments in higher mental functions, severely altering a person's ability to learn and remember information. Very high doses cause respiratory depression and death. If combined with other depressants of the central nervous system, much lower doses of alcohol will produce the effects just described.

Alcohol poisoning, like any other drug overdose, can occur after drinking large amounts of alcohol in short periods of time. Additionally, people who are inexperienced with alcohol use, or people who are sensitive to alcohol, can become acutely intoxicated and experience serious effects of alcohol poisoning.

The excessive use of alcohol poses significant health risks to individuals, including addiction, permanent injury and death. According to the National Institute on Alcohol Abuse and Alcoholism, alcohol use is the chief contributor to the leading causes of death each year for people under age 21, including:

- Death: 1,825 college students between the ages of 18 and 24 die each year from alcohol-related unintentional injuries, including motor vehicle crashes (Hingson et al., 2009).
- Injury: 599,000 students between the ages of 18 and 24 are unintentionally injured under the influence of alcohol (Hingson et al., 2009).
- Assault: More than 696,000 students between the ages of 18 and 24 are assaulted by another student who has been drinking (Hingson et al., 2009).
- Academic Problems: About 25 percent of college students report negative academic consequences of their drinking, including missing class, falling behind, doing poorly on exams or papers, and receiving lower grades overall (Engs et al., 1996; Presley et al., 1996a, 1996b; Wechsler et al., 2002).
- Health Problems/Suicide Attempts: More than 150,000 students develop an alcohol-related health problem (Hingson et al., 2002), and between 1.2 and 1.5 percent of students indicate that they tried to commit suicide within the past year due to drinking or drug use (Presley et al., 1998).
- Property Damage: More than 25 percent of administrators from schools with high drinking levels say their campuses have a "moderate" or "major" problem with alcohol-related property damage (Wechsler et al., 1995).
- Police Involvement: About 5 percent of four-year college students are involved with the police or campus security as a result of their drinking (Wechsler et al., 2002), and an estimated 110,000 students between the ages of 18 and 24 are arrested for an alcohol-related violation such as public drunkenness or driving under the influence.
- Alcohol is a depressant that slows down the central nervous system and:
 - Slows reactions and impairs coordination (contributes to auto accidents)
 - Impairs judgment
 - Causes confusion and memory loss
 - Increases the risk of hypothermia
 - In addition:
 - Use during pregnancy can cause brain damage to the fetus
 - Alcohol is frequently used to facilitate sexual assault
 - Overdosing on alcohol (alcohol poisoning) or using alcohol with other drugs can cause coma or death from respiratory arrest

Signs of Alcohol Poisoning: Someone experiencing alcohol poisoning may show these signs: can't stand up, is nonresponsive, has clammy skin, will not wake up, or has purplish skin. If you witness any of these symptoms, call 911 and Campus Public Safety at (802) 865-6465.

Do Not Let Friends "Sleep it Off." Blood alcohol level continues to rise even when someone is asleep, which puts your friend at risk. It is important to note that legal and illegal drugs can speed up the effects of alcohol and have an unpredictable outcome.

Statistics: Federal Law requires colleges and universities to publish reports containing campus crime statistics. Amendments made to the Clery Act in 2009 and 2013 altered the law's reporting

requirements, expanding the list of reportable offenses and creating new reporting categories. Statistics in this Annual Campus Public Safety Report reflect the expanded scope of those amendments, as required by law.

An incident qualifies as a reported crime and is included in the College's disclosure of campus crime statistics when it meets one of the following definitions:

Definitions of Crime:

Note: these are the definitions that will be used for purposes of counting crimes for inclusion in the annual statistical disclosure.

Arson: 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.

Criminal Homicide—Manslaughter by Negligence: The killing of another person through gross negligence.

Criminal Homicide—Murder and Non-negligent Manslaughter: The willful (non-negligent) killing of one human being by another.

Hate Crime: A criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. For the purposes of this section, the categories of bias include the victim's actual or perceived race, religion, gender, gender identity, sexual orientation, ethnicity, national origin, and disability.

Rape: 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. This offense includes the rape of both males and females.

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.

Aggravated Assault: 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.

Burglary: The unlawful entry of a structure to commit a felony or a theft. For reporting purposes, this definition includes offenses that are classified by local law enforcement agencies as burglary, 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.

Motor Vehicle Theft: The theft or attempted theft of a motor vehicle.

Weapons: Carrying, Possessing, Etc.: The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices, or other deadly weapons. This classification encompasses weapons offenses that are regulatory in nature.

Drug Abuse Violations: The violation of laws prohibiting the production, distribution, and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation, or importation of any controlled drug or narcotic substance. Arrests for violations of State and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs.

Liquor Law Violations: The violation of State or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or use of alcoholic beverages, not including driving under the influence and drunkenness.

Dating violence: 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—(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.

Domestic violence: 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 cohabitating with, or has cohabitated 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.

Fondling: The touching of the private body parts of another person for the purpose of sexual gratification, without 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.

Incest: Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

Statutory Rape: Sexual intercourse with a person who is under the statutory age of consent.

Sexual Assault (Sex Offenses): Any sexual act directed against another person, without the consent of the victim, including where the victim is incapable of giving consent. This includes rape, fondling, incest, and statutory rape as they are defined above.

Stalking: 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. For the purposes of this definition—(A) Course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property. (B) Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim. (C) Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

Jeanne Clery Disclosure of Campus Crime Statistics for Burlington, VT

Offense	Year	On Campus Property	Residential Facilities	Non Campus Property	Adjacent Public Property
Murder/Non-Negligent Manslaughter	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
Negligent Manslaughter	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
Rape	2014	1	0	0	0
	2015	5	5	0	0
	2016	0	0	0	0
Statutory Rape	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
Incest	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
Fondling	2014	0	0	0	0
	2015	0	0	0	1
	2016	1	1	2	0
Robbery	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0

Aggravated Assault	2014	1	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
Burglary	2014	2	2	0	0
	2015	1	1	0	0
	2016	0	0	0	0
Motor Vehicle Theft	2014	0	0	0	0
	2015	0	0	1	0
	2016	0	0	0	1
Arson	2014	1	1	0	0
	2015	1	1	0	0
	2016	0	0	0	0
Liquor Law Arrests	2014	1	1	0	0
	2015	1	0	0	0
	2016	0	0	0	0
Liquor Law Violations Referred for Disciplinary Action	2014	167	160	12	1
	2015	93	93	45	0
	2016	76	76	13	0
Drug Law Arrests	2014	2	2	0	0
	2015	1	0	1	0
	2016	0	0	0	0
Drug law Violations Referred for Disciplinary Action	2014	3*	2*	0*	0*
	2015	14	14	0	0
	2016	2	2	0	0
Illegal Weapon Possession Arrests	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
Illegal Weapons Possession Violations Referred for Disciplinary Action	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
Hate Crimes	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
(VAWA) Domestic Violence	2014	1	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
(VAWA) Dating Violence	2014	0	0	0	0
	2015	2	2	0	0
	2016	1	1	0	0
(VAWA) Stalking	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0

**** A change in Vermont Law in July 2013 went in effect making possession of marijuana (under 1 ounce) a civil violation and therefore is not counted as a Drug law Violation Referred for Disciplinary Action for Clery purposes.***

Jeanne Clery Disclosure of Campus Crime Statistics for Dublin, Ireland

Offense	Year	On Campus Property	Residential Facilities	Non Campus Property	Adjacent Public Property
Murder/Non-Negligent Manslaughter	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
Negligent Manslaughter	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
Rape	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
Statutory Rape	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
Incest	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
Fondling	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
Robbery	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
Aggravated Assault	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
Burglary	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
Motor Vehicle Theft	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
Arson	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
Liquor Law Arrests	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
Liquor Law Violations Referred for Disciplinary Action	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
Drug Law Arrests	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
Drug law Violations Referred for Disciplinary Action	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
	2014	0	0	0	0

Illegal Weapon Possession Arrests	2015	0	0	0	0
	2016	0	0	0	0
Illegal Weapons Possession Violations Referred for Disciplinary Action	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
Hate Crimes	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
(VAWA) Domestic Violence	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
(VAWA) Dating Violence	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
(VAWA) Domestic Violence	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
(VAWA) Stalking	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0

Jeanne Clery Disclosure of Campus Crime Statistics for Montreal, Quebec

Offense	Year	On Campus Property	Residential Facilities	Non Campus Property	Adjacent Public Property
Murder/Non-Negligent Manslaughter	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
Negligent Manslaughter	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
Rape	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
Statutory Rape	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
Incest	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
Fondling	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
Robbery	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
Aggravated Assault	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
Burglary	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
	2014	0	0	0	0

Motor Vehicle Theft	2015	0	0	0	0
	2016	0	0	0	0
Arson	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
Liquor Law Arrests	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
Liquor Law Violations Referred for Disciplinary Action	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
Drug Law Arrests	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
Drug law Violations Referred for Disciplinary Action	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
Illegal Weapon Possession Arrests	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
Illegal Weapons Possession Violations Referred for Disciplinary Action	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
Hate Crimes	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
(VAWA) Domestic Violence	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
(VAWA) Dating Violence	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
(VAWA) Domestic Violence	2014	0	0	0	0
	2015	0	0	0	0
	2015	0	0	0	0
(VAWA) Stalking	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0

Fire Safety in Residence Halls

Each on-campus housing facility is equipped with fire protection and life safety systems which include: fire alarms, flashing horn/strobe lights, fire detection and suppression systems, portable fire extinguishers, smoke detectors, carbon monoxide detectors, fire emergency exits, and fire exit signs/lights.

Each year Campus Public Safety conducts (1) one unannounced fire drills per each on-campus housing facility. Students are timed on their exits from the building. Each building is summarily searched during the exercise to ensure complete evacuation has occurred.

Faculty and staff working in administrative buildings and students living in on-campus housing facilities receive comprehensive education and training with regard to fire safety. Administrative buildings experience annual unannounced fire drills each calendar year. Affiliates are timed on their exits from the building. Each building is summarily searched during the exercise to ensure complete evacuation has occurred.

All campus affiliates are given instructions during their annual fire safety training to report all fires immediately by dialing 911. Affiliates are educated about fire safety inspections, are given lists of prohibited items and told about the College's right to search buildings for fire hazards. All reports of fires are forwarded to Campus Public Safety for documentation.

The College's smoking policy provides that indoor smoking is banned in all College buildings. As of September 2012, outdoor smoking is banned on central campus (Aiken Lawn and the Rozendaal Courtyard) and within 25 feet of all entries, outdoor air intakes and operable windows from 7 a.m. to 7 p.m. Outdoor smoking is also banned outside of all residence halls within 25 feet of all entries, outdoor air intakes, and operable windows at all times. This includes the third floor patio of the library.

The campus has a smoking gazebo located on the lawn next to Aiken Hall which is a designated smoking spot on campus. If you need to smoke while visiting our campus, please ask where the gazebo is if you can't find it.

- The College reserves the right to inspect a room at any time, and reserves the right to immediately remove all health or safety hazards. Hazards include the following:
 - Candles, incense and open flames are not permitted in any residence.
 - Cooking is not permitted in the residence halls outside of designated kitchen areas. Cooking appliances, including portable electric cooking appliances, in student's rooms constitute a fire hazard and, if found, will be removed by the staff. This includes all types of coffee makers.
 - Grills are not permitted at any residence hall except at College approved outdoor events.
 - Sunlamps, immersion coils and extension cords are not permitted. Power strips are permitted provided they have an internal safety breaker feature.
 - Students may decorate their rooms and residence halls, but live greens are not permitted and only UL-approved lights may be used. Lights may not be draped in doorways or hung from the ceiling or fire safety equipment, and they may not be used anywhere near fabric or paper decorations.
 - The College reserves the right to remove any decorations that present a fire hazard. Extra furniture that presents a safety hazard may be removed by the College.
- All exits are to be kept free of obstructions.
- All fire escapes, extinguishers, alarms and carbon monoxide detectors are for use in emergencies and in supervised fire drills only. Their use for other purposes is a serious violation of College regulations.

- Halogen lamps are not permitted in residence halls.
- No drapes, flags, tapestries or other flammable materials may be hung from walls in such a way as to interfere with egress from the room or the operation of a light fixture, sprinkler head or smoke detector.

Students will be fined \$100 for any violation of these regulations by the College, including unnecessary discharge of a fire extinguisher or tampering with pull stations, smoke or heat detectors, emergency exits, carbon monoxide detectors or any life safety device. The local Fire Department may impose further fines. Students who fail to exit a building during a drill or an unplanned alarm may also be subject to this fine or similar sanctions (if the responsible party is not identified, the fine may be levied against all building residents). Violation of these regulations may also be a violation of the College's Standard of Conduct that will be handled under the College's disciplinary procedures.

Fire Safety Report – Burlington, VT

Fire drills in residence halls are conducted each year with most students participating. In 2014, unannounced fire drills occurred once during the calendar year for each individual residence hall. The Campus Public Safety staff will conduct a fall training session for all students in each residence hall upon request. The procedure for running a fire drill is as follows:

1. Each semester, Campus Public Safety staff will conduct one unannounced fire drill in every residence hall that will be timed by staff. The goal is for all students to exit the building within two minutes of the alarm sounding. Because students are not to know of the drill prior to its happening, the procedure is as follows: Campus Public Safety officer notifies the local fire department of the drill and then proceeds to the dorm and notifies the Residential Life staff of the drill and then immediately activates a pull station to start the alarm.
2. A Campus Public Safety officer will arrive at the residence hall before the drill is initiated.
3. A Public Safety officer will telephone the local fire department to report when the drill will begin, so the department can take the building offline.
4. The Public Safety officer will activate a pull station to begin the fire drill.
5. In a planned drill or unplanned alarm, a Residential Life staff member or Public Safety officer will check all the rooms to make sure that all students have evacuated the building. Attendance will be taken at an outdoor waiting area by a Public Safety officer or Residential Life staff member.
6. After the evacuation of the building is complete, the Residential Life staff member will help Public Safety silence the alarm and reset the pull station. The Public Safety staff will reset the panel and notify the local fire department that the drill is complete.

If students or employees hear or observe a fire alarm or are told that a fire is in progress, they should do the following:

1. Everyone must evacuate the building immediately. Leave personal belongings

behind. Everyone should move to an outdoor position of safety – away from the burning structure. Once outdoors, no one may re-enter the building under any circumstances.

2. A Residential Life staff member should account for all residents at the pre-designated waiting area outside each residence hall. A Public Safety staff member or local fire department representative should be immediately notified if an occupant remains unaccounted for.
3. Only after the local fire department establishes the safety of the building may residents reenter the residence hall.

The College’s annual fire safety report is available at the Campus Public Safety and Security Office and within this document. If you are aware of any fires please notify The Campus Public Safety Director, Bruce Bovat @ 860-2755 or bbovat@champlain.edu

Fire Safety – Annual Fire Safety Report – Burlington, VT.

(Total Fires, Fire Related Injuries, and Death Due to Fire)

Name of Res Hall Burlington, VT	Total Fires	2014		2015			2016		
		Injuries Due to Fire	Death Due to Fire	Total Fires	Injuries Due to Fire	Death Due to Fire	Total Fires	Injuries Due to Fire	Death Due to Fire
308 Maple	0	0	0	0	0	0	0	0	0
371 Main	0	0	0	0	0	0	0	0	0
396 Main	0	0	0	0	0	0	0	0	0
Adirondack	0	0	0	0	0	0	0	0	0
Bader Hall	0	0	0	0	0	0	0	0	0
Bankus Hall	0	0	0	0	0	0	0	0	0
Boardman Hall	0	0	0	0	0	0	0	0	0
Butler hall	0	0	0	0	0	0	0	0	0
Carriage House	0	0	0	0	0	0	0	0	0
Cushing Hall	0	0	0	0	0	0	0	0	0

	2014	2014	2014	2015	2015	2015	2016	2016	2016
Res. Halls Continued	Total	Inj.	Death	Total	Inj.	Death	Total	Inj.	Death
East House	0	0	0	0	0	0	0	0	0
Hill Hall	0	0	0	0	0	0	0	0	0
Jensen	0	0	0	0	0	0	0	0	0
Juniper	0	0	0	1	0	0	0	0	0
Lake View	0	0	0	0	0	0	0	0	0
Lyman	0	0	0	0	0	0	0	0	0
McDonald	0	0	0	0	0	0	0	0	0
North	0	0	0	0	0	0	0	0	0
Pearl hall	0	0	0	0	0	0	0	0	0
Rowell Hall	0	0	0	0	0	0	0	0	0
Sanders	0	0	0	0	0	0	0	0	0
South	0	0	0	0	0	0	0	0	0
Summit	0	0	0	0	0	0	0	0	0
Valcour	0	0	0	0	0	0	0	0	0
Whiting	1	0	0	0	0	0	0	0	0
287 College	0	0	0	0	0	0	0	0	0

(Related Injuries, and Death Due to Fire)

Residential Hall- Burlington, Vt.	2014 Causes of Fire	2015 Causes of Fire	2016 Causes of Fire
308 Maple			
371 Main St			
396 main St			
Adirondack			
Bader Hall			
Bankus Hall			
Boardman Hall			
Butler Hall			
Carriage House			
Cushing Hall			
East House			
Hill Hall			
Jensen Hall			
Juniper Hall		Arson	
Lakeview Hall			
Lyman Hall			
McDonald Hall			
North House			
Pearl Hall			
Rowell Hall			
Sanders Hall			
South House			
Summit Hall			
Valcour Hall			
Whiting Hall	Arson		
287 College St			

(Causes of Fire)

Residential Hall- Burlington, Vt.	2014 Property Damage Value to Fire	2015 Property Damage Value to Fire	2016 Property Damage Value to Fire
308 Maple			
371 Main St			
396 main St			
Adirondack			
Bader Hall			
Bankus Hall			
Boardman Hall			
Butler Hall			
Carriage House			
Cushing Hall			
East House			
Hill Hall			
Jensen Hall			
Juniper Hall		\$1326.75	
Lakeview Hall			
Lyman Hall			
McDonald Hall			
North House			
Pearl Hall			
Rowell Hall			
Sanders Hall			
South House			
Summit Hall			
Valcour Hall			
Whiting Hall	\$25,000-\$49,999		
287 College St			

(Property Damage Value Due to Fire)

Fire Statistics – Dublin, Ireland	Year	Total Fire Reports	No Residential Facilities	Cause of Fire	
Fires (No-Campus Housing)	2014	0			
	2015	0			
	2016	0			
Deaths Related to Fire	2014	0			
	2015	0			
	2016	0			
Injuries Related to Fire	2014	0			
	2015	0			
	2016	0			
Property Damage Value Related to Fire	2014	0			
	2015	0			
	2016	0			
Arson Also Appears in Clery Statistics as a Crime	2014	0			
	2015	0			
	2016	0			

Fire Statistics- Montreal Que.	Year	Total Fire Reports	No Residential Facilities	Cause of Fire	
Fires (No-Campus Housing)	2014	0			
	2015	0			
	2016	0			
Deaths Related to Fire	2014	0			
	2015	0			
	2016	0			
Injuries Related to Fire	2014	0			
	2015	0			
	2016	0			
Property Damage Value Related to Fire	2014	0			
	2015	0			
	2016	0			
Arson	2014	0			
Also Appears in Clery Statistics as a Crime	2015	0			
	2016	0			

Burlington, Vermont and Champlain College- Resources

Category and Contact	Phone #
Emergency – Fire/Police/Ambulance	911
Burlington Police Dept.	802-658-2700 Ext -8
Burlington Fire Dept.	802-658-2700 Ext-8
Sexual Assault/Violence	
Steps to End Domestic Violence (hotline)	802-658-1996
RU12	802-860-7812
Spectrum Youth & Family Services	802-864-7423
HOPE Works	802-863-1236
Sexual Harassment/Discrimination	
Angela Batista (Office of Diversity & Inclusion)	802-860-2784
Vermont Attorney General	802-828-3171
Mental Health	
Howard Center	802-488-6000
Fletcher Allen Health Care	802-847-0000
Family Planning/Health	
Planned Parenthood of Northern New England	802-863-6326
Champlain College Health Services	802-860-2711
Champlain College Counseling Resources – Mental Health/Sexual Assault/Students with Disabilities	
Skip Harris	802-651-5961
Drug & Alcohol Education	
Lukas Lewis	802-651-5959
Drug & Alcohol	
Alcohol Crisis ACT 1	802- 488-6425
Champlain College Public Safety	
24 Hr Service - Main Line	802-865-6465
Director of Campus Public Safety – Bruce Bovat	802-860-2755
Residential Life	
Danelle Berube	802-860-2702

Dublin & Montreal Support Resources & Protocols

Each semester, students from Champlain College study abroad in Dublin, Ireland and/or Montreal, Quebec. Students receive intensive instruction and training from staff in Burlington in the Office of International Education, and staff abroad with regard to personal and fire safety while living abroad.

Each Dublin & Montreal staff member possesses a binder with emergency procedures. A copy of the procedures is kept at the home of each staff member (including student residence), a copy in the Academic Centre, and each staff member also has it in Dropbox to access from their smartphones if they are away from their physical copy when the emergency occurs.

The following documents are in the staff binder:

Semester contact information – student contact numbers (students are issued cell phones), duty phone numbers, and staff phone numbers. This information is also posted in each student apartment.

Student health declarations – prior to arriving in Ireland or Montreal students are asked to declare pre-existing physical and mental health issues. This information is stored in the staff binders.

Parent/guardian emergency contact details – stored only in the staff binders.

Posted on the walls of each apartment at the residence are the following documents:

- Student rooming list and contact information along with Dublin/Montreal - specific emergency contact information.
- Fire evacuation plans
- Dublin & Montreal maps showing nearest hospitals and medical contact information

Protocols:

There are specific protocols on file in Dublin & Montreal for possible emergencies that could arise (see below). Staff in both locations receive annual training on these protocols. These protocols are not published in this document as they contain sensitive personal information regarding staff and other support personnel.

- Unexpected Death of a Student
- Sexual Assault Protocol (can also be used for simple assault)
- Severe Mental Health Crisis / Attempted Suicide – and a guide sheet for assessing risk with mental health issues

Both Dublin & Montreal campuses rely on the procedures outlined in the Champlain College *Emergency Response Plan* (included in this report) for the following types of incidents:

Bias related Incident

Fire

Gas / Carbon Monoxide Leak

Harassment

Illegal Activity

Medical Emergency (including alcohol / drug crises) Power Outage / Heat Failure

Water Damage / Flood

Emergency Response Preparedness

Champlain College's Emergency Response Plan (ERP) outlines responses to possible emergency situations. While no emergency plan can fully anticipate all possible variables that an emergency might present, it is much better to act within the framework of an existing plan than have to create one during an unfolding emergency. The ERP outlines various levels of responsibility and actions needed to ensure a coordinated and effective response in the event of an emergency. The ERP ensures accurate, clear, and orderly communication is being communicated to the necessary groups and media while operating in compliance with governmental regulations.

The college policies and procedures herein will generally be followed by administrators whose responsibility and authority cover the operational procedures in this guide. Any exception to these emergency management procedures will be conducted by, or with the approval of, those administrators directing and/or coordinating the emergency operations. Since many emergency situations could require an outside agency to respond (i.e. Burlington Police/Fire Department and Rescue), Champlain College's Emergency Response Plan (ERP) follows the National Incident Management System (NIMS) in accordance with the Presidential Homeland Security Directive 5. (<http://www.whitehouse.gov/news/releases/2003/02/20030228-9.html>)

The ERP Categorizes Emergency Response as follows:

Levels of Emergency Response

LEVEL 1 – (NIMS 1/ 2) a catastrophic emergency event involving the entire campus and possibly the surrounding community. Immediate resolution of the disaster, which can be a multi-hazard, is beyond the emergency response capabilities of campus and requires local and possibly state and federal resources. *(Example: earthquake, major hurricane, pandemic flu or other contagious disease outbreak, or act of domestic terrorism which would require State and Federal assistance.)*

LEVEL 2 - (NIMS 3), an incident with the potential of people being harmed/or damage to college property. *Examples: a contained fire, a tornado warning, an extended break down of an*

HVAC unit during extreme weather conditions, bomb threats, suicide or an untimely death on campus. If not addressed quickly, these situations have the potential to evolve into a Type 1 emergencies

LEVEL 3 – (NIMS type 4/5), a minor incident in which Champlain College personnel respond, assess the situation and determine that there is no continuing hazard to people and/or property. These incidents are easily resolved by the primary responder(s) with no long-term impact to daily operations. (Examples: minor injuries, minor accidents, short power surge or outage, minor equipment or facility problems.)

Direction and Coordination of an Emergency

When an emergency occurs, it should be reported immediately to Campus Public Safety at (802) 865-6465 and/or dial **911**.

The responding Campus Public Safety Officer(s) will follow a defined sequence of responses.

1. Make appropriate police, fire and/or medical rescue calls
2. Notify the Director of Public Safety or, designee, who will then determine who needs to be notified via the Emergency Alert Roster (Appendix A).
3. If the emergency alert roster is initiated in its entirety then the decision to activate the Emergency Operations Center has been made. The Associate Vice President for Campus Planning and Auxiliary Services (CPAS) will initially serve as the Emergency Operations Center Manager.

Note: *The President (or the next most senior available administrator) retains Executive Authority and has the ultimate responsibility for declaring a "state of campus emergency," setting the direction as to how the emergency will be managed, and making key executive decisions. S/he is assisted and advised by the Policy Group and the Emergency Operations Team. Field operations remain under the direction of an on-scene Incident Commander.*

Direction and Coordination of a Potential Emergency

When conditions permit and the impending emergency situation (*example: Anticipated major snow or ice storm, large campus disturbance, etc.*) Provides ample time, the EOCM, will assemble the Emergency Operations Team to formulate an incident action plan for recommendation to the Policy Group, or if time is of the essence, to the highest-ranking Executive Leader or in their absence, a Senior Leader available on campus.

Policy Group: (Used for some level 2 and all level 1 Incidents)

- President (Convener)
- Provost (or designee)
- Vice President of Finance
- Vice President of Student Life
- Vice President of Strategic Communications (Back-up Convener)
- Other Senior Leaders (as needed or available)
- Executive Assistant to the President

Role of Policy Group:

It shall be the role of the Policy Group to perform the following tasks:

- Approve overall priorities & strategies
- Approve public information reports & instructions
- Liaison with governments & external organizations

Emergency Operations Team: (Used for Level 2 and 1 Incidents)

- Associate Vice President Campus Planning/Auxiliary Services
- Associate Vice President of Information Technology
- Vice President of People & Technology
- Associate Provost(s)
- Director Campus Public Safety
- Director Physical Plant
- Director Food Services / Sodexo
- Director Residential Life
- Director Public Information and News

Role of Emergency Operations Team:

It shall be the role of the Emergency Operations Team to perform the following tasks:

- Gather, confirm & evaluate incident information
- Develop incident action plan to resolve specific work priorities
- Identify resource needs & shortfalls
- Reassign/deploy individuals in support of critical needs
- Includes managing crisis management incoming call center
- Link to local, state, and federal emergency coordination centers

Declaration of an Emergency Condition

The President, Provost, Vice President for Student Life, Vice President for Finance (*depending upon availability*) shall declare a Level 1 emergency when, upon recommendation of the EOCM, s/he deems it necessary to place into immediate effect emergency procedures and/or to close all or part of the campus. The President, Provost, Vice President for Student Life, Vice President for Finance or their designee(s) shall declare an end to the state of emergency when appropriate.

Emergency Communications (For Level 2/1 Emergencies)

Timely and accurate communication with the campus population during a Level 2 or 1 emergency is essential. A special Campus Alert Emergency Notification System (RAVE) is in place to notify all faculty, staff and residential / commuter students and can be used to help communicate vital information. Depending upon the nature of the emergency, the campus will be alerted through use of the broadcast capabilities of the Campus Alert Emergency Notification System, in addition to phone mail and e-mail systems and Web advisories when suitable.

When appropriate, the local media will be advised. Periodic updates will be provided through the same channels. Should both the campus phone system and data network be unavailable, campus staff will be dispatched from the Emergency Operations Center to alert key personnel in each campus building, who will be expected to alert others in the building. Emergency communications, both on and off-campus, will be coordinated by the Assistant Vice President of Information Technology or his/her designee.

During a Level 1 emergency, or when the nature of the emergency suggests a potential influx of telephone inquiries concerning the well-being of faculty, staff, and students, a special phone message will replace the College's main greeting for incoming calls. The special phone message will direct callers to the campus Web site, national media and other appropriate means. Prior to such distribution, the campus crisis management relations team will serve as an incoming call center and placed under the temporary management of the Emergency Operations Team.

EMERGENCY OPERATIONS CENTER

If the emergency involves a large portion of the campus, (Level 1) an Emergency Operations Center will be established at a predetermined location. These pre-designated sites have generator-supplied back-up power, phone lines and utilities. The Emergency Response Team will meet at one of the three pre-designated sites to coordinate response efforts. The Public Safety Director or designee will notify campus personnel to respond to the Emergency Operations Center in accordance to the Emergency Response Plan. All incoming calls relevant to the crisis will be directed to the EOC. Outgoing calls will be made from other phone lines located within or near the Emergency Operations Center. No less than one Public Safety Officer will staff the Emergency Operations Center at all

times until the emergency is resolved.

The Office of Strategic Communications, with the help of Public Safety, shall establish a separate marshaling area for media. The Skiff Hall parking lot and lawn area is a pre-designated area for television crews if the situation allows. A podium for press conferences can be set up near the base of the back steps of Skiff Hall, facing the lake. If necessary, the Gallery may be opened as shelter for the press.

MOBILE EMERGENCY OPERATIONS CENTER

If the emergency involves only one building or a small part of the campus (Level 2) a Field or Mobile Emergency Operations Center may be utilized. A public safety vehicle and Public Safety Officer may be placed as close to the emergency as reasonably possible. At least one Public Safety Officer will staff the field command operations center at all times until the emergency is resolved. The Public Safety Officer will relay all pertinent information to the Emergency Operations Center.

PHYSICAL DAMAGE CONTROL (Director of Physical Plant - Operations Group)

Utilizes Building Survey Log to document damages and/or utility outages (See Appendix)

- a) Provides equipment and personnel to perform shutdown procedures, hazardous area control, barricades, damage assessment, debris clearance, salvage operation, emergency repairs, etc.
- b) Provides vehicles, equipment and operators for movement of personnel and supplies, assigns vehicles as required for emergency use.
- c) Obtains the assistance of utility companies as required for emergency operations.
- d) Furnishes emergency power and lighting systems as needed.
- e) Surveys habitable space and relocates essential services and functions.
- f) Provides facilities for emergency generator fuel during actual emergency or disaster periods.
- g) Provides for storage of vital records at an alternate site, coordinates with building and area coordinators for liaison and necessary support.
- h) Provides necessary equipment for those responding to emergency.

CAMPUS PUBLIC SAFETY (Public Safety Director - Operations Group)

- a) Receives first notification of incidents and makes appropriate phone calls, according to the Emergency Alert Roster (Appendix A of the ERP).
- b) Is liaison to local emergency responders (police, fire, UVMMC, etc.)
- c) Oversees Campus Alert emergency warnings and evacuation systems.
- d) Takes immediate and appropriate action to protect life, property, and to safeguard them as necessary.

- e) Provides traffic control, access control, perimeter and internal security patrols and fire prevention services as needed.
- f) Sets up an emergency operations center as needed.
- g) Takes direction from the Emergency Operations Center.
- h) Consults with the Emergency Response Team on safety matters. Responsibility will be to minimize hazardous exposure to employees and students during the recovery process.

STUDENT SERVICES (Student Life - Operations Group)

The Vice President of Student Life, the Director of Student Life and the On- Duty Area Coordinator(s) - coordinates follow-up with students and their families.

- a) Help to contain and responds to incidents that affect students, including food, clothing, personal items and housing issues.
- b) Track the location of students who become displaced.
- c) Act as primary liaison with parents. Will handle calls from parents of students who may call or e-mail the College, while consulting the Public Information and News Director's talking points.
- d) The Counseling staff will contact family members, roommates, and friends of students who are affected, injured, or killed, within FERPA privacy guidelines.
- e) Will call in additional trauma/grief specialists and spiritual support as needed.

FOOD SERVICES (Director – Sodexo - Operations Group)

The Director of Food Services or his/her designee coordinates food service and makes service available to campus affiliates during a campus emergency.

- a) Works from his/her office, or within the Emergency Operations Center, to gather current emergency status.
- b) Once aware of the magnitude of the emergency, contacts members of Sodexo to become part of emergency response team.
- c) Ensures adequate food is available to those affected or displaced by an emergency.
- d) Prepares for adequate staffing coverage for the dining facility in the event 24-hour availability is necessary.

PEOPLE CENTER AND HUMAN RESOURCES (Operations Group)

The Vice President for People and Technology - coordinates follow-up with employees and their families affected by a campus emergency.

- a) Help contain and respond to incidents that affect employees.

- b) Utilizing the “Employee Contact Information Binders”: will notify that employee’s emergency contact person.
- c) Act as primary liaison with families of employees. Will handle calls from family members of employees who may call or e-mail the College, while consulting the Public Information Officer’s talking points.
- d) Will call in trauma/grief specialists and spiritual support as needed.

PUBLIC INFORMATION OFFICER (Operations Group)

The V.P. for Strategic Communications and External Affairs coordinate’s media Communications with the Director of Public Information and News.

- a) Works from the office and within the Emergency Operations Center to gather current emergency status.
- b) Is the liaison with the news media for dissemination of information as approved by the EOCM
- c) Furnishes statements for College phone operators and for the campus phone recording, as needed.
- d) Uses pre-designated media locations as a press area—to hand out written information and let the media know when the next press conference is.
- e) Works with campus Audio-Visual media services to position a podium near the media location for press conferences. Arranges for photographic and audio-visual services, as needed.
- f) Monitors the news for coverage of disaster.
- g) In the event of injury or death, helps prepare a statement to be made to the families affected. Does not release any names to the press until after the families have been informed.
- h) Coordinates with the campus web managers for posting updates on both college websites and sending out campus-wide e-mails.
- i) The College President is held on reserve for only the most high-level press briefings.

CAMPUS CRISIS RELATIONS MANAGMENT (Operations Group – Level 1/2)

The Operations Group will designate an appropriate number of campus stakeholders to serve as an incoming call center to handle inquiries from neighbors, families of students, etc. and will be placed under the temporary management of the Emergency Operations Team.

Appendix A- Vermont Definitions for the Crimes of Dating Violence, Domestic Violence, Sexual Assault and Stalking

Note: these definitions are provided for educational and awareness purposes but are not used for purposes of reporting Clery crime statistics.

Consent: “words or actions by a person indicating a voluntary agreement to engage in a sexual act.”

Sexual Assault: Sexual assault is engaging in a sexual act with another person and compelling the other person to participate in a sexual act:

1. without the other person’s consent; or
2. by threatening or coercing the other person; or
3. by placing the other person in fear of imminent bodily injury.

No person shall engage in a sexual act with another person and substantially impair the ability of the other person by administering or employing drugs or intoxicants without the knowledge of or against the will of the other person.

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 object into the genital or anal opening of another.

Domestic Violence: Domestic violence is violence or the threat of imminent violence committed:

By a current or former spouse or intimate partner of the person subjected to the violence

By a person with whom the person subjected to the violence shares a child in common

By a person who is cohabitating with, or has cohabitated with, the person subjected to the violence as a spouse or intimate partner.

- By a person similarly situated to the spouse of the person subjected to the violence under the domestic or family violence laws if the jurisdiction in which the violence occurred, or

By any other person against an adult or youth who is protected from the person’s act under the domestic or family violence law of the jurisdiction in which the violence occurred

Assault is attempting to cause or to willfully or recklessly cause bodily injury to a family or household member or to willfully cause a family or household member to fear imminent

serious bodily injury. “**Household members**” are those 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 have dated.

Dating Violence: Domestic assault includes attempting to cause or to willfully or recklessly cause bodily injury to a person one is dating or has dated or to willfully cause such person to fear imminent serious bodily injury. “Dating” is defined as a social relationship of a romantic nature.

Factors to consider in 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 the interaction between the parties; and
- d) the length of time since the relationship ended, if applicable.

Stalking: “Stalking” means engaging in a course of conduct that consists of following, lying in wait for, or harassing a person, when such conduct:

- a) serves no legitimate purpose; and
- b) would cause a reasonable person to fear for his or her physical safety or health, or would cause a reasonable person to suffer emotional distress.

“Following,” means maintaining, over time, a visual or physical proximity to another person such that this other reasonable person would fear unlawful sexual conduct, unlawful restraint, bodily injury, or death.

“Harassing,” means actions directed at a specific person, or a member of the person’s family, which would cause a reasonable person to fear unlawful sexual conduct, unlawful restraint, bodily injury, or death, including but not limited to verbal threats, written, telephonic, or other electronically communicated threats, vandalism, or physical contact without consent.

“Lying in wait,” means hiding or being concealed for the purpose of attacking or harming another person.