



CHAMPLAIN
COLLEGE

ANNUAL CAMPUS PUBLIC SAFETY
and
FIRE SAFETY REPORT
2016

(Contents include)

Personal Safety at Champlain College
Hate Crime Reporting
Emergency Response and Evacuations
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 Fire Safety Report
Dublin & Montreal Support Resources

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

I am pleased to present the 2016 Champlain College Campus Public Safety (CPS) Annual Security and Fire Safety Report (ASR). 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 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 to achieve a shared goal of providing a safe, 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. An earlier version of this document was published by the College on October 1, 2015. The revised ASR published as of October 1, 2016 is Champlain's official ASR.

Respectfully,

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An Overview of Campus Safety and Security Reporting

Choosing a College is a major decision for students and their families. Along with academic, financial and geographic considerations, the issue of campus safety is a vital concern. 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.

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.

In 2014, the *Clery Act* was amended by the *Violence Against Women Reauthorization Act*, which added, among other things, policy statement, crime statistics, procedural and other requirements related to the crimes of domestic violence, dating violence, sexual assault and stalking.

Safety at Champlain College

Champlain College is concerned about the welfare and safety of 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. While no town, large or small, is truly free of all crime, we believe that the implementation of these policies and procedures, combined with the cooperation of the campus community, can make Champlain a safer community.

The Campus Public Safety Department (CPS)

The office of Campus Public Safety is located in Durick Hall. The Department consists of proprietary and contractual officers whose primary objective is to provide a safe and secure environment through constant patrols, emergency response, investigations, and neighborhood networking. Campus Public Safety has jurisdiction over premises owned, leased or otherwise controlled in Vermont by the College.

Campus Public Safety Officers are available 24 hours a day. These public safety professionals provide coverage for the campus area. All personnel are trained in first response and have access to life-saving AED devices and digitally secured two-way radios. Campus Public Safety utilizes a 24-hour, live dispatch center via UVM Police Services that provides secure, instant two-way radio communications. Champlain College Campus Public Safety, the Burlington and Winooski Police Departments, and the Burlington and Winooski Fire Departments stand ready to serve the Champlain College community by responding immediately to and assisting at all reported emergencies and crime occurrences. Champlain College Campus Public Safety officers do not have the authority to make arrests, or other law enforcement authority.

The Campus Public Safety staff maintains an excellent working relationship with the local and state police. The Campus Public Safety staff works closely with the commander of the police division in which the campus is located, routinely communicates, sharing information regarding criminal activity on and off campus. Although a written memorandum of understanding does not exist, local police will respond to calls for service to our campus community to investigate alleged criminal offenses. The College does not have officially recognized student organizations with off-campus address locations

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 90 minute safety presentation during the new student orientation week and continues throughout the year. 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 to include dating and domestic violence prevention, stalking and sexual assault prevention, to name a few. A common theme 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 that 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 and trained Campus Public Safety personnel on campus, (RAD) self- defense courses are offered free of charge to the campus community. This class is offered each semester and is taught by members of Campus Public Safety and Burlington Police personnel.

Investigations: All reports of incidents are reviewed initially by the Director of Public Safety and/or supervisors. If a report requires follow up, various supervisors assist in additional investigations and report back to the Director and local agencies 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, harming 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. Together they work to identify problem trends and to provide ongoing training and development of new protocols and procedures.

Safety Guide Service: One program that provides 24-hour a day service is the safety guide service. Campus community members can call public safety and be provided a safety guide service between points on campus to include 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 that may arise from either weather conditions (snow & ice) or from poorly lighted and overgrown areas.

Building Security

Champlain College is an active member in the local Burlington Community, hosting many activities and programs that are open to the public.

Generally, the campus and its buildings (with the exception of residential halls) are open to the general public during business hours. A series of three lock-up routines are conducted on both administrative and academic buildings each night with the first being conducted in the early evening. 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 maintains 25 coed residence halls. Over 1,300 residential students call Champlain College home during the academic year.

Resident students have electronic ID access or hard keys access to their residence halls using their campus ID card. 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, 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 must see a photo ID and 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 photo records.

Each day and night CPS officers check indoor security and the outdoor physical perimeter of each residence hall. Continuous walking and driving patrols of the residence hall areas are conducted and problems are acted upon immediately.

Campus Crime Reporting and Emergency Response

Campus Public Safety personnel are available 24 hours a day, seven days a week, and will respond immediately to any reported emergency. Since prevention of crime is very much dependent upon the reporting of crime, it is to the benefit of the campus community for you to report crimes and other emergencies as you become aware of them. Campus Public Safety encourages accurate and prompt reporting of all crimes to Campus Public Safety and the appropriate police agencies, when the victim of a crime elects to, or is unable to, make such a report.

Any student, faculty member, employee or guest can report suspected criminal activities and other emergencies by calling Campus Public Safety at 802-865-6465. Additionally, persons can dial from campus phones: x 6465 for regular business, or **911** for emergencies.

When CPS receives a report, personnel are dispatched as promptly as possible to evaluate the situation and to contact the proper local authority or campus staff as needed. In a police, fire, or medical emergency, public safety will notify the needed agency, respond to and stay on scene until the additional responding agency has cleared.

Students looking for information or those who want to discuss crime prevention should contact Campus Public Safety during normal office hours, 7:30 a.m.–5:00 p.m., Monday through Friday. This office will assist the student in reporting the incident or suspicion to campus officials and to the appropriate community agency or service.

Questions regarding personal safety, loss, theft, or damage of personal property should be addressed to the Campus Public Safety Office, located in the basement of Durick Hall, at (802) 865-6465. 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.

Reporting Crimes and 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 is identified below.

Office of Counseling	Skip Harris	(802) 651-5961
Office of Residential Life	Danelle Berube	(802) 860-2702
Office of Student Life	Carol Moran-Brown	(802) 865-6426
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
Office of Student Life	Carol Moran-Brown	(802) 865-6426
Office of Diversity and Inclusion	Ame Lambert	(802) 860-2784
Office of Academic Affairs	Lauri Quinn	(802) 860-2729
Campus Public Safety	Bruce Bovat	(802) 860-2755
People and Technology	Mary Margaret Lee	(802) 651-5807

Reports will be evaluated to determine the appropriate response; the response may include, but not be limited to, 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 may pose a "threat" to self or others, the individual should report the information to Campus Public Safety or one of the individuals listed above, as appropriate, to allow the College the opportunity to assess the situation and respond as necessary.

Individuals who wish to report crimes on a confidential, voluntary basis should do so by contacting Campus Public Safety at **(802) 865-6465**. The College defers to the professional judgment of its professional counselors as to whether they should, if and when they deem appropriate, inform persons they are counseling of procedures to report crimes on a voluntary, confidential basis for inclusion in the College's annual disclosure of crime statistics, and does not have procedures that encourage them to do so. 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.

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.

Emergency Response and Evacuation Procedures

Champlain College is committed to providing a safe and healthy environment for its employees, students, and visitors.

Champlain College's Emergency Response Plan (ERP) outlines appropriate 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 rather 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 establishment of the ERP ensures that Champlain College ensures the safety of our college community, and ensures accurate, clear, and orderly communication to 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 Presidential Homeland Security Directive 5. (<http://www.whitehouse.gov/news/releases/2003/02/20030228-9.html>)

The following plan is divided into two sections - **Administrative Structure** and **Response Structure**.

Section 1: ADMINISTRATIVE STRUCTURE

Levels of Emergency Response

LEVEL 1 - Any minor incident easily resolved by an ordinary primary responder alerted to a problem. This may result in calling in personnel and notifying the appropriate department about a problem that has occurred. (*Example: Physical Plant responds to a boiler leak, CO detector alarm sounding, routine medical call on campus, a student consuming alcohol.*)

LEVEL 2 - A department or building incident that can be resolved with existing College resources or limited outside help. A Level 2 incident is usually a one dimensional event that has a limited duration and little impact to the campus community beyond those occupying the space/building in which it occurred. *(Example: Minor chemical or fuel oil spills, a building loses heat or electricity for several hours, temporary school closure due to snow/ice or a minor fire confined to a room and not involving hazardous chemicals.)*

LEVEL 3 – A situation that primarily involves people rather than infrastructure. In particular, many student issues can become quite complex because of varied institutional and student support responses that must be coordinated. Level 3 situations may emerge as a single incident, but have the potential to quickly evolve into a multi-faceted campus crisis. *(Example: serial sexual assaults, suicide, untimely death on campus, multiple injuries, disturbances on campus that require significant outside response from police, fire, media, etc...including riots, hate crimes, or bomb threats.)*

LEVEL 4 - A major emergency that has an impact upon a sizable portion of the campus and/or outside community. Level 4 emergencies may be single or multi-hazard situations, and often require considerable and timely coordination both within and outside the College campus. Level 4 emergencies include imminent events on campus or in the general community that may develop into a major College crisis or a full disaster. *(Examples: heating plant failure, extended power outage, severe storms, major fire on campus, or domestic water contamination.)*

LEVEL 5 - A catastrophic emergency event involving the entire campus and surrounding community. Immediate resolution of the disaster, which is usually multi-hazard, is beyond the emergency response capabilities of campus and local resources. *(Example: earthquake, major hurricane, pandemic flu or other contagious disease outbreak, or act of domestic terrorism which would require State and Federal assistance.)*

(Emergency Command Posts)

When a Level 4 or 5 Emergency occurs, or is imminent, it shall be the responsibility of the Public Safety Director or designee to set up appropriate Emergency Command Posts.

1. FIELD EMERGENCY COMMAND POST

If the emergency involves only one building or a small part of the campus (Level 2 and some Level 3), a Field Emergency Command Post can be utilized. A public safety vehicle and public safety personnel can be placed as close to the emergency scene as is reasonably possible. At least one Public Safety Officer will staff the field command post at all times until the emergency ends. The Public Safety Officer shall relay all information to the Command Post Staff.

2. EMERGENCY OPERATIONS CENTER

If the emergency involves a large portion of the campus, (Level 3, 4 or 5) an Emergency Operations Center is to be established at a predetermined location. The site should have generator-supplied back-up power, phone lines and utilities. The Emergency Response Team will meet at a designated site to coordinate its efforts. The Public Safety Director or designee will notify campus personnel to respond to the Emergency Operations Center in accordance to the Emergency Response Phone Tree. (See appendix)

All incoming calls relevant to the crisis are to be directed to the EOC. Outgoing calls will be made from other phone lines located within or near the Emergency Operations Center. At least one Public Safety Officer will staff the Emergency Operations Center at all times until the emergency situation ends.

The campus Public Information and News Director, with the help of Public Safety, shall establish a separate marshaling area for media, Skiff Hall parking lot and lawn area for television crews. 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.

EMERGENCY OPERATIONS TEAM - Members

The Emergency Operations Team includes the following College personnel:

Policy Team:

- **President of the College**
- **Provost** (*also includes Assoc. Provost positions*)
- **Senior Vice President of Institutional Advancement and Finance**
- **Vice President of Finance**
- **Vice President for Enrollment Management**
- **Vice President for Student Life**
- **Legal Counsel**
- **Vice President of Strategic Communication & External Affairs**
- **Executive Assistant**

Operations:

- **Associate Vice President Campus Planning/Auxiliary Services**
- **Associate Vice President of Information Technology**
- **Vice President of People & Technology**
- **Director Campus Public Safety**
- **Director Physical Plant**
- **Assistant Vice President Student Life**
- **Director Food Service**
- **Director Residential Life**
- **Director Public Information and News**

Members Roles and Responsibilities:

INCIDENT COMMANDER

A *ranking senior staff member* is responsible for oversight of the operational management of the incident. This person selected for this role is most likely the Associate Vice President Campus Planning/Auxiliary Services. In that person's absence, the position will be appointed by the President, Provost, or Vice President for Finance. This person's duties include:

- a) Assesses the emergency and oversees the College's operational response.
- b) Declares and ends the campus state of emergency and decides if campus is to be closed or classes to be cancelled.
- c) Oversees liaison activities with fire, police, disaster teams, College administration, governmental agencies, and others as necessary.
- d) Determines the type and magnitude of the emergency and contacts members to become part of emergency response team.
- e) Ensures that appropriate notifications are made to College employees and students when necessary.
- f) Assigns a staff member to track emergency expenses incurred.
- g) Prepares and submits a report to the President apprising him/her of the final outcome of the emergency.

PRESIDENT, PROVOST, ASSOCIATE PROVOSTS, VICE PRESIDENT FOR FINANCE, VICE PRESIDENT FOR ENROLLMENT AND VICE PRESIDENT FOR STUDENT LIFE, V.P. OF STRATEGIC COMMUNICATIONS & EXTERNAL AFFAIRS AND EXECUTIVE ASSISTANT (Policy Group Members)

- a) The President, Provost, Associate Provosts, V.P. for Finance, V.P. of Strategic Communications and External Affairs, Vice President for Enrollment and Vice President for Student Life are key members of the Emergency Response Team. They help direct policy, operational, and financial decisions.
- b) The Provost or V.P. of Strategic Communications and External Affairs are likely to be a spokesperson for the media. In the highest-level incidents, the President may also be asked to be a spokesperson for the media.

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

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

- b) Provides equipment and personnel to perform shutdown procedures, hazardous area control, barricades, damage assessment, debris clearance, salvage operation, emergency repairs, etc.
- c) Provides vehicles, equipment and operators for movement of personnel and supplies, assigns vehicles as required for emergency use.
- d) Obtains the assistance of utility companies as required for emergency operations.
- e) Furnishes emergency power and lighting systems as needed.
- f) Surveys habitable space and relocates essential services and functions.
- g) Provides facilities for emergency generator fuel during actual emergency or disaster periods.
- h) Provides for storage of vital records at an alternate site, coordinates with building and area coordinators for liaison and necessary support.
- i) 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 Response Phone Tree in the Appendix.
- 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 command post, as needed.
- g) Takes direction from the Emergency Response Team once an Emergency Command Center is activated.
- 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 Assistant 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.

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 Incident Commander.
- 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 4/5) 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.

Section II: RESPONSE STRUCTURE

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 for nearly all emergency situations.

1. Make appropriate police, fire and/or medical rescue calls
2. Notify the Director of Public Safety or designee if unavailable, who will determine whether or not to initiate the Emergency Response Tree List (see Appendix) or selectively notify individuals.
3. If the emergency notification list is initiated, the Associate Vice President for Campus Planning / Auxiliary Services and/or the Vice President for Student Life, acting as the Incident Commander, will determine the level of emergency response and the need for activation of the Emergency Operations Team and Emergency Operations Center.

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.

Response to Level 1 or 2 Incidents

Level 1 events are reported through normal channels (*Physical Plant for building issues, Network Administrator for telephone problems, etc*) and are handled based upon established departmental practices. A Level 2 incident will be handled in a similar way, but may necessitate several departments being involved in order to re-establish normal operations.

Response to a Level 3 Situation

When a Level 3 emergency occurs, the Director of Residential Life or the Director of Public Safety shall immediately assemble the Emergency Operations Team including the Assistant vice President of Student Life shall activate the Emergency Operations Center, assuming the role of EOC Incident Commander. In the absence of both individuals, the Assistant Director of Public Safety will assume the role of EOC Incident Commander.

Response to a Level 4 or 5 Emergency

When Level 4 or 5 emergencies are declared, the Associate Vice President for Campus Planning / Auxiliary Services or the Director of Public Safety shall immediately assemble the Emergency Operations Team and activate the Emergency Operations Center, assuming the role of EOC Incident Commander. In the absence of both individuals the Vice President for Finance or his/her designee will automatically assume this role.

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 EOC Incident Commander, 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 Level 3, 4 and 5 Incidents)

- President (Convener)
- Provost – Includes Associate Provosts positions (Back-up Convener)
- Senior Vice President of Institutional Advancement & Finance (Back-up Convener)
- Vice President for Finance (Back-up Convener)
- Vice Presidents for Student Services
- Vice President for Enrollment
- Other Senior Leaders (as needed or available)
- Designated Co-Chair of Emergency Operations Team (as needed or available)
- Executive Assistant

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 3, 4 and 5 Incidents)

- Associate Vice President Campus Planning/Auxiliary Services - (Emergency Director for level 4/5 emergencies)
- Director for Residential Life (Co-Director for level 3 Emergency)
- Director of Campus Public Safety (Co-Director for level 3 Emergency)
- Vice President of People & Technology (If employees are involved)
- Director of Physical Plant
- Director of Risk Management/Treasurer
- Assistant Vice President of Student Life
- Public Information and News Director
- Director Food Services (Sodexo)

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 priority situations
- Identify resource needs & shortfalls
- Reassign/deploy individuals in support of critical needs
 1. 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 Services, Vice President for Enrollment or Vice President of Finance (*depending upon availability*) shall declare a Level 4 or 5 emergency when, upon recommendation of the EOC Incident Commander, 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 Services, Vice President for Enrollment or Vice President of Finance or their designee(s) shall declare an end to the state of emergency when appropriate.

Emergency Communications (For Level 3, 4 and 5 Incidents)

Timely and accurate communication with the campus population during a Level 3, 4 or 5 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 means. 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 5 emergency, or when the nature of the emergency suggests there will be an 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.

Campus Alert Emergency Notification System (RAVE)

Timely Warnings

Campus Public Safety officials provide timely warning notices to the community whenever a crime has already occurred and is considered by the College to represent a serious or continuing threat to the campus community. Timely warnings will withhold the names of 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.

When reporting a crime or emergency:

1. **Remain calm.**
2. **Give the location of the incident**-building name, room number, and parking lot name, if applicable.
3. **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.
4. **State the incident you are reporting** (i.e., theft, medical emergency, fire).
5. **Describe the scene**-who and how many people are there, if medical treatment is being given, description of subjects, and other information.
6. **State the subject's direction of flight**, if applicable.
7. **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 as a tool to warn employees and students when danger is present on or near the College campus.

The College, without delay, and taking into account the safety of the community, will 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.

The only reason the College would not immediately issue a notification for a confirmed emergency or dangerous situation is if doing so will compromise efforts to:

- Assist a victim,
- Contain the emergency,
- Respond to the emergency, or
- Otherwise mitigate the emergency. An example of not compromising efforts to mitigate the emergency might be agreeing to a request of local law enforcement or fire department officials.

If warranted, a special campus alert notification from RAVE will be sent to the campus community by an authorized member of the campus community to alert students 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.

Campus Public Safety will confirm that there is a significant emergency or dangerous situation that warrants the issuance of an emergency notification by investigating and evaluating reported and observed information about the situation, and consulting with internal and external resources as necessary under the circumstances. Campus Public Safety will determine the appropriate segment or segments of the campus community to receive a notification by evaluating the situation and providing the notification to those segments of the campus community that could possibly be affected by, or which may have responsibilities as a result of, 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).

Persons authorized to issue initiate the emergency notification system include members of Campus Public Safety and other campus administrators. The alert system is available to Champlain students, faculty and staff to warn affiliates 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 who wish to add their mobile devices to receive alerts can follow the instruction by visiting the campus website for emergency alerts:

<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 each year. Tests are announced in advance. The College's emergency response and evacuation procedures are publicized in conjunction with at least one test per calendar year. 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.

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 will be held in confidence and will only be released to other investigating authorities as needed.

Missing Student Investigations / Notifications

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 should immediately bring it to the attention of Campus Public Safety by calling 865-6465.

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) or 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 802-658-2704 Ext-0

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
Emergency: 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 as hate crimes any occurrence of criminal murder and non-negligent manslaughter, sexual assault, robbery, aggravated assault, burglary, motor vehicle theft, arson larceny-theft, simple assault, intimidation, and destruction/damage/vandalism of property reported to local law enforcement agencies or a campus public safety authority that manifests evidence that the victim was intentionally selected because of the perpetrator’s bias on the basis of race, gender, religion, disability, sexual orientation, ethnicity/national origin, and/or gender identity

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 with engraving instruments provided by the Public Safety Office.

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.

2013 Sexual Harassment, Sexual Misconduct, Domestic Violence, Dating Violence and Stalking Policy, Bystander Intervention, Reporting Procedures and Support Services

Champlain College issues this statement of policy to inform the community of its comprehensive plan addressing sexual misconduct, educational programs, and procedures that address sexual assault, domestic violence, dating violence, and stalking related. 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.

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, domestic violence, dating violence and stalking are recognized as serious violations of the Standard of Conduct and the College's employment policies 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 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:

- a. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or education,
- b. Submission to or rejection of such conduct by an individual is used as the basis for employment or academic decisions affecting that individual, or
- c. 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 constitute sexual harassment if they meet the standards described above (and may violate other College policies as well), 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.

Sexual Misconduct Policy

The College prohibits sexual misconduct such as sexual violence, and other sexual misconduct as defined below.

Sexual Assault: Sexual assault may be either rape, fondling without consent, 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 any organ of another person, without the consent of the victim. Fondling 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 victim, including instances where the victim is incapable of giving consent because of his/her temporary or permanent mental incapacity. 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.

Under Vermont law, “consent” to sexual activity is defined to mean “words or actions by a person indicating a voluntary agreement to engage in a sexual act.”

For purposes of this policy, “consent” is defined as follows:

- 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 the capacity to give consent);
- Past consent does not imply future consent;
- Silence or an absence of resistance does not imply consent;
- Consent to engage in sexual activity with one person does not imply to consent to engage in sexual activity with another;
- Consent can be withdrawn at any time; and
- Coercion, force or threat of either invalidates consent.

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 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.

Upon a final determination of an investigative institutional disciplinary proceeding following a sex offense, if a complaint is found valid, the offender may be subject to disciplinary sanctions including suspension, dismissal or, if applicable, termination of employment. If the charge is not substantiated, the case will be closed; no materials pertaining to the complaint will be placed in the personnel or student file in such an instance.

Other Sexual Misconduct

The College also prohibits through this policy other forms of sexual misconduct, such as (but not limited to) video recording or photographing of sexual acts of another member of the College community without the consent of a person involved, or engaging in unwelcome physical touching of a sexual nature that does not meet the definitions of sexual violence or sexual harassment described above.

Other Policy Violations

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 that 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.

Domestic Violence, Dating Violence and Stalking Policy

It is an essential goal of Champlain College to provide and maintain a safe campus for all members of its community, free from violence and threats of violence. Domestic violence, dating violence and stalking will not be tolerated on campus, including in residential halls, offices and other facilities owned or leased by the College, or in connection with College programs on or off campus. Champlain College students, employees or covered third party respondents who engage in domestic violence, dating violence or stalking on campus or who use campus facilities, property, vehicles, communications media (such as phones, fax, e-mail, texting or social networking sites) or other resources to engage in such activity are subject to disciplinary action, up to and including suspension or dismissal from College enrollment and/or employment, and criminal prosecution. The College prohibits domestic violence, dating violence and stalking as defined by the Clery Act and below.

Domestic Violence: Domestic violence is 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.

Violence that occurs in incidents involving roommates who are not and have not been in a spousal or intimate relationship will not be classified as domestic violence in the College's campus crime statistics.

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.

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 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.

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.

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 text in chat rooms or on websites;
 - sending unwanted/unsolicited e-mail 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.

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.

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 to public safety Clery crimes they learn about through confidential communications for purposes of the College’s compilation of campus crime statistics but may be required to report de-identified information to public safety as required by the Clery Act if they learn about the information in an administrative or other capacity. Identifying information will not be included in such reports.

If an individual makes a report to a confidential resource and insists to a confidential resource 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:

1. 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 the University of Vermont Medical Center. 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. If you choose to make a police report, you will

likely meet with police officers, who will work with you to gather information about your experience, and to gather relevant evidence. Again, College representatives can support you in your interactions with law enforcement authorities if you would like them to do that.

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 Confidential Reporting: Know Your 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. It is not necessary to file a complaint, participate in an adjudication process, or file a criminal complaint in order to request services or accommodations from the College. These may include but are not limited to:

- No Contact Orders restricting encounters and communications between the parties;
- No Trespass Notices prohibiting the presence of an individual on Champlain College property, or other properties on which Champlain College programs are occurring;
- Academic accommodations, including but not limited to deadline extensions, incompletes, course changes or late drops, or other arrangements as appropriate;
- Residential accommodations, including but not limited to arranging for new housing, or providing temporary housing options, as appropriate;
- Changing transportation or working arrangements or providing other employment accommodations, as appropriate;
- Assisting the individual in accessing support services, including, as available, victim advocacy, academic support, counseling, disability, health or mental health services, visa and immigration assistance, student financial aid services, and legal assistance both on and off campus, as applicable (see list of resources below);

Informing the individual of the right to report a crime to local law enforcement and/or seek orders of protection, restraining orders, or relief from abuse orders from United States courts or courts outside of the United States as applicable, and providing assistance if the individual wishes to do so. Champlain College will also work with complainants and others as appropriate to respect and implement the requirements of such orders on premises that it owns or controls, as necessary and appropriate.

Where a complainant reportedly subjected to sexual assault, domestic or dating violence or stalking makes a reasonable request for accommodations like those described above, the College is obligated to comply with that request if such accommodations are reasonably available.

Students and employees seeking services, protective measures, and/or accommodations should direct their request to the Title IX coordinator or designee, who will refer the individual to other resources as appropriate. The request will be evaluated and responded to by the Title IX coordinator. Factors to be considered in determining reasonable services or accommodations may include the following:

- the specific need expressed by the complainant;
- the severity and/or pervasiveness of the allegations;
- any continuing effects on the complainant;
- whether the complainant and the respondent share the same residence hall, dining hall, class, extracurricular activities, transportation or job location; and
- whether other judicial measures have been taken to protect the complainant.

The College will maintain as confidential any services, accommodations or protective measures provided to complainants, to the extent that maintaining such confidentiality would not impair the ability of the College to provide the services, accommodations or protective measures. As such, the College may need to disclose some information about the individual to a third party to provide the necessary accommodations or protective measures in a timely manner. The Title IX Coordinator or designee is/are typically responsible for determining what information should be disclosed and to whom it should be disclosed. The decision to disclose information will be made after careful consideration of possible alternatives to disclosure and/or limiting the information provided to the third party as much as possible without compromising the College’s ability to provide the services, accommodations or protective measures.

Individuals who are being or who may have been subjected to sexual misconduct, domestic violence, 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	Durick 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 – 163 South Willard Street, Room 011	802-865-6465

Non-Campus

Burlington Police	1 North Avenue, Burlington	802-658-2704
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	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 they have reported, in good faith, unwelcome conduct of a sexual nature, sexual harassment, sexual misconduct, domestic violence, dating violence or stalking, or because they have cooperated 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 or responsibilities under this policy.

Any person who believes they have been subjected to such retaliation should follow the complaint resolution procedures below in the College's Complaint Procedure and Investigation Procedures. 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 Vice President for Student 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 Vice President for Student Life's contact information is: Leslie Averill, Student Life, (802) 651-5907, averill@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).

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

The following procedural features apply to cases that involve allegations of sexual harassment and/or sexual assault, domestic violence, dating violence or stalking, notwithstanding any other provisions in this policy, or otherwise-utilized practices to the contrary.

The Vice-President, People and Technology, the Vice-President of Student Life and/or the Provost and Chief Academic Affairs Officer will assign an investigator or investigators to investigate a complaint. The investigator(s) will meet privately and separately with the complainant, the respondent(s), and any witnesses to the alleged incident(s), and will prepare a written report of the interviews and investigation. Complainants and respondents may elect to have an advisor of choice present at these meetings.

For both students and employees, sexual harassment/domestic violence/dating violence/sexual assault-specific features of the investigation and adjudication process will include, but are not limited to, the following:

- Proceedings will provide a prompt, fair, and impartial investigation and resolution (i.e., proceedings will be completed within reasonably prompt timeframes designated by College policy (and the College will provide written notice to the parties where extensions of timeframes are granted for good cause, and the reason for the extension), they will be conducted in a manner that is consistent with College policy and transparent to the parties, timely notice of meetings will be provided to the parties, the parties will have equal access to any information that will be used during the meetings and other proceedings, and College officials involved will not have a conflict of interest or bias for or against any party);
- 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;
- 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;
- 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) of 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;

- 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;

- Direct cross-examination of the complainant by the respondent will not be allowed;

- Both the complainant and the respondent will have an equal right to file an appeal, if the respondent is in fact provided with an opportunity to appeal under otherwise-applicable procedures;

- The College's investigation and adjudication of such a case will ordinarily be completed within 60 days of the College's first receiving notice of the complaint (exclusive of the time for any applicable appeal), absent extenuating circumstances (if a party has a need to extend one of these time lines, he or she should contact the Title IX Coordinator or 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).

Further details regarding the procedures that will be utilized in cases involving reported sexual harassment, sexual misconduct, domestic violence, dating violence and stalking cases, and related misconduct, are provided in the College's Complaint Procedure and Investigations Procedures (if a party has a need to extend one of these time lines, he or she should contact the Title IX Coordinator or 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).

Further details regarding the procedures that will be utilized in cases involving reported sexual harassment, sexual misconduct, domestic violence, dating violence and stalking cases, and related misconduct, are provided in the College's Complaint Procedure and Investigations Procedures.

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 because they have made complaints under the procedure outlined below, serve as witnesses or otherwise cooperated 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.

The University of Vermont 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. The College collects crime statistics by requesting information from law enforcement agencies in the applicable jurisdictions, and from its campus security authorities.

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:

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 crime reported to local police agencies or to a campus security authority 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.

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. (It is not necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used which could and probably would result in serious personal injury if the crime were successfully completed.)

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

Motor Vehicle Theft: The theft or attempted theft of a motor vehicle. (Classify as motor vehicle theft all cases where automobiles are taken by persons not having lawful access even though the vehicles are later abandoned—including joyriding.)

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.

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.

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

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: An offense that meets the definition of rape, fondling, incest, or statutory rape as defined herein.

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	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
Negligent Manslaughter	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0

Rape	2013	1	0	1	0
	2014	1	0	0	0
	2015	5	5	0	0
Statutory Rape	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
Incest	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
Fondling	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	1
Robbery	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
Aggravated Assault	2013	0	0	0	0
	2014	1	0	0	0
	2015	0	0	0	0
Burglary	2013	5	4	0	0
	2014	2	2	0	0
	2015	0	0	0	0
Motor Vehicle Theft	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	1	0
Arson	2013	0	0	0	0
	2014	1	1	0	0
	2015	1	1	0	0
Liquor Law Arrests	2013	1	1	0	2
	2014	1	1	0	0
	2015	1	0	0	0
Liquor Law Violations Referred for Disciplinary Action	2013	131	123	4	0
	2014	167	160	12	1
	2015	93	93	45	0
Drug Law Arrests	2013	0	0	0	0
	2014	2	2	0	0
	2015	1	0	1	0
Drug law Violations Referred for Disciplinary Action	2013	84	76	19	0
	2014	3*	2*	0*	0
	2015	14	14	0	0
Illegal Weapon Possession Arrests	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
Illegal Weapons Possession Violations Referred for Disciplinary Action	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
Hate Crimes	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
(VAWA) Domestic Violence	2013	0	0	0	0
	2014	1	0	0	0
	2015	0	0	0	0
(VAWA) Dating Violence	2013	0	0	0	0
	2014	0	0	0	0
	2015	2	2	0	0
	2013	0	0	0	0

(VAWA) Domestic Violence	2014	0	0	0	0
	2015	0	0	0	0
(VAWA) Stalking	2013	0	0	0	0
	2014	0	0	0	0
	2015	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	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
Negligent Manslaughter	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
Rape	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
Statutory Rape	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
Incest	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
Fondling	2013	0	0	1	0
	2014	0	0	0	0
	2015	0	0	0	0
Robbery	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
Aggravated Assault	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
Burglary	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
Motor Vehicle Theft	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
Arson	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
Liquor Law Arrests	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0

Liquor Law Violations Referred for Disciplinary Action	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
Drug Law Arrests	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
Drug law Violations Referred for Disciplinary Action	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
Illegal Weapon Possession Arrests	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
Illegal Weapons Possession Violations Referred for Disciplinary Action	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
Hate Crimes	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
(VAWA) Domestic Violence	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
(VAWA) Dating Violence	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
(VAWA) Domestic Violence	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
(VAWA) Stalking	2013	0	0	0	0
	2014	0	0	0	0
	2015	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	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
Negligent Manslaughter	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
Rape	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
Statutory Rape	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
Incest	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
Fondling	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0

Robbery	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
Aggravated Assault	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
Burglary	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
Motor Vehicle Theft	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
Arson	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
Liquor Law Arrests	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
Liquor Law Violations Referred for Disciplinary Action	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
Drug Law Arrests	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
Drug law Violations Referred for Disciplinary Action	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
Illegal Weapon Possession Arrests	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
Illegal Weapons Possession Violations Referred for Disciplinary Action	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
Hate Crimes	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
(VAWA) Domestic Violence	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
(VAWA) Dating Violence	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
(VAWA) Domestic Violence	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
(VAWA) Stalking	2013	0	0	0	0
	2014	0	0	0	0
	2015	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 unannounced fire drills in 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.

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

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

Name of Res Hall Burlington, VT	Injuries			Death			Injuries			Death		
	Total Fires	Due to Fire	Due to Fire									
308 Maple	0	0	0	0	0	0	0	0	0	0	0	0
371 Main	0	0	0	0	0	0	0	0	0	0	0	0

396 Main	0	0	0	0	0	0	0	0		
Adirondack	0	0	0	0	0	0	0	0		
Bader Hall	0	0	0	0	0	0	0	0		
Bankus Hall	0	0	0	0	0	0	0	0		
Boardman Hall	0	0	0	0	0	0	0	0		
Butler Hall	0	0	0	0	0	0	0	0		
Carriage House	0	0	0	0	0	0	0	0		
Cushing Hall	0	0	0	0	0	0	0	0		
East House	0	0	0	0	0	0	0	0		
Hill Hall	0	0	0	0	0	0	0	0		
Jensen Hall	0	0	0	0	0	0	0	0		
Juniper Hall	0	0	0	1	0	0	0	0		
Lakeview Hall	0	0	0	0	0	0	0	0		
Lyman Hall	0	0	0	0	0	0	0	0		
McDonald Hall	0	0	0	0	0	0	0	0		
North House	0	0	0	0	0	0	0	0		
Pearl Hall	0	0	0	0	0	0	0	0		
Rowell Hall	0	0	0	0	0	0	0	0		
Sanders Hall	0	0	0	0	0	0	0	0		
South House	0	0	0	0	0	0	0	0		
Summit Hall	0	0	0	0	0	0	0	0		
Valcour Hall	0	0	0	0	0	0	0	0		
Whiting Hall	0	0	0	1	0	0	0	0		

(Causes of Fire)

Name of Res Hall Burlington, VT	3			
308 Maple				
371 Main				
396 Main				
Adirondack				
Bader Hall				
Bankus Hall				
Boardman Hall				
Butler Hall				
Carriage House				
Cushing Hall				
East House				
Hill Hall				
Jensen Hall				
**Juniper Hall				
Lakeview Hall				
Lyman Hall				
McDonald Hall				
North House				
Pearl Hall				
Rowell Hall				
Sanders Hall				
South House				
Summit Hall				

Valcour Hall				
Whiting Hall		Arson-2 men arrested		
**Juniper Hall			Arson	

(Property Damage Value Due to Fire)

Name of Res Hall Burlington, VT	20	20	20		
308 Maple					
371 Main					
396 Main					
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			

Fire Statistics – Dublin, Ireland	Year	Total Fire Reports	No Residential Facilities	Cause of Fire
Fires (No-Campus Housing)	2013	0		
	2014	0		
	2015	0		
Deaths Related to Fire	2013	0		
	2014	0		
	2015	0		
Injuries Related to Fire	2013	0		
	2014	0		
	2015	0		
Property Damage Value Related to Fire	2013	0		
	2014	0		
	2015	0		
Arson • Also Appears in Clery Statistics as a Crime	2013	0		
	2014	0		
	2015	0		

Fire Statistics – Montreal, Quebec	Year	Total Fire Reports	No Residential Facilities	Cause of Fire
Fires (No-Campus Housing)	2013	0		
	2014	0		
	2015	0		
Deaths Related to Fire	2013	0		
	2014	0		
	2015	0		
Injuries Related to Fire	2013	0		
	2014	0		
	2015	0		
Property Damage Value Related to Fire	2013	0		
	2014	0		
	2015	0		
Arson • Also Appears in Clery Statistics as a Crime	2013	0		
	2014	0		
	2015	0		

Burlington, Vermont and Champlain College- Resources

Category and Contact	Phone #
Emergency – Fire/Police/Ambulance	911
Burlington Police Dept.	802-658-2700 Ext -0
Burlington Fire Dept.	802-864-5311
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	
Ame Lambert (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

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

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

“Course of conduct” means two or more acts over a period of time, however short, in which a person follows, monitors, surveils, threatens, or makes threats about another person, or interferes with another person's property. This definition shall apply to acts conducted by the person directly or indirectly, and by any action, method, device, or means. Constitutionally protected activity is not included within the meaning of “course of conduct.” As used here “threaten” shall not be construed to require an express or overt threat.

“Emotional distress” means significant mental suffering or distress that may, but does not necessarily, require medical or other professional treatment or counseling.

“Reasonable person” means a reasonable person in the victim’s circumstances.

Appendix B - Definitions for the Crimes of Dating Violence, Domestic Violence, Sexual Assault and Stalking under Law Applicable in Montreal

Under the criminal law applicable in Montreal, consent means, “the voluntary agreement of the complainant to engage in the sexual activity in question.” No consent is obtained where (a) the agreement is expressed by the words or conduct of a person other than the complainant; (b) the complainant is incapable of consenting to the activity; (c) the accused induces the complainant to engage in the activity by abusing a position of trust, power, or authority; (d) the complainant expresses, by words or conduct, a lack of agreement to engage in the activity; or (e) the complainant, having consented to engage in sexual activity, expresses, by words or conduct, a lack of agreement to continue to engage in the activity.

It is worth noting that consent is not a defense when the accused’s belief that the complainant consented arose from the accused’s (1) self-induced intoxication or (2) recklessness or willful blindness, or where the accused did not take reasonable steps, in the circumstances known to the accused at the time, to ascertain that the complainant was consenting.

Sexual Assault

A person commits an assault when

- (a) without the consent of another person, he applies force intentionally to that other person, directly or indirectly;
- (b) he attempts or threatens, by an act or a gesture, to apply force to another person, if he has, or causes that other person to believe on reasonable grounds that he has, present ability to effect his purpose; or
- (c) while openly wearing or carrying a weapon or an imitation thereof, he accosts or impedes another person or begs.

This definition applies to all forms of assault, including sexual assault, sexual assault with a weapon, threats to a third party or causing bodily harm and aggravated sexual assault.

The Canadian Criminal Code does not specifically define domestic violence or dating violence. Those offenses are included within the general definition of assault.

Stalking falls under criminal harassment defined thus:

- (1) No person shall, without lawful authority and knowing that another person is harassed or recklessly as to whether the other person is harassed, engage in conduct referred to in subsection (2) that causes that other person reasonably, in all the circumstances, to fear for their safety or the safety of anyone known to them.

Prohibited conduct

- (2) The conduct mentioned in subsection (1) consists of
 - (a) repeatedly following from place to place the other person or anyone known to them;
 - (b) repeatedly communicating with, either directly or indirectly, the other person or anyone known to them;
 - (c) besetting or watching the dwelling-house, or place where the other person, or anyone known to them, resides, works, carries on business or happens to be; or
 - (d) engaging in threatening conduct directed at the other person or any member of their family.