

Annual Campus Safety Report 2023

Including Annual Fire Safety Report 2022

For Vermont College of Fine Arts

Vermont College of Fine Arts
www.vcfa.edu/campus-safety
Facilities & Operations
36 College Street
Montpelier, VT 05602
(802) 828-8888

This report includes campus safety policies, procedures, and statistics concerning campus crime for the calendar years 2022, 2021, and 2020. It is for the information of students, employees, prospective students, and prospective employees.

This report describes how Vermont College of Fine Arts responds to crime and how students, faculty, and staff can work together to maintain a safe community.

This report complies with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act and other relevant statutes and regulations.

Contents

Campus Safety at VCFA	5
Buildings and Grounds Safety	6
Reporting Criminal Activities or Emergencies	7
Anonymous Reporting/Confidential Reporting	8
Preparation of Disclosure of Crime Statistics	8
Crime Statistics Report – The Clery Act	9
Prevention and Education Programs	10
Appropriate Conduct Policy	10
Discrimination & Harassment Policy	12
Prohibited Relationship Policy	15
Sexual Misconduct Policy	17
Educational Programs	41
Sex Offender Registry	41
Hate-Bias Incident/Crimes Procedure	41
College Alcohol and Drug Policy	42

Emergency Response & Evacuation Procedures	43
Missing Student Notification Policy	47
Annual Fire Safety Report	48

Campus Safety at VCFA

VCFA Campus Relations and Campus Security Authorities comprise a diverse team with the common goal of providing a safe and secure environment at Vermont College of Fine Arts. Our team works closely with the Montpelier Police and Fire Department to provide a safe and healthy environment for everyone on our campus.

VCFA is a low-residency college with most students on campus in 7-10 day increments twice per year. Please visit <https://vcfa.edu/student-services/academic-calendar/> for a complete VCFA residency calendar.

Campus Safety Personnel

Campus Relations at VCFA is a function of the Buildings & Grounds Department. The Campus Relations staff is led by the Executive Director of Facilities & Operations. The Campus Relations team includes two full-time and one part-time Campus Relations personnel. The department provides services 24 hours a day while VCFA students are on campus, and Monday through Friday from 6:30 am to 11 pm for the remainder of the year.

The Campus Relations team is fully trained upon hire and each member is given regular in-house training relevant to campus procedures. Campus Relations personnel monitor the campus 24 hours a day during residencies using motor vehicles and on foot.

The Campus Relations Office is staffed to answer calls at (802) 828-8888 24/7 during residencies, receiving all calls for emergency and routine service. Campus Relations staff do not have the powers of arrest. During non-residency periods when the x8888 number is not staffed, the number forwards to an answering service which will take down the message and contact the appropriate staff member.

Campus Security Authorities

A Campus Security Authority is any individual who has responsibility for campus safety but is not part of the Campus Relations team. Included are officials of the College who have significant responsibility for student welfare and activities, or campus activities. Campus Security Authorities include only the following:

- Academic Program Directors
- Academic Dean
- Executive Director of Buildings & Grounds
- VP for Finance & Administration
- Administrative Dean

- President

Cooperative Law Enforcement Functions

Campus Relations personnel (CRP) and Campus Security Authorities (CSA) do not have the powers of arrest and are not armed. CRPs and CSAs coordinate with state and local law enforcement agencies when assistance is required. While no written memorandum of understanding exists, Campus Relations leadership staff and the Montpelier Police Department meet on both a formal and informal basis. CRPs and CSAs work closely with the investigative staff at the Montpelier Police Department when incidents arise that require joint investigative efforts, resources, crime-related reports, and exchange of information as deemed necessary.

The College does not have any officially recognized student organizations with off-campus locations. Therefore, the College does not have a relationship with local police to monitor or document criminal activity by students of Vermont College of Fine Arts at off-campus locations of student organizations.

Building and Grounds Safety

The Vermont College of Fine Arts campus is open to the public as per the “Public Use of VCFA Facilities Policy,” available at www.vcfa.edu/campus-safety.

VCFA is a 15-acre campus with several tenant-occupied buildings in addition to the buildings used by VCFA for its own academic purposes. All tenants and schools are responsible for the safety and welfare of their staff, students, and faculty, as well as for creating policies and procedures as applicable. However, they can call upon the assistance of VCFA Campus Relations when the team is available. Due to their proximity to each other, VCFA and its tenants work together to maintain the safety of the campus and are instructed to notify each other if any crime or notable safety incident occurs. When reporting Crime Statistics under the Clery Act, VCFA’s “campus geography” includes all areas of campus owned by VCFA.

Academic and other buildings are available to authorized members of the campus community, to official visitors, and to individuals who have legitimate business needs during hours the buildings are open. All buildings are secured each night and are open only during the schedule of operation of the building. Entry after scheduled hours is only available to faculty, staff, and authorized students as determined by the appropriate academic or administrative offices.

Buildings are currently secured by key-locks or keypad entry and are monitored by Campus Relations staff that perform regular building checks each evening. Routine checks are made in the college buildings to detect damage to facilities and any suspicious activities. Suspicious activity, suspicious persons, or crimes in progress should be reported immediately to 911 and Campus Relations.

Grounds maintenance includes, among other functions, the trimming of trees and shrubs and removing snow that might be a hazard to the safety of students and others walking on campus, especially at night. Defective or inoperable lighting is noted by routine rounds at night and is repaired quickly by the Facilities & Operations Department. Guests are encouraged to report any potential safety hazards to the Facilities & Operations Department.

Reporting Criminal Activities or Emergencies

Community members, students, faculty, staff, tenants, and guests are encouraged to report all crimes and public safety related incidents to Campus Relations, and the appropriate law enforcement agencies, in a timely manner, including when the victim of a crime elects to, or is unable to, make such a report.

Guests on campus may use campus phones, strategically located around campus, to make emergency calls. Emergency numbers are posted next to each phone and indicate that both 911 and 8888 (the college's campus relations department) should be contacted in the event of an emergency, as well as the building location. Guests may use these phones to report a criminal incident, a fire, or other type of emergency or to request assistance from Campus Relations. Campus Relations' non-emergency number is (802) 828-8888.

Persons desiring more confidentiality may also contact any CRP or CSA any time of the day or night to report a crime, or they may proceed directly to the Montpelier Police Department to make their report. Persons may report criminal activity to local law enforcement officials or a CRP or CSA.

If someone contacts a CRP or CSA, the following information is requested:

- Individual's name
- Location and description of the incident being reported
- A description of any vehicles or suspects involved in the incident

Guests are reminded that suspicion of a crime does not require proof and we encourage people, if they suspect that a crime is being committed or has been committed, to call Campus Relations immediately.

When a crime is reported to Campus Relations or other appropriate officials of the college, it will normally be investigated by Campus Relations and/or the police. In addition, if the suspect or responding party is a student, there will be an inquiry through the Academic Dean. If the suspect or responding party is an employee of the College, an inquiry will be conducted by the VP for Finance & Administration and/or other appropriate College officials. Please also see the policy on sexual misconduct below. It is the policy of the College to take every report of criminal activity seriously and to take appropriate action consistent with applicable law, public safety, and campus safety.

Crimes reported to Campus Relations or a CSA may be counted for purposes of inclusion in the annual statistical disclosures and will be considered for the purpose of making timely warning reports. There is currently no policy to encourage staff to inform the persons that they are counseling of any procedures to report crimes on a voluntary, confidential basis for inclusion in the annual security report.

Anonymous/Confidential Reporting

If you are a victim of a crime and do not want to pursue action within the College or the criminal justice system, you may still want to consider making a confidential report. With your permission, a CPR or CSA can file a report on the details of the incident without revealing your identity. The purpose of a confidential report is to comply with your wish to keep the matter confidential while taking steps to ensure the future safety of yourself and others. With such information, the College can keep an accurate record of the number of incidents involving students; determine where there is a pattern of crime with regard to a particular location, method, or assailant; and alert the campus community to potential danger. Reports filed in this manner are counted and disclosed in the annual crimes statistics for the College.

Preparation and Disclosure of Crime Statistics

The Campus Relations Office is required to keep a log of all incidents on Campus. A “VCFA Incident Report” is filled out for any notable campus incident, ranging from personal injury to serious crime. For a reportable crime, a “Crime Report Form” or “Sex Offense Report Form” is filled out. These reports are kept on file in the Campus

Relations Office. Campus Relations also collects incidents reported to the Montpelier Police Department. During academic residencies, these reports are provided to the academic program director, as well. Public access to any non-confidential Campus Relations incidents is available at www.vcfa.edu/campus-safety by viewing the “Campus Crime/Fire Log.”

Campus Services Department prepares the Annual Campus Safety Report to comply with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act and other pertinent statutes and regulations. This report is prepared in cooperation with the Montpelier Police Department and the Montpelier Fire Department.

Crime Statistics Report – The Clery Act

VCFA Clery Crime Statistics 2023

This chart includes offenses that were reported to the VCFA Campus Safety, the Montpelier Police Dept, and other College officials who have significant responsibilities for student and campus activities. The statistics in this brochure are published in accordance with the standards and guidelines used by the FBI Uniform Crime Reporting Handbook and the relevant federal law (the Clery Act).

		Crimes on Campus and/or in Residential Halls						Non-Campus Buildings or Property			Adjacent Public Property			Hate Crimes		
		2020		2021		2022		2020	2021	2022	2020	2021	2022	2020	2021	2022
		Total Campus	Residential Facilities	Total Campus	Residential Facilities	Total Campus	Residential Facilities									
SEX OFFENSES	MURDER	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	NEGLIGENT MANSLAUGHTER	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	ROBBERY	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	AGGRAVATED ASSAULT	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	MOTOR VEHICLE THEFT	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	ARSON	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	BURGLARY	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	RAPE	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	FONDLING	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	INCEST	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	STATUTORY RAPE	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	DOMESTIC VIOLENCE	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	DATING VIOLENCE	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	STALKING	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	LIQUOR LAW VIOLATION	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	LIQUOR LAW DISCIPLINARY	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	DRUG ABUSE VIOLATION	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	DRUG ABUSE DISCIPLINARY	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	WEAPONS (CARRYING, POSSESSING, ETC.) VIOLATION	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	WEAPONS (CARRYING, POSSESSING, ETC.) DISCIPLINARY	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

If you have any questions about the crime statistics or safety issues on campus, please don't hesitate to contact the Campus Relations staff at (802) 828-8888.

VCFA Fire Statistics 2023

There were no fires on campus in 2020, 2021, or 2022.

RESIDENCE HALL	Total Fires	Fire Number	Cause of Fire	Number of Injuries	Number of Deaths
Crowley Center	0	0		0	0
Glover-Hadley Hall	0	0		0	0
Bishop Hatch Hall	0	0		0	0
Noble Hall	0	0		0	0
Dewey Hall	0	0		0	0

The VCFA Crime Statistics Report for calendar years 2020, 2021, and 2022 is also published at www.vcfa.edu/campus-safety.

Prevention and Education Programs

Within the first two days of each on-campus residency, students and faculty are oriented to basic security procedures and campus safety. Similar information is presented to new employees annually. Crime Prevention Programs and Sexual Assault Prevention Programs are offered on an as-needed basis and general information is offered below.

The following is a listing of the resources offered by the Campus Services Department that inform students and employees about campus security procedures and practices, and encourage students and employees to be responsible for their own security and the security of others:

New Student Orientations: An introduction to campus safety and personal safety on campus.

New Employee Orientations: New employees are provided with campus safety and security information.

Event Security: Campus Relations works with on-campus event organizers to ensure that the event being held is safe for participants.

Printed Crime Prevention Materials: Brochures and posters carrying crime prevention and awareness information related to residence hall safety, security, and sexual assault are displayed on the 4th floor of College Hall. There are no other programs specifically designed to inform students and employees about the prevention of crimes.

Appropriate Conduct Policy (from the *STUDENT HANDBOOK*)

Vermont College of Fine Arts will take appropriate action regarding students who violate the College's campus and conduct regulations or disrupt the learning and campus environment. The officer responsible for handling disciplinary actions at VCFA is the Academic Dean, or his/her designee.

Students are expected to cooperate with and be respectful of all VCFA personnel as they carry out their duties.

Students will not engage in behavior that is threatening, dangerous, or harmful to self or others, that disrupts the learning and campus environment, or that damages college

property. Students may not possess firearms, other weapons, or fireworks while on VCFA campus. Students may not tamper with smoke detectors, sprinkler systems, fire extinguishers, fire alarms, wiring, or electrical equipment. Vermont State law also prohibits such tampering.

DISCIPLINARY PROCEDURES:

Emergencies:

In an emergency/immediate situation, VCFA may suspend its normal disciplinary procedures and temporarily dismiss and remove from campus a student whose conduct is determined to be sufficiently disruptive or dangerous. Such conduct includes but is not limited to behavior that is threatening to self or others, behavior that disrupts the campus and learning environment, public impairment from alcohol or other substances, and other offenses included in the Student Handbook. VCFA Executive Director of Buildings & Grounds or his/her designate may act, in concert with the relevant Program Director, to enforce the College's disciplinary procedures and determinations. Should a student refuse cooperation or become disruptive enough that VCFA staff needs assistance, the Montpelier police may be contacted. If the student requests it, VCFA will then follow the non-emergency disciplinary procedures to determine non-temporary discipline.

Non-Emergencies:

In non-emergency cases where there is indication that student behavior violates campus policy, the following sequence of actions will occur:

- **Fact Finding:** The offending behavior will be reported to the Program Director or his/her designate. The Program Director, and any other appropriate individuals involved in the incident, will investigate the allegations and determine the facts of the case, which will be reported, in writing, to the Academic Dean.
- **Interview with Student (s)/Others:** The Program Director and Faculty Chairs(s) will meet with the student(s) and any other individuals involved, in person or by phone, together and/or separately, as appropriate, to review the facts of the case, to allow the student(s) to respond to the allegations and to present his/her version of the alleged events. They may meet, separately, with any witnesses to

the incident. The Program Director and Faculty Chair(s) will consult with the Academic Dean, as needed.

- **Disciplinary Action:** Following the meeting with the student, the Academic Dean, the Administrative Dean, Program Director and Campus Relations, as appropriate, will determine if disciplinary action is warranted. If so, such action may include making continued enrollment conditional upon cessation of the offending behavior. The decision will be communicated in writing to the student, who will be required to sign a statement agreeing to comply with the conditions for continued enrollment.

Noncompliance by the Student:

If the student violates the conditions for continued enrollment, as determined by fact finding and the Academic Dean, the student will be dismissed.

Appeal:

Decisions made and actions taken pursuant to these disciplinary procedures may be appealed to the President of Vermont College of Fine Arts who shall make a final determination.

Discrimination & Harassment Policy

Vermont College of Fine Arts is committed to providing faculty, staff, students, artist-teachers, and invited visitors with an environment where they may pursue their careers or studies free from Discrimination and Harassment. In addition to the Title IX Coordinator's responsibilities set forth in the Sexual Harassment Prohibited by Title IX Policy, the CFO/VP for Administration is ultimately responsible for administering the College's equal opportunity, anti-harassment, and accessibility (ADA) policies, and shares procedural responsibility with the program directors.

The College pledges itself to the broad application of the Civil Rights Act of 1964, as amended, in particular Titles VI and VII, Title IX of the Education Amendments of 1972, the Equal Pay Act of 1963, the Americans and Disabilities Act of 1990, Section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, and comparable

state and local laws. The Vice President for Student Services is the College's current Section 504 and Title IX Coordinator and the VP for Finance & Administration is the coordinating staff member. Procedures related to sexual harassment prohibited by Title IX can be found in a separate policy entitled: "Sexual Harassment Prohibited by Title IX Policy." Reports of sexual harassment that fit within the definition of prohibited conduct in that policy will be handled under that policy. Reports of sexual harassment that fit within the definition of sexual harassment in this policy, but do not fit within the definition of prohibited conduct in the Sexual Harassment Prohibited by Title IX Policy, will be handled under this policy. In some cases, the alleged behavior may violate both policies. In such cases, the procedures outlined in the Sexual Harassment Prohibited by Title IX policy will be followed. In the event there is no finding of responsibility under that policy, the conduct will also be reviewed under this policy.

VCFA is committed to a policy of equal employment and educational opportunity, in compliance with applicable provisions of state and federal law that prohibit discrimination in employment and/or education on the basis of race, color, sex, gender identity, genetic information, age, ancestry, national origin, place of birth, religion, sexual orientation, veteran or military service status, HIV-positive test result status, disability, or any other legally protected characteristic, as and to the extent that such characteristics and prohibitions are defined by applicable law.

The College will not rely inappropriately on such characteristics, or upon related stereotypes or biases, in making employment-related or education-related decisions. Also, in accordance with applicable law, the College will make reasonable accommodations for qualified individuals with known disabilities, unless doing so would result in an undue hardship or otherwise would not be required by applicable law.

Staff members or students should feel free to raise concerns or complaints relating to discrimination or perceived discrimination without fear of reprisal or retaliation from the College, students, faculty, supervisors, or co-workers. Violations of the College's nondiscrimination policy will likely result in disciplinary action or termination. Please refer to the Complaint Procedure below for more information about how you should report any such concerns or complaints.

DISCRIMINATORY HARASSMENT

Harassment may include, but is not limited to, verbal or physical attacks, written threats or slurs, e-mail messages or social media postings, unwelcome banter, teasing, or jokes that are derogatory, or depict individuals in a stereotypical and demeaning manner, or any other conduct which has the purpose or effect of interfering unreasonably with an individual's work or educational performance, and which create an offensive, hostile, or intimidating working environment based on or because of an employee's or student's race, color, sex, gender identity, genetic information, age, ancestry, national origin, place of birth, religion, sexual orientation, veteran or military service status, HIV-positive test result status, disability, or any other legally protected characteristic, as and to the extent that such characteristics are defined by applicable law.

Sexual harassment is a form of sex discrimination, which has been defined by law as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

- A. Submission to such conduct is made explicitly or implicitly a term or condition of an individual's employment, promotion, or academic status; or
- B. Submission to or rejection of such conduct is used as a basis for making an employment or education-related decision affecting an individual; or
- C. Such conduct has the purpose or effect of unreasonably interfering with an individual's work or educational performance, or of creating an intimidating, hostile or offensive working or educational environment.

Sexual harassment may involve the behavior of a person of any gender toward a person of any gender, when that behavior falls within the operative definition of sexual harassment. Harassment without an overt sexual component can also violate the law and College policies under the circumstances outlined in the discriminatory harassment definition where it is shown that the harassment is directed at an individual because of gender.

Sexual harassment is prohibited and will not be tolerated at Vermont College of Fine Arts. Sexual harassment violates the dignity of individuals and impedes the realization of the College's educational mission. The College is committed to preventing and eliminating sexual harassment of faculty, staff, and students through education and by encouraging faculty, staff, and students to report any concerns or complaints about sexual harassment. Additional guidelines for staff members regarding sexual harassment in the workplace can be found in the Sexual Harassment section of the Staff Handbook. Prompt corrective measures will be taken to stop sexual harassment whenever and wherever it occurs.

PROCEDURE

The CFO/VP of Administration has primary responsibility for resolving complaints of harassment, discrimination, or related retaliation under this policy. Any student, staff member or faculty member with a related concern or complaint should immediately report their concern or complaint to the CFO/VP of Administration or their immediate supervisor. If the complaint involves the CFO/VP of Administration, it should be directed to the President. The College prohibits retaliation against anyone because they have raised a concern or complaint and/or because they have participated in an investigation. Retaliation will be deemed a violation of this policy.

The College will promptly investigate and resolve complaints with due regard for fairness and the rights of both the complainant and the respondent. The College will make reasonable efforts to protect the privacy of the parties, while balancing the need to conduct an investigation. If there is evidence of discrimination, harassment, or related

retaliation, the College will take prompt and effective corrective action appropriate to the situation. Knowingly making false allegations or providing evidence with the knowledge that it is false is prohibited, and will result in disciplinary action.

DISCIPLINARY SANCTIONS

Disciplinary sanctions for violations of this policy, which may range from a warning to dismissal from the College, will be imposed in accordance with applicable College policies.

Prohibited Relationship Policy

PROHIBITED RELATIONSHIPS

In the academic context, prohibited conduct under this policy often involves the inappropriate personal attention by an individual who is in a position to exercise professional and/or academic power over another individual. Taking advantage of one's power, supervision, or authority over another is unacceptable and may create a hostile environment for the individual involved and the community at large that seriously undermines the atmosphere of trust essential to the academic experience and enterprise.

Vermont College of Fine Arts is committed to maintaining a safe, healthy, and supportive educational community that holds the education of students as the highest priority. Amorous, dating, romantic, sexual, or other intimate relationships between a College faculty member, staff member, or employee and a student, even if consensual, can negatively interfere with the pursuit of learning, the academic environment, and the integrity of the institution. Relationships of an amorous, dating, romantic, sexual or other intimate nature between individuals where one individual has power, supervision, or authority over another are prohibited by Vermont College of Fine Arts—including but not limited to all such relationships between any faculty member, staff member, or employee and any student, and all such relationships between any supervisor and supervisee. Relationships of an amorous, dating, romantic, sexual, or other intimate nature between individuals who are both faculty members, staff members, or employees, or some combination thereof, must be disclosed to a supervisor and to Human Resources.

Amorous, dating, romantic, sexual, or other intimate relationships that might be appropriate in other circumstances have inherent dangers when they occur between a faculty member, staff member, or employee of the College and a person for whom they have a professional responsibility (i.e., as instructor, advisor, evaluator, supervisor, mentor, administrator). Implicit in the idea of professionalism is the recognition by those in positions of authority that in their relationships with students, faculty, staff, or

employees there is an element of power. It is incumbent upon those with authority not to abuse, nor to seem to abuse, the power with which they are entrusted.

Any member of the VCFA community with questions, concerns, or doubts about the appropriateness of an actual, anticipated, or suspected relationship should consult with the Vice President for Finance and Administration, Academic Dean, Vice President of Student Services, and/or Title IX Coordinator.

If any faculty member, staff member, or employee violates this policy, that individual will be subject to disciplinary action up to and including termination of employment.

A. Prohibited Relationships with Students

No faculty member, staff member, or employee shall request or accept sexual favors from or engage in any amorous, dating, romantic, sexual, or other intimate relationship with any Vermont College of Fine Arts student.

There may be an instance where there is a pre-existing relationship between an employee and an individual, including partnership or marriage, and that individual subsequently becomes associated with the College as a student (or faculty member, staff member, or employee). In such instances, the faculty member, staff member, or employee must disclose the consensual relationship to the Human Resources office. It is the responsibility of Human Resources, in consultation with the faculty member, staff member, or employee's supervisor, to take steps to mitigate potential conflicts and protect the educational experience of the student, and other students at the College who may be affected by the consensual pre-existing relationship. The faculty member, staff member, or employee is expected to cooperate with Human Resources throughout that process.

B. Consensual Relationships Between Faculty, Staff, and Employees

In cases where a consensual relationship forms or exists between a faculty member, staff member, or employee and another faculty member, staff member, or employee who occupies an inherently unequal position of authority, it is important that the person in the position of greater authority does not exercise any supervisory or evaluative function over the other person in the relationship. Accordingly, the person in the position of greater authority must notify their supervisor(s) and Human Resources to evaluate the situation and make any appropriate work adjustments. If the individuals are in positions of equal authority, both must notify their supervisor(s) and Human Resources to evaluate the situation and make any appropriate work adjustments.

The College will protect individual privacy to the extent possible and permissible under law and College policies and procedures, but reserves the right to share information with individuals who may have a need to know about the relationship in order to make alternative supervisory arrangements and take other actions in compliance with this policy.

Sexual Harassment Prohibited by Title IX Policy

I. Policy Overview

This policy sets forth VCFA's obligations under the 2020 Title IX Regulations.

Our Title IX Program is staffed by:

David Markow
Title IX Coordinator
36 College Street, Montpelier VT 05602
Telephone: 802-828-8535
Email: title9@vcfa.edu

Katie Gustafson
VP for Finance & Administration
36 College Street, Montpelier VT 05602
Email: katie.gustafson@vcfa.edu

Questions about Title IX may be referred to the Title IX Coordinator or to the assistant secretary for civil rights through the Boston office:

Office for Civil Rights
Boston Office
U.S. Department of Education
8th Floor
5 Post Office Square
Boston, MA 02109-3921
617-289-0111
OCR.Boston@ed.gov

Any person may report conduct prohibited by this policy to the Title IX Coordinator David Markow and Katie Gustafson, Vice President for Finance & Administration, and Matthew Monk, Academic Dean. Katie Gustafson will act as Title IX Coordinator in the event that David Markow is unavailable, or there is a potential conflict. These are the only individuals with authority to institute corrective measures on behalf of VCFA under this policy.

A complaint about a Title IX Coordinator may be made to Katie Gustafson, Vice President for Finance & Administration.

II. Statement of Non-Discrimination

VCFA does not discriminate on the basis of sex in its educational programs and activities, including employment and admission. Complaints of discrimination based on sex will be handled under the Discrimination & Harassment Policy, available at <https://vcfa.edu/student-services/health-safety-title-ix-2/>

III. Scope

This policy applies to all students, faculty, and staff who experience prohibited sexual harassment in VCFA's education programs or activities. This includes locations, events, or circumstances over which VCFA exercised substantial control over both the Respondent and the context in which the sexual harassment occurs, and also includes any building owned or controlled by a student organization that is officially recognized by VCFA. VCFA has other policies and procedures that may be applicable if the conduct does not meet the definition of prohibited sexual harassment under this policy or otherwise fall within the scope of this policy, including the Discrimination & Harassment Policy available at <https://vcfa.edu/student-services/health-safety-title-ix-2/>, the Student Code of Conduct, available at <https://docs.google.com/document/d/1Gi2iDMOycsnNTbRSVLLBVh4ahBUcRMSalef6-GrGH3w/edit#heading=h.gjdgxs>, the Employee Code of Conduct, available at <https://docs.google.com/document/d/1nXWFf3hDExJADlqImY6Dj1Sh6OZ0ZxgBxv7gZ0ea47g/edit>.

Conduct that meets the definition of prohibited sexual harassment under this policy will be handled under this policy.

IV. Prohibited Sexual Harassment

In accordance with its obligations under the Title IX Regulations of 2020, VCFA prohibits sexual harassment, which is conduct based on sex, including gender identity, gender expression, or sexual orientation, that satisfies one or more of the following definitions:

1. **Quid Pro Quo Conduct.** An employee conditions the provision of an aid, benefit, or service of VCFA on an individual's participation in unwelcome sexual conduct;
2. **Unwelcome Conduct.** Unwelcome conduct that is determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to VCFA's education program or activity; or

3. **Sexual assault.** An offense classified as a forcible or nonforcible sex offense. This category of prohibited conduct includes the following:

a. **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. Sexual act is defined as conduct between persons consisting of: a. Contact between the penis and the vulva. b. Contact between the penis and the anus. c. Contact between the mouth and the penis. d. Contact between the mouth and the vulva.

b. **Non-Consensual Penetration**—Actual or attempted penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. This includes forcible penetration and/or penetration against that person's will or not forcibly or against the person's will in instances where the victim is incapable of giving consent because of their temporary or permanent mental or physical incapacity.

c. **Fondling**—The touching of the private body parts of another person for the purpose of sexual gratification, forcibly and/or against that person's will or not forcibly or against the person's will in instances where the victim is incapable of giving consent because of their youth or because of their temporary or permanent mental or physical incapacity.

d. **Incest**—Nonforcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

e. **Statutory Rape**—Nonforcible sexual intercourse with a person who is under the statutory age of consent.

4. **Dating violence.** Violence committed by a person— (A) who is or has been in a social relationship of a romantic or intimate nature with the victim; and (B) where the existence of such a relationship shall be determined based on a consideration of the following factors: (i) The length of the relationship. (ii) The type of relationship. (iii) The frequency of interaction between the persons involved in the relationship.

5. **Domestic violence.** A felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the state of Vermont or 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 state of Vermont. Under Vermont law, it is unlawful to attempt 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 defined as those persons who, for any period of time, are living or have lived together, are sharing or have shared occupancy of a dwelling, and are engaged in or have engaged in a sexual relationship, or minors or adults who are dating or have dated.

6. **Stalking.** Engaging in a course of conduct directed at a specific person that would cause a reasonable person to— (A) fear for their safety or the safety of others; or (B) suffer substantial emotional distress.

V. Other Definitions

7. **Consent.** Under College policy, there must be clear, knowing and voluntary consent prior to and during sexual activity. 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, the following is true of consent:

a. Consent is informed, active, and freely given and is grounded in rational and reasonable judgment. It requires clear communication between all persons involved in the sexual encounter.

b. Consent can be communicated verbally or by action(s). Consent must be mutually understandable by all parties involved in the sexual experience, which a reasonable person would interpret as a willingness to participate in agreed-upon sexual conduct.

c. The person initiating the sexual contact is always responsible for obtaining consent from their partner(s). It is not the responsibility of one party to resist or communicate "no" to the sexual advances of another.

- d. Consent is not the absence of resistance. Silence is an inactive behavior and does not constitute consent. If a partner is inactive (for example, silent or physically still) sexual activity must stop until both partners have communicated clearly with each other about what, if any, sexual activity is mutually desired.
- e. Consent to one form of sexual activity does not imply consent to another form of sexual activity. Each new sexual act requires new consent. Consent can be rescinded at any time.
- f. Consent at one time and to one sexual act does not imply consent at any other time to that or any other sexual act at a later date and regardless of previous relations.
- g. Consent to engage in sexual activity with one person does not imply to consent to engage in sexual activity with another;
- h. Consent cannot be given by minors, mentally disabled individuals, or by incapacitated persons. A person may be incapacitated as a result of alcohol or other drug use. A person who is unconscious, unaware, or otherwise physically helpless cannot give consent to sexual activity.
- i. A person will be considered unable to give valid consent, for example, if they cannot fully understand the details of a sexual interaction (who, what, when, where, why, or how) because they lack the capacity to reasonably understand the situation. Individuals who consent to sex must be able to understand what they are doing.
- j. The College will use an objective standard when determining incapacitation-related questions; that is, the College will determine whether from the standpoint of a reasonable, unimpaired person, the respondent knew or should have known that the complainant could not effectively consent because they were incapacitated.

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.

8. **Complainant** means an individual who is alleged to be the victim of conduct that could constitute sexual harassment under this policy.

9. **Formal Complaint** means a document filed by a Complainant or signed by the Title IX Coordinator alleging sexual harassment against a Respondent and requesting that VCFA investigate the allegation of sexual harassment. At the time of filing a Formal Complaint, a Complainant must be participating in or attempting to participate in the education program or activity of VCFA with which the Formal Complaint is filed.

10. **Grievance Process** means the fact-finding process from the time of the filing of the Formal Complaint through the final determination of an appeal (if any).

11. **Respondent** means an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment under this policy.

12. **Supportive Measures** means non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the Complainant or the Respondent before or after the filing of a Formal Complaint or where no Formal Complaint has been filed. Such measures are designed to restore or preserve equal access to VCFA's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or VCFA's educational environment, or deter sexual harassment. Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures. Supportive measures may also include written notification about available services both within the institution and the community and options for available assistance as required by the Clery Act. Supportive measures are not disciplinary measures.

VI. Reporting Prohibited Sexual Harassment

1. Notice of Allegations. VCFA has notice of sexual harassment or allegations of sexual harassment under this policy when such conduct is reported to the Title IX

Coordinator or any official of VCFA who has authority to institute corrective measures on behalf of VCFA. The only individuals with authority to institute corrective measures on behalf of VCFA under this policy are: David Markow, Vice president of Student Services, Jericho Parms, Director of Alumni Affairs & Diversity Initiatives, Katie Gustafson, Vice President for Finance & Administration, and Matthew Monk, Academic Dean. However, all employees are encouraged to report sexual harassment, as defined and prohibited by this policy, to the Title IX Coordinator, consistent with the requests of the Complainant.

2. Response to a Report. With or without a Formal Complaint, upon a report of sexual harassment, the Title IX Coordinator will promptly contact the Complainant to discuss the availability of Supportive Measures, consider the Complainant's wishes with respect to Supportive Measures, inform the Complainant of the availability of Supportive Measures with or without the filing of a Formal Complaint, and explain to the Complainant the process for filing a Formal Complaint.

3. Information Packet. Upon a receipt of a report of sexual assault, dating violence, domestic violence or stalking, VCFA shall provide an information packet that contains procedures to follow if a sex offense, domestic violence, dating violence, sexual assault, or stalking has occurred, including information in writing about—

a. 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 a protection order;

b. How and to whom the alleged offense should be reported;

c. Options regarding law enforcement and campus authorities, including notification of the option to:

i. notify proper law enforcement authorities, including on-campus and local police;

ii. be assisted by campus authorities in voluntarily notifying law enforcement authorities; and

- iii. decline to notify such authorities;
- d. Where applicable, their rights and the institution's responsibilities regarding orders of protection, no contact orders, restraining orders, or similar lawful orders issued by a criminal, civil, or tribal court;
- e. Information about appropriate and available services both at the institution and in the community; and
- f. Options for, available reasonably available assistance and accommodations and how to request them.

VCFA's information packet for victims of sexual assault, dating violence, domestic violence and stalking is located <https://vcfa.edu/student-services/health-safety-title-ix-2/> or available from the Title IX Coordinator.

4. Implementation of Supportive Measures. VCFA shall treat parties equitably by offering Supportive Measures to the Complainant, and by following a grievance process that complies with this policy before the imposition of any disciplinary sanctions or other actions that are not Supportive Measures as against the Respondent. VCFA will maintain as confidential any Supportive Measures provided to the Complainant or Respondent, to the extent that maintaining such confidentiality would not impair the ability of VCFA to provide the Supportive Measures. The Title IX Coordinator is responsible for coordinating the effective implementation of Supportive Measures. The Title IX Coordinator should record and retain records regarding requests and provision of Supportive Measure in accordance with the requirements set out at XIV. Record Keeping, below.

5. Emergency removal. Nothing in this part precludes VCFA from removing a Respondent from VCFA's education program or activity on an emergency basis, provided that VCFA undertakes an individualized safety and risk analysis, determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal, and provides the Respondent with notice and an opportunity to challenge the decision immediately following the removal.

6. Administrative Leave. VCFA reserves the right to place a non-student employee Respondent on administrative leave during the pendency of a grievance process.

7. Leniency. Sometimes, individuals are reluctant to come forward to report perceived violations of this policy out of fear that they may be charged with violations of other policies. To ensure that all perceived violations of this policy are reported so that those affected can receive the support and resources needed VCFA may choose not to charge students who report violations of this policy with violations of other policies.

8. Medical Care. Whether or not a person decides to pursue criminal charges or a complaint at the College, individuals are encouraged to immediately seek any necessary medical care after an incident of sexual misconduct, domestic violence or dating violence, and to seek help from appropriate law enforcement, medical or College personnel.

VII. Procedures for Resolving Complaints of Prohibited Sexual Harassment

1. Informal Resolution

Consistent with the requirements of this section, at any time prior to reaching a determination regarding responsibility VCFA may facilitate an informal resolution process, such as mediation, that does not involve a full investigation and adjudication, provided that VCFA:

a. Provides to the parties a written notice disclosing:

i. The allegations,

ii. The requirements of the informal resolution process including the circumstances under which it precludes the parties from resuming a Formal Complaint arising from the same allegations, provided, however, that at any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the Formal Complaint, and

iii. Any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared.

- b. Obtains the parties' voluntary, written consent to the informal resolution process; and
- c. Does not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student.
- d. Completes the informal resolution process within 60 days of receiving the Formal Complaint, unless unusual or complex circumstances exist.

VCFA does not require as a condition of enrollment or continuing enrollment, or employment or continuing employment, or enjoyment of any other right, waiver of the right to an investigation and adjudication of Formal Complaints of sexual harassment under this policy. VCFA shall not require the parties to participate in an informal resolution process and will not offer an informal resolution process unless a Formal Complaint is filed.

2. Formal Complaint and the Grievance Process

a. **Filing a Formal Complaint.** A Formal Complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail, by using the contact information listed for the Title IX Coordinator above. A "document filed by a Complainant" means a document or electronic submission (such as by electronic mail or through an online portal provided for this purpose by VCFA) that contains the Complainant's physical or digital signature, or otherwise indicates that the Complainant is the person filing the Formal Complaint. Where the Title IX Coordinator signs a Formal Complaint, the Title IX Coordinator is not a Complainant or otherwise a party. A Formal Complaint shall trigger an investigation except as specified below. The Formal Complaint should include the date(s) of the alleged incident(s), the name of the Respondent, and should describe the circumstances of the incident(s), where known.

b. **Dismissal of a Formal Complaint.** VCFA shall investigate the allegations in a Formal Complaint, except as follows:

i. **Mandatory Dismissal.** VCFA shall dismiss the Formal Complaint if the conduct alleged in the Formal Complaint

1. would not constitute sexual harassment as defined by this policy, even if proved,
2. did not occur in VCFA's education program or activity,
3. or did not occur against a person in the United States.
4. This dismissal does not preclude action under another policy or procedure of VCFA.

Although the College is not required to apply this policy to conduct occurring outside the United States, it will implement this policy to its international programs and activities.

- ii. Discretionary Dismissal. VCFA may dismiss the Formal Complaint or any allegations therein, if at any time during the investigation or hearing:

1. A Complainant notifies the Title IX Coordinator in writing that the Complainant would like to withdraw the Formal Complaint or any allegations therein;
2. The Respondent is no longer enrolled in or employed by VCFA;
3. Specific circumstances prevent VCFA from gathering evidence sufficient to reach a determination as to the Formal Complaint or allegations therein; or
4. Occurred prior to August 14, 2020, in which case, VCFA's Sexual Misconduct, Domestic Violence, Dating Violence, and Stalking Policy and Procedures shall be used.

Upon a dismissal required or permitted under this section, VCFA will promptly send written notice of the dismissal and reason(s) therefor simultaneously to the parties.

- c. Consolidation of Formal Complaints. VCFA may consolidate Formal Complaints as to allegations of sexual harassment against more than one Respondent, or by more than one Complainant against one or more Respondents, or by one party against the other party, where the allegations of sexual harassment arise out of the same facts or circumstances. Where a grievance process involves more than one Complainant or more than one Respondent, references in this section to the singular “party,” “Complainant,” or “Respondent” include the plural, as applicable.

- d. Notice of Charges

i. Initial Notice of Charges. Upon receipt of a Formal Complaint, prior to commencing the investigation, VCFA shall provide the following written notice to the parties who are known. This notice shall include:

1. This policy (as a link or attachment).
2. Notice of the allegations of sexual harassment potentially constituting sexual harassment as defined in this policy, including sufficient details known at the time and with sufficient time to prepare a response before any initial interview. Sufficient details include the identities of the parties involved in the incident, if known, the conduct allegedly constituting sexual harassment under this policy, and the date and location of the alleged incident, if known.
3. A statement that the Respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process.
4. Notification to the parties that they may have an advisor of their choice, who may be, but is not required to be, an attorney.
5. Notification to the parties that they may inspect and review evidence, as set forth in this policy.

6. Any provision in VCFA's code of conduct that prohibits knowingly making false statements or knowingly submitting false information during the grievance process.

7. Describes the standard of evidence that will be used.

8. Lists all possible sanction the institution may impose.

e. Amended Notice of Charges. If, in the course of an investigation, VCFA decides to investigate allegations about the Complainant or Respondent that are not included in the initial notice of charge, VCFA must provide notice of the additional allegations to the parties whose identities are known.

f. Principles for the Grievance Process

Under this grievance process, VCFA shall:

i. Ensure that the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rest on VCFA and not on the parties provided that VCFA cannot access, consider, disclose, or otherwise use a party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party, unless VCFA obtains that party's voluntary, written consent to do so for a grievance process under this section (if a party is not an "eligible student," as defined in 34 CFR 99.3, then VCFA must obtain the voluntary, written consent of a "parent," as defined in 34 CFR 99.3).

ii. Provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence.

iii. Not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence.

- iv. Provide the parties with the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney, and not limit the choice or presence of advisor for either the Complainant or Respondent in any meeting or grievance proceeding; however, VCFA may establish restrictions regarding the extent to which the advisor may participate in the proceedings, as long as the restrictions apply equally to both parties. For the purposes of this policy, the role of the advisor is limited to the following: the advisor may attend any interview or meeting connected with the grievance process, but may not actively participate in interviews nor provide testimony or argument on behalf of the party. The advisor may attend the live hearing and may conduct cross-examination of the other party and any witness at the hearing; otherwise, the advisor may not actively participate in the hearing.
- v. Allow each party to be accompanied by a support person.
- vi. Provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all hearings, investigative interviews, or other meetings, with sufficient time for the party to prepare to participate.
- vii. Require an objective evaluation of all relevant evidence—including both inculpatory and exculpatory evidence— and provide that credibility determinations may not be based on a person's status as a Complainant, Respondent, or witness.
- viii. Require that any individual designated as a Title IX Coordinator, investigator, decision-maker, or any person to facilitate an informal resolution process, not have a conflict of interest or bias for or against complainants or respondents generally or an individual Complainant or Respondent. VCFA may use internal personnel or external parties in the informal resolution process or the grievance process, provided that they meet this requirement.

- ix. Include a presumption that the Respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process.
 - x. Use the following standard of evidence to determine responsibility for allegations in a Formal Complaint of sexual harassment: the preponderance of the evidence standard. The standard of evidence shall be the same for Formal Complaints against students as for Formal Complaints against faculty and staff.
 - xi. Not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege.
- g. Extensions of the Grievance Process

The Title IX Coordinator may grant or deny requests from either party to temporarily delay the grievance process or may issue the limited extension of time frames for good cause with written notice to the Complainant and the Respondent of the delay or extension and the reasons for the action.

Good cause may include considerations such as the absence of a party, a party's advisor, or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities.

h. Investigation of Formal Complaints

If not serving as the Investigator, the Title IX Coordinator will appoint an Investigator, who may be an employee or official of VCFA or may be an external investigator with appropriate experience or expertise. The parties will be provided with notice of the identity of the appointed Investigator, and will be informed that any objections to the service of the appointed Investigator on grounds of conflict of interest or a lack of impartiality should be submitted in writing to the Title IX Coordinator within three days of notice of the appointment. The Title IX Coordinator will decide promptly whether the appointed Investigator will or will not continue to conduct the investigation. Any materials collected or notes prepared by the Investigator during the objection period will be turned over to any replacement Investigator. The replacement Investigator will decide whether to use such materials or not.

When investigating a Formal Complaint VCFA shall, within 30 days of receiving the Formal Complaint, unless unusual or complex circumstances exist:

- i. Engage in fact-gathering of all relevant facts. Credibility resolutions and fact-finding shall be conducted in the live hearing phase of the grievance process.
- ii. Provide both parties an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a Formal Complaint, including the evidence upon which VCFA does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to conclusion of the investigation.
- iii. Prior to completion of the investigative report, send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties must have at least 10 days to submit a written response, which the investigator will consider prior to completion of the investigative report.
- iv. Make all such evidence subject to the parties' inspection and review available at any hearing to give each party equal opportunity to refer to such evidence during the hearing, including for purposes of cross-examination; and
- v. Create an investigative report that fairly summarizes relevant evidence and, at least 10 days prior to a hearing or other time of determination regarding responsibility, the Title IX Coordinator shall send to each party and the party's advisor, if any, the investigative report in an electronic format or a hard copy, for their review and written response. Upon finalization of the investigative report, the Title IX Coordinator shall provide it to the decision-maker(s).

VIII. Live Hearings Under the Grievance Process

1. Requirement of a Live Hearing for Fact-Finding and Determining Responsibility.

a. Following the investigation, within 30 days of sending the final investigative report to the parties, unless unusual or complex circumstances exist, VCFA shall conduct a live hearing in front of the decision-maker(s), which may be an individual or a Review Panel, for the purposes of determining responsibility for allegations of sexual harassment in the Formal Complaint. The decision-maker(s) cannot be the same person(s) as the Title IX Coordinator or the investigator(s). A decision-maker may include internal employees or external third-parties contracted by VCFA. If using a Review Panel, the Title IX Coordinator will choose three Review Panel members from its pool to attend the hearing and make determinations. All potential Review Panel members will receive annual training as specified by this policy. The parties each may challenge the participation of any member of the Review Panel for conflict of interest or other good cause. The Title IX Coordinator will make the final decision whether to select an alternate upon a challenge from a party. If using a Review Panel, the Title IX Coordinator will appoint a member of the Review Panel to be Chair of the Review Panel.

- b. The live hearing will be closed. The only individuals permitted to participate in the hearing are as follows: the Complainant and Respondent, the decision-maker(s), the advisor for each party, any witnesses (only while being questioned), and any individual providing authorized accommodations or assistive services.
- c. If a party does not have an advisor present at the live hearing, VCFA shall provide without fee or charge to that party, an advisor of VCFA's choice, who may be, but is not required to be, an attorney, to conduct cross examination on behalf of that party. VCFA is obligated to ensure each party has an advisor, either of the party's or [Institution's] choice regardless of whether or not the party is present at the hearing. To ensure timely proceedings, a party shall alert the Title IX Coordinator as soon as practicable if the party will need an advisor. If a party's selected advisor is unavailable for a hearing date, the live hearing date may be postponed for good cause.
- d. Live hearings may be conducted with all parties physically present in the same geographic location or, at VCFAs discretion, any or all parties, witnesses, and other participants may appear at the live hearing virtually, with technology enabling participants simultaneously to see and hear each other.

- e. At the request of either party, VCFA shall provide for the live hearing to occur with the parties located in separate rooms with technology enabling the decision-maker(s) and parties to simultaneously see and hear the party or the witness answering questions.
- f. VCFA shall create an audio or audiovisual recording, or transcript, of any live hearing and make it available to the parties for inspection and review. Any other recording is prohibited and violations may result in discipline.

2. Questioning at the Live Hearing

- a. At the live hearing, the decision-maker(s) must permit each party's advisor to ask the other party and any witnesses all relevant questions and follow-up questions, including those challenging credibility.
- b. Only relevant cross examination and other questions may be asked of a party or witness.
- c. Decision-maker(s) also have the right to question a party or witness.
- d. Cross examination at the live hearing must be conducted directly, orally, and in real time by the party's advisor of choice and never by a party personally, notwithstanding VCFA's ability to otherwise restrict the extent to which advisors may participate in the proceedings.
- e. Before the Complainant, Respondent, or witness answers a cross-examination or other question, the Chair must first determine whether the question is relevant. The Chair must explain to the party proposing the questions any decision to exclude a question as not relevant.
- f. Questions and evidence about the Complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the Complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the Complainant, or if the questions and evidence concern

specific incidents of the complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent.

3. Use of Witness Statements

a. If a party or witness does not submit to cross examination at the live hearing, the decision-maker(s) must not rely on any statement of that party or witness in reaching a determination regarding responsibility but may reach a determination based on evidence that does not constitute a statement by the party.

b. The decision-maker(s) cannot draw an inference about the determination regarding responsibility based solely on a party's or witness's absence from the live hearing or refusal to answer cross examination or other questions.

4. Written Determination of the Decision-Maker

a. The decision-maker(s) shall issue a written determination regarding responsibility. If the decision-maker is a Review Panel, a majority of the Review Panel members must find that a policy violation occurred for a finding of responsibility and a majority of the Panel members must assent to the sanction(s) imposed, if any.

To reach this determination, the decision-maker must apply the standard of evidence required by this policy. The written determination must include:

i. Identification of the allegations potentially constituting sexual harassment as defined by this policy;

ii. A description of the procedural steps taken from the receipt of the Formal Complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held;

iii. Findings of fact supporting the determination;

- iv. Conclusions regarding the application of VCFA's policy to the facts;
- v. A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions imposed on the respondent, and whether remedies designed to restore or preserve equal access to VCFA's education program or activity will be provided to the complainant; and
- vi. The procedures and permissible bases for the Complainant and Respondent to appeal, as set forth in this policy.
- vii. VCFA shall provide the written determination to the parties simultaneously.
- viii. The determination regarding responsibility becomes final either on the date that VCFA provides the parties with the written determination of the result of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which an appeal would no longer be considered timely.

IX. Appeals

Within 10 days of receiving the written determination, either party may appeal from a determination regarding responsibility, and from VCFA's dismissal of a Formal Complaint or any allegations therein, on the following grounds:

Ground 1: Procedural irregularity that affected the outcome of the matter;

Ground 2: New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and

Ground 3: The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter.

Ground 4: Following the results of a live hearing, abuse of discretion in the issuance of a sanction, meaning the decision-maker(s) imposed a sanction significantly disproportionate to the offense.

Appeals must be sent to the Title IX Coordinator in writing within 5 days of receipt of the decision-maker(s) determination and must include the grounds for appeal and an outline of any supporting evidence. Appeals transmitted via e-mail will be considered to be “in writing” for the purposes of this section.

As to all appeals, the Title IX Coordinator (or designee) shall:

1. Notify the other party in writing immediately when an appeal is filed and implement appeal procedures equally for both parties;
2. Ensure that the decision-maker(s) for the appeal is not the same person as the decision-maker(s) that reached the determination regarding responsibility or dismissal, the investigator(s), or the Title IX Coordinator;
3. Ensure that the decision-maker(s) for the appeal complies with the standards set forth in this policy;
4. Give the non-appealing party an opportunity to submit a written statement in response to the appeal within 10 days of receiving the appeal, which shall be transmitted within 2 business days to the Appeal decision-maker(s);
5. Within 20 days of receiving the appeal and the response, the Appeal decision-maker(s) shall issue a written decision describing the result of the appeal and the rationale for the result; and provide the written decision simultaneously to both parties. The Appeal decision-maker(s) may deny the appeal or, if the appeal ground(s) has or have been met, may return the case to the initial decision-maker(s) for reconsideration, or convene a new hearing. If a case is returned to the initial decision-maker(s), the Appeal decision-maker(s) shall identify which aspects merit further review.

X. Remedies and Sanctions

Remedies must be designed to restore or preserve equal access to VCFA’s education program or activity. A student found responsible for a violation of this policy will be

subject to sanction(s) regardless of whether legal proceedings involving the same incident are underway or anticipated. An employee found responsible for a violation of this policy will be subject to sanction(s) up to and including termination of employment.

Possible sanctions and remedies that VCFA may implement following any determination of responsibility include: expulsion, withdrawal of an awarded degree, verbal warning, written warning, suspension, a fine, restitution, community service, probation, reference to counseling, termination of employment, and notation in the Respondent's official student or personnel file of the fact of a violation and the sanction.

The Title IX Coordinator is responsible for effective implementation of any remedies.

XI. Retaliation Prohibited

No one may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right established by this policy or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this policy.

Intimidation, threats, coercion, or discrimination, including charges against an individual for code of conduct violations that do not involve sex discrimination or sexual harassment, but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or Formal Complaint of sexual harassment, for the purpose of interfering with any right under this Policy constitutes retaliation.

The exercise of rights protected under the First Amendment does not constitute retaliation prohibited under this section.

Complaints alleging retaliation may be filed according to the grievance procedures for sex discrimination available in the Discrimination & Harassment Policy https://docs.google.com/document/d/1UfV62AODxoQgIJk9XnbirP7xq_eZMQbiwS9hjKiEABE/edit.

Charging an individual with a code of conduct violation for making a materially false statement in bad faith in the course of a grievance proceeding under this policy does not constitute retaliation prohibited under of this section, provided, however, that a determination regarding responsibility, alone, is not sufficient to conclude that any party made a materially false statement in bad faith.

XII. Confidentiality

Consistent with the requirements of this policy, VCFA shall keep confidential the identity of any individual who has made a report or complaint of sex discrimination, including

any individual who has made a report or filed a Formal Complaint of sexual harassment, any complainant, any individual who has been reported to be the perpetrator of sex discrimination, any respondent, and any witness, except as may be permitted by the FERPA statute, 20 U.S.C. 1232g, or FERPA regulations, 34 CFR part 99, or as required by law, or to carry out the purposes of 34 CFR part 106, including the conduct of any investigation, hearing, or judicial proceeding arising thereunder.

Confidentiality is not absolute, however. Where criminal conduct has occurred, or where the health and/or safety of others in the community may be in danger, it may be necessary for VCFA to take appropriate steps to protect the safety of its students and employees, including the person who has reported the misconduct.

The College recognizes that individuals who have concerns about sexual harassment as defined in this policy may wish to speak to someone without making a report to the College. The College does not employ or have contractual relationships with confidential resources, and while it handles reports with sensitivity and discretion, it cannot promise complete confidentiality. However, health care providers, mental health providers, and sexual assault and domestic/dating violence support organizations such as the Vermont Network Against Domestic and Sexual Violence (see <http://www.vtnetwork.org/> or call 802-479-5577) usually can receive reports and provide support on a confidential basis (at least where the abuse of a minor is not involved.) Anonymous inquiries may also be made to such organizations in order to understand any limitations on their ability to maintain confidentiality. The College encourages individuals to seek support from confidential resources if they wish, and also to contact the College for discreet, but not necessarily completely confidential, support and investigation when and if they are ready to do so.

Confidential resources may, however, have an obligation to disclose otherwise-privileged information where they perceive an immediate and/or serious threat to a person and/or property. This is a limited exception to the privileged nature of communications with Confidential Resources. Reports or records maintained by VCFA, and other confidential, non-privileged records may, however, be subject to a subpoena if civil or criminal charges are filed in court.

In accordance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, Confidential Resources will not report Clery crimes they learn about through confidential communications for purposes of VCFA's compilation of campus crime statistics. In addition, when appropriate and legally permissible, VCFA shall conduct record-keeping on reports of dating violence, domestic violence, stalking and sexual assault, such as that collected for legally required disclosures, that excludes personally-identifiable information of any complainants.

XIII. Required Trainings

The Title IX Coordinator, investigators, decision-makers, and any person who facilitates an informal resolution process (whether internal or external) shall receive training on the definition of sexual harassment under this policy, the scope of VCFA's education program or activity, how to conduct an investigation and grievance process including hearings, appeals, and informal resolution processes, as applicable, and how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias. These individuals shall 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 victims and promotes accountability.

Decision-makers shall receive training on any technology to be used at a live hearing and on issues of relevance of questions and evidence, including when questions and evidence about the Complainant's sexual predisposition or prior sexual behavior are not relevant.

Investigators shall receive training on issues of relevance to create an investigative report that fairly summarizes relevant evidence.

Any materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process, will not rely on sex stereotypes and will promote impartial investigations and adjudications of Formal Complaints of sexual harassment.

XIV. Recordkeeping

VCFA shall maintain for a period of seven years records of— (A) Each sexual harassment investigation including any determination regarding responsibility and any audio or audiovisual recording or transcript required under this policy, any disciplinary sanctions imposed on the respondent, and any remedies provided to the complainant designed to restore or preserve equal access to VCFA's education programs or activities; (B) Any appeal and the result therefrom; (C) Any informal resolution and the result therefrom; and (D) All materials used to train Title IX Coordinators, investigators, decisionmakers, and any person who facilitates an informal resolution process. VCFA shall make these training materials publicly available on its website.

VCFA shall create, and maintain for a period of seven years, records of any actions, including any Supportive Measures, taken in response to a report or Formal Complaint of sexual harassment. In each instance, VCFA will document the basis for its conclusion that its response was not deliberately indifferent, and document that it has taken measures designed to restore or preserve equal access to VCFA's education program or activity. If VCFA does not provide a complainant with Supportive Measures, then VCFA must document the reasons why such a response was not clearly unreasonable in light of the known circumstances. The documentation of certain bases or measures

does not limit VCFA in the future from providing additional explanations or detailing additional measures taken.

XV. Effective Date; Revisions

This policy is effective as of August 14, 2020.

Educational Programs and Campaigns Regarding Dating Violence, Domestic Violence, Sexual Assault, and Stalking

Primary prevention and awareness programs for all incoming students and new employees, as well as ongoing prevention and awareness programs, regarding dating violence, domestic violence, sexual assault, and stalking are in place including Title IX webinars and in-person trainings for faculty and staff. They include a description of safe and positive options for bystander intervention and information on risk reductions (and other elements).

Sex Offender Registry

The Federal Campus Sex Crimes Prevention Act, enacted on October 28, 2000, requires institutions of higher education to issue a statement advising the campus community where the sex offender registry is located. It also requires sex offenders already required to register in a State to provide notice, as required under State law, of each institution of higher education in that State at which the person is employed, carries on a vocation, volunteer services, or is a student.

In Montpelier, convicted sex offenders must register with the State of Vermont. You can link to this information, which appears on the State of Vermont's website, at the following address: http://www.communitynotification.com/cap_main.php?office=55275.

Hate-Bias Incident/Crimes Procedure

Under federal law, a hate crime is defined as a criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. The categories of reportable hate crimes include religion, sexual orientation, gender, gender identity, ethnicity, national origin, or disability.

A bias incident is any event of intolerance or prejudice, not involving violence or other criminal conduct, intended to threaten, offend or intimidate another because of the other's race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, age, or physical or mental disability. Examples of bias incidents include hate speech, gay bashing, racist epithets, religious slurs, sexist jokes or cartoons, hate mail, offensive graffiti, or disparaging remarks on social media sites. Such incidents create a socially divisive atmosphere for targeted members of the community and negatively affect the campus climate.

Discovery of a possible hate/bias incident or crime should be reported to Campus Relations or Campus Security Authority immediately.

- Campus Security Authorities will initiate an appropriate investigation with the assistance of appropriate emergency team members to interview witnesses and secure/preserve the evidence.
- The Academic Dean's office will be notified immediately.
- The Montpelier Police Department will be notified immediately.
- The Montpelier Police Department will come on scene and make an initial determination as to whether a hate bias incident/crime has taken place.
- No hateful writing and or symbols will be removed until authorized by appropriate authority.
- VCFA Campus Security Authorities initial report will be provided by fax to the Vermont Attorney General's office.

There were no reported hate crimes at VCFA for the years 2018, 2019, and 2020.

College Alcohol and Drug Policy

On the VCFA campus, consumption of alcoholic beverages and the use of drugs are governed by the laws of the State of Vermont and federal drug laws. Possession, use, or distribution of illegal drugs (including alcohol for those less than 21 years of age) is prohibited on the College campus. This policy includes being under the influence of such substances while on campus or participating in College-sponsored activities. The College does not protect students from prosecution for drug or alcohol offenses under local, state, or federal laws, and it does not interfere with legitimate law enforcement activities.

Furthermore, the following campus regulations are in effect for VCFA students, faculty, and other participants in VCFA-sponsored events, and infractions are subject to disciplinary action:

At official College and program functions where alcohol will be sold, only alcoholic beverages catered by an individual or business with a liquor license and contracted by VCFA or an individual program may be consumed.

Public drunkenness and disruptive behavior in public places, including lounges, hallways, and stairwells, is not permitted.

The consumption of alcoholic beverages out-of-doors on the VCFA campus is permitted on the condition that those involved conduct themselves in a discreet and responsible way. This policy applies to individuals and small groups only. Those wishing to organize parties involving the use of alcohol, indoors or outdoors, must contact the appropriate Program Director for permission.

Students, Faculty or Staff found in violation of the College's Alcohol and Drug policy will be subject to disciplinary sanctions up to and including expulsion or termination of employment and referral for prosecution. The possession, sale, manufacture, or distribution of any controlled substance is illegal under both Vermont and federal laws. The College prohibits conduct that violates these laws. Vermont and federal 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.

VCFA staff covered by college health insurance have access to drug and alcohol preventative services by way of a referral through customer service. Other VCFA constituents have access to the following preventative programs and can contact them directly: <https://www.healthvermont.gov/alcohol-drugs/services>.

Campus Emergency Response & Evacuation Procedures

Emergency Response

VCFA is responsible for developing emergency response and evacuation plans for all students, faculty, staff, and guests to campus. The College conducts at least one exercise each year, which has included tabletop exercises, field exercises, and tests of the emergency notification systems on campus. These tests are designed to assess and evaluate the emergency plans and capabilities of the College. The College will publicize its emergency response and evacuation procedures in conjunction with at

least one test per calendar year. Each test is documented, including a description of the exercise, the date, the time, and whether the test was announced or unannounced. This documentation will be kept for seven years.

If a serious incident occurs that causes an immediate threat to the campus, the first responders to the scene are usually Campus Relations, the Montpelier Police Department, and the Montpelier Fire Department. They typically respond and work together to manage the incident. Depending on the nature of the incident, other VCFA staff and other city, federal, and private agencies could also be involved in responding to the incident.

General information about the emergency response and evacuation procedures for VCFA is publicized each year as part of the institution's Clery compliance efforts and that information is available on the Campus Safety website: www.vcfa/campus-safety.

Emergency Notification to the VCFA Community

In compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act), VCFA Campus Security Authorities will provide immediate notification upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students, faculty, or employees on campus. Confirmation means that an institution official has verified that a legitimate emergency or dangerous situation exists. Community members should follow emergency notification procedures that are recommended.

All members of the VCFA community are notified on an annual basis that they are required to notify the VCFA Campus Relations Office of any situation or incident on campus that involves a significant emergency or dangerous situation that may involve an immediate or ongoing threat to the health and safety of students and/or employees on campus. VCFA Campus Relations and Campus Security Authorities have the responsibility of responding to and summoning the necessary resources to mitigate, investigate, and document any situation that may cause a significant emergency or dangerous situation. In addition, Campus Relations and Campus Security Authorities have a responsibility to respond to such incidents to determine if the situation does in fact pose a threat to the community.

If that is the case, federal law requires that the institution immediately notify the campus community or the appropriate segments of the community that may be affected by the situation.

In the event of a confirmed serious incident which poses an immediate threat to members of the VCFA community, the Campus Relations Office will immediately notify the Senior Emergency Response Group (SERG).

The SERG team includes the following individuals:

- President
- VP for Finance & Administration
- Academic Dean
- Vice President for Student Services
- Executive Director of Facilities

If the SERG team confirms that there is an emergency or dangerous situation that poses an immediate threat to the health or safety of some or all members of the VCFA community, the SERG team will issue an official “timely warning” or another form of notification. The SERG team will, without delay and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the judgment of the first responders (including, but not limited to, Campus Safety, the Montpelier Police Department, the Montpelier Fire Department, and Emergency Medical Services), compromise the efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

The SERG team will determine the content of the message and will use some or all of the systems described below to communicate the threat to the VCFA community or to the appropriate segment of the community, if the threat is limited to a particular building or segment of the population. If necessary, the College would disseminate information about an on-campus emergency situation to the larger community by contacting local first responder authorities.

The decision to issue a timely warning or emergency notification shall be decided on a case-by-case basis in compliance with the Clery Act. The decision is made by the SERG team in coordination with the Campus Relations leadership team, considering all available facts, whether the crime is considered a serious or continuing threat to students or employees and the possible risk of compromising law enforcement efforts.

The Campus Relations and SERG team issue timely warnings or emergency notification, when appropriate, for the following incidents:

- Criminal Homicide
- Sex Offenses

- Aggravated assault
- Robbery
- Burglary
- Motor Vehicle Theft
- Major incidents of Arson
- Weather-related emergencies
- Other crimes as determined necessary by the Campus Safety leadership team or designee

Campus Relations does not issue a timely warning or emergency notification for the above listed incidents if:

- The suspect(s) are apprehended
- The threat of imminent danger to the campus community has been mitigated by the suspect's apprehension
- If a report was not filed with Campus Relations in a manner that would allow the department to post a "timely" warning to the community

Unless there are extenuating circumstances, a report that is filed more than five days after the date of the alleged incident may not allow Campus Relations to post a timely warning to the community. This type of situation will be evaluated on a case-by case basis.

A timely warning or an immediate emergency notification and updates may be distributed to the campus through any one or more of the following mechanisms:

- **All-Campus Communication:** A secure emergency notification service that allows the college to send information and instructions simultaneously to individuals through cell phones and text messaging. Staff information is collected and updated regularly. Student and faculty provide their information to Campus Services upon their arrival on campus.
- **E-mail Communications:** A group e-mail alerting students, faculty, and staff
- **VCFA Campus Safety Website:** www.vcfa/campus-safety
- **VCFA Website:** www.vcfa.edu

- **On-Campus Outreach:** During some larger residencies, VCFA requests the help of graduate assistant and faculty volunteers to be available to distribute information to surrounding and available students and faculty.
- **Face-to-Face Communication:** Campus Safety and Campus Security Authorities proceed “door to door” on campus to make notification, either verbally or in writing.

VCFA also makes every effort to notify all campus tenants in case of a major campus emergency.

A copy of each timely warning or emergency notification is filed in the incident report case file in the Campus Services Office.

The VCFA Campus Relations Office also maintains a daily crime and fire log that contains all crimes and fires reported to the department. These can be viewed on the Campus Safety website at www.vcfa.edu/campus-safety.

Missing Student Notification Policy

If any member of the VCFA community has reason to believe that a student involved in a current residency is missing, he or she should immediately notify Campus Relations or a Campus Security Authority. CRP or CSA will work with the Program Director to generate a missing person report and initiate an investigation.

After investigating the missing person report, should CRP/CSA determine that the student is missing and has been missing for more than 24 hours, CRP/CSA will notify the Montpelier Police Department and the student’s emergency contact no later than 24 hours after the student is determined to be missing.

A student’s “emergency contact information” will only be used by designated Campus Security Authorities and will not be disclosed except to law enforcement during a missing person investigation. However, if a student is under 18 years of age and not emancipated, the College must notify a custodial parent or guardian within 24 hours of the determination that the student is missing, in addition to notifying any contact person designated by the student.

VCFA Annual Fire Safety Report 2023

If fire occurs in a VCFA building, community members should immediately call 911 and notify Campus Relations at (802) 828-8888. All dorm building's fire alarm systems call out directly to an alarm monitoring company for immediate Fire Department dispatch.

If a member of the VCFA community finds evidence of a fire that has been extinguished and the person is not sure whether Campus Relations has already responded, the community member should immediately notify Campus Relations to investigate and document the incident.

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

The College publishes this fire safety report in its annual Clery Compliance document, which contains information with respect to the fire safety practices and standards for VCFA. This report includes statistics concerning:

- The number of fires
- The cause of each fire
- The number of injuries and death related to a fire
- The value of the property damage caused by a fire

VCFA's annual statistics are located at www.vcfa.edu/campus-safety. There were no fires reported in 2020, 2021, or 2022.

Fire Protection Equipment/Systems

All College buildings are equipped with automatic fire detection and alarm systems. Refer to the chart below for detection, notification, and suppression systems in each residential facility.

Facility	Fire Alarm Monitoring Done On-Site	Partial Sprinkler System	Full Sprinkler System	Smoke Detection	Fire Extinguisher Devices	Evacuation Plans & Placards	Number of Evacuation Drills Each Year
Dewey Hall	Independent Fire Panel	x		x	x	x	0
Glover-Hadley	Independent Fire Panel			x	x	x	0
Bishop-Hatch	Independent Fire Panel			x	x	x	0
Crowley Center	Independent Fire Panel		x	x	x		0
Noble Hall	Independent Fire Panel			x	x	x	0

Below is a description of each fire detection system.

Bishop-Hatch – Gamewell-FCI S3 Addressable Fire Alarm System. There are 50 Gamewell photoelectric smoke detectors and seven Gamewell 135' heat detectors. Building is not equipped with a sprinkler system.

Glover-Hadley – Gamewell-FCI S3 Addressable Fire Alarm System. There are 57 Gamewell photoelectric smoke detectors and 10 Gamewell 135' heat detectors. Building is not equipped with a sprinkler system.

Noble Hall – Fire panel is a Simplex 4002-8001. There are 34 Simplex smoke detectors and 35 Simplex high-rise heat detectors. Building is not equipped with a sprinkler system.

Dewey Hall – Fire panel is a Gamewell-FCI S3 Addressable System. There are 124 Gamewell-FCI ASD-PL3 Smoke Detectors, 20 Gamewell-FCI MCS-COF3 Multi-Criteria Smoke / CO Detectors,

21 Gamewell-FCI ATD-L3H Fixed Temp Heat Detectors, 13 Gamewell-FCI MS-7AF Dual Action Pull Stations, 1 Kitchen Hood, 2 Sprinkler Tamperers, and 1 Waterflow.

Crowley Center – Fire panels are Mammoth fire alarm panels. There are 6 smoke detectors, 7 strobe lights, 2 fire extinguishers, 3 pull stations, 13 combination smoke/carbon monoxide detectors, and 24 high-rise heat detectors. The center is equipped with a full sprinkler system.

VCFA has drafted future plans to upgrade fire panels and fire protection systems and will prioritize those purchases through the capital budgeting process.

Evacuation Testing Procedures

Evacuation procedures are reviewed with all students and faculty during orientations that include a “Campus Services-Safety Briefing” at the beginning of each residency. Students and faculty learn the locations of the emergency exits in the buildings and are provided guidance about the direction they should travel when exiting each facility for a short-term evacuation. Residents are not advised in advance about the designated locations for long-term evacuations because those decisions are affected by time of day, location of the building being evacuated, the availability of the various designated emergency gathering locations on campus, and other factors such as the location and nature of the threat. In both cases, students and faculty are advised to be prepared to follow instructions. Campus Relations staff on the scene will communicate information to students and faculty regarding the developing situation or any evacuation status changes. The purpose of this briefing is to prepare building occupants for an organized evacuation in case of fire or other emergency

Fire Reporting Procedures

The following procedures should be followed if you discover a fire:

1. Proceed to the nearest pull box.
2. Evacuate the building.
3. Call 911 and inform the dispatch officer with your name, the building name and number (located next to each campus phone), the fire location, and if there are any injuries.
4. Call x8888 or (802) 828-8888 to notify Campus Relations of the alarm.

Fires reported in this manner may be included in the statistics for the annual fire safety report.

Fire Safety Inspections

Facilities & Operations conducts Fire Safety inspections annually. The inspections are primarily designed to find and eliminate safety violations. The inspection will include, but not be limited to, a visual examination of electrical cords, sprinklers heads, smoke detectors, and other life safety systems.

In addition, dorm rooms can be examined for the presence of prohibited items (e.g., sources of open flames such as candles, non-surge protected extension cords, halogen lamps, portable cooking appliances in non-cooking areas, etc.) or prohibited activity (e.g., smoking in the room, tampering with fire safety equipment, possession of pets, etc.).

Housing Policy Regarding Fire Safety

Cooking

Cooking is among the most frequent causes of residential fires. Cooking is not permitted in student rooms. Cooking may only be done in designated kitchen areas and must not be left unattended. Appliances with exposed burners (e.g., hotplates) are not permitted. Items with enclosed heating elements may be used in kitchen area. This includes, but is not limited to, use of appliances such as microwaves, toasters, toaster ovens, grilling machines, waffle irons, and slow cookers. Students or faculty found to be cooking in unauthorized locations are subject to fines.

Flammable Materials

Candles, incense, or any source of open flame or ignition are prohibited in residences. Flammable materials such as gasoline, camp stove fuel, paint solvents, propane, butane, charcoal lighter fluid, or other highly flammable material may not be stored or used in student or faculty residences and will be removed if found.

Electrical Appliances

Electric line load limitations prohibit the use of heavy-demand appliances in student and faculty rooms. One small refrigerator per resident is permitted in student and faculty rooms or in common areas. In no case may a refrigerator exceed 3.0 cu. ft. or operate at more than 350 kWh. Larger sized refrigerators, keg refrigerators, coolers, air conditioners, and space heaters are prohibited and will be removed if found.

Light-demand electrical items such as radios, stereos, alarm clocks, and televisions may be used within the limitations of safe operating conditions. If in doubt about multiple appliance usage, please contact the Facilities & Operations electrical staff for guidance. All electrical items should be unplugged if the room will not be occupied for an extended period of time. Ironing is only permitted in designated safety areas with advance permission of Campus Services.

Electrical Safety

Any electrical device which is modified after purchase is prohibited and will be removed. Students and faculty may not add wiring, remove or alter existing wiring, or use unsafe wiring devices. Outlet expanders are prohibited and will be confiscated. Thin wire extension cords used for any purpose other than extending a single, low-wattage item will be removed. Overloading thin wire extension cords can lead to overheating and fire. Do not plug power strips into thin wire extension cords. In no case should power strips be plugged into other power strips.

In no case may current-carrying wire be run under carpets or be taped across walking paths, door thresholds, or through doorways where pinching or other damage can result. Fines may be issued for unsafe wiring practices.

Fire Protection and Combustible Materials

A fire in a College residence is a disaster that can be avoided by the mutual effort of residents and staff. The misuse of fire safety equipment (e.g., fire escapes, fire extinguishers, smoke detectors, sprinkler systems, and fire alarms) is not permitted and is a violation of public safety laws in the State of Vermont. Smoke detectors, sprinkler heads, and fire alarms may not be covered with tapestries or other materials. Nothing may be attached to or hung from sprinkler pipes or sprinkler heads. A \$200 fine will be

assessed along with the repair/replacement cost if any life safety items are tampered with. Additional state fines may also be imposed. All students and faculty should become familiar with policies regarding fire and life safety, administered by the College.

Smoking

Smoking or the burning of any type of pipe, cigar, cigarette, or similar product is prohibited in all campus buildings including residence halls and houses and their stairwells, porches, or garages. Smoking is also prohibited within 25 feet (approximately 20 paces) of all campus buildings, including residences.

The presence of ash-filled ash trays and/or hookahs and water pipes will be considered proof of smoking in rooms and will be reported to Campus Relations and the Academic Dean.

Fire Safety Tips

1. Fire Drills/Evacuation
 - a. Never assume it's a false alarm
 - b. Know the safest and quickest route out of your building
 - c. Always move as quickly and safely as you can
 - d. Showers are not safe places during a fire
 - e. Know where to gather to get a head count
2. Fire Safety Equipment
 - a. Never hang items from or cover sprinkler piping or heads
 - b. Know locations of the nearest alarm pull station
 - c. Never tamper with or cover smoke detectors
3. Prevention
 - a. Maintain a clear path through your room to door
 - b. Never cook in rooms
 - c. Never use candles
 - d. Do not place extension cords under carpeting
 - e. Always plug personal items into power strips

- f. Avoid using thin wire extension cords
- g. Outlet adapters are prohibited
- h. Flammable materials and combustion source devices are prohibited in residence halls
- i. Always keep hallways free of personal items and trash

Fire Safety Log

A daily fire log is available for review 24 hours a day on the Campus Safety website at www.vcfa.edu/campus-safety.