

# Annual Campus Security & Fire Safety Report

---

2019





# Table of Contents

---

<b>Introduction .....</b>	<b>1</b>
<i>Jeanne Clery Disclosure of Campus Safety Policy and Campus Crime Statistics Act .....</i>	<i>1</i>
<i>Fire Safety Right-To-Know .....</i>	<i>1</i>
<i>Policy for Reporting Annual Disclosure of Crime Statistics .....</i>	<i>1</i>
<b>Department of Campus Safety &amp; Emergency Management .....</b>	<b>2</b>
<i>Location &amp; Hours of Operation.....</i>	<i>2</i>
<i>Enforcement Authority .....</i>	<i>2</i>
<i>Relationship with Local Agencies.....</i>	<i>2</i>
<b>Reporting Criminal Activity, Fire Safety Violations, and Other Emergencies and Concerns .....</b>	<b>3</b>
<b>Timely Warnings.....</b>	<b>3</b>
<b>Access to Campus Facilities .....</b>	<b>4</b>
<b>Maintenance and Security of Campus Facilities .....</b>	<b>4</b>
<b>Crime Prevention &amp; Safety Procedures Education .....</b>	<b>5</b>
<b>Non-Campus Locations of Student Organizations.....</b>	<b>5</b>
<b>Emergency Response &amp; Evacuation .....</b>	<b>5</b>
<i>Emergency Response .....</i>	<i>5</i>
<i>Evacuation Drills.....</i>	<i>6</i>
<b>Missing Persons.....</b>	<b>7</b>
<i>General Procedure .....</i>	<i>7</i>
<b>Alcohol and Other Drugs Policy .....</b>	<b>8</b>
<i>Alcohol Policy.....</i>	<i>9</i>
<i>Alcohol Containers.....</i>	<i>10</i>
<i>Amnesty for Medical Intervention .....</i>	<i>10</i>
<i>Drug Policy.....</i>	<i>11</i>
<i>Prescription Drugs .....</i>	<i>11</i>
<i>Drug Paraphernalia .....</i>	<i>11</i>
<i>Distribution of Drugs .....</i>	<i>12</i>
<i>Driving Under the Influence of Alcohol or Other Illicit Drugs.....</i>	<i>12</i>
<i>Drug &amp; Alcohol Abuse Education Programs .....</i>	<i>13</i>
<b>Sexual Harassment, Sexual Misconduct, Domestic Violence, Dating Violence and Stalking Policy &amp; Procedures .....</b>	<b>13</b>

<i>Notice of Nondiscrimination</i> .....	13
<i>Title IX Coordinator</i> .....	13
<i>General Definitions</i> .....	14
<i>Sexual Harassment Policy</i> .....	15
<i>Sexual Misconduct Policy</i> .....	17
<i>College Policy on Domestic Violence, Dating Violence and Stalking</i> .....	19
<i>Reporting and Confidential Disclosures: Know the Options</i> .....	21
<i>Community Assistance and Resources for Victims of Sexual Misconduct, Domestic Violence, Dating Violence and/or Stalking</i> .....	23
<i>Reporting and Grievance Procedures for Sexual Harassment, Sexual Misconduct, Domestic Violence, Dating Violence or Stalking Complaints</i> .....	24
<i>Educational Programming and Campaigns</i> .....	29
<b>Disclosure of Results of Disciplinary Proceedings</b> .....	<b>30</b>
<b>Campus Sex Crimes Prevention Act (Sex Offender Registry)</b> .....	<b>30</b>
<b>Crime Statistics</b> .....	<b>31</b>
<i>Definitions of Reportable Crimes</i> .....	31
<b>Crime Statistics Report – Calendar Years 2016-2018</b> .....	<b>35</b>
<b>Clery Bias Crime Statistics – Calendar Years 2016-2018</b> .....	<b>37</b>
<b>Location and Geography Definitions</b> .....	<b>39</b>
<b>Fire Regulations</b> .....	<b>39</b>
<i>Fire Drills and Fire Alarms</i> .....	39
<i>Fire Safety Training</i> .....	40
<i>Prohibited Items</i> .....	40
<i>Fire Detection and Prevention Systems</i> .....	41
<i>Fire Evacuation Plans &amp; Placards</i> .....	41
<i>Tampering or Damaging Fire Safety Equipment</i> .....	41
<i>Fire Setting</i> .....	41
<i>Reporting a Fire</i> .....	42
<i>Daily Crime-Fire Log</i> .....	42
<i>Fire Right-To-Know Statistics -2016</i> .....	43
<i>Fire Right-To-Know Statistics -2017</i> .....	43
<i>Fire Right-To-Know Statistics -2018</i> .....	43
<b>Appendix A: Vermont Definitions Of Domestic Violence, Dating Violence, Sexual Assault, Stalking, And Consent With Regard To Sexual Activity</b> .....	<b>44</b>
<i>Domestic Violence:</i> .....	44

<i>Dating Violence</i> .....	44
<i>Consent</i> .....	44
<i>Sexual Assault</i> .....	44
<i>Stalking</i> .....	45

## Introduction

---

### Jeanne Clery Disclosure of Campus Safety Policy and Campus Crime Statistics Act

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act was signed into law in November 1990. It requires institutions of higher education participating in student financial aid programs under Title IV of the Higher Education Act of 1965 to disclose information about campus safety policies and procedures and to provide statistics concerning certain crimes that occurred on or near campus. On Aug. 14, 2008, the Higher Education Opportunity Act or HEOA (Public Law 110-315) reauthorized and expanded the Higher Education Act of 1965, as amended. HEOA amended the Clery Act and created additional safety and security related requirements for institutions.

### Fire Safety Right-To-Know

The Campus Fire Safety Right-to-Know Act is an amendment to the Higher Education Opportunity Act. This amendment serves to increase campus fire safety awareness across the nation, providing students and their families with the fire safety records of colleges/universities. Signed into law by President George W. Bush on August 14, 2008, this amendment requires post-secondary institutions to publicly display fire safety information and statistics, much as they already do with other safety statistics. This information provides prospective and current students of the policies, concerns, and fire safety conditions that are present at the institution in which they have applied or are enrolled.

### Policy for Reporting Annual Disclosure of Crime Statistics

This report is prepared by the Landmark College Office of Campus Safety and Emergency Management with collaborating data and statistics submitted by the Offices of Residential Life, Student Conduct, Counseling, Health Services and Student Affairs.

Also included in this report are statistics received and reported by local law enforcement and safety agencies including the Windham County Sheriff's Department, Vermont State Police, and Putney Fire Department.

Reports of crimes (including Clery Act crimes) may be made to any member of the Campus Safety staff, Residential Life staff, or Student Affairs staff for the purpose of making timely warning reports and for inclusion in the annual statistical disclosure.

Information may be reported for inclusion in the annual report on a confidential (not to be construed as anonymous) basis to the Counseling Office staff. In this case, confidential reporting shall be defined as reports that are written or verbally reported, and deemed legitimate, but for which no particular action is requested by the reporting party.

This report is posted by October 1<sup>st</sup> of each year on the Landmark College website in various locations including the Student Affairs and Campus Safety & Emergency Management pages. Printed copies of this report are available at no charge in the Student Affairs Office, the Campus Safety & Emergency Management Office, the Enrollment Services Office and the Landmark College Library.

## Department of Campus Safety & Emergency Management

---

The mission of the Department of Campus Safety & Emergency Management is to provide a safe environment for students, faculty, and staff to work and study.

It is recognized, however, that the responsibility for crime prevention and fire safety does not rest solely with the College administration or Campus Safety authorities; it is shared with all members of the community. The success of any prevention effort depends largely on each person following sound practices and recognizing and immediately reporting criminal, suspicious or fire-safety-related activity to the Campus Safety office. A truly safe campus can only be achieved through the cooperation of students, faculty, and staff.

### Location & Hours of Operation

Located on lower level of Davis Hall room 001, the Department of Campus Safety provides services and campus patrols 24 hours a day, seven days a week.

### Enforcement Authority

Campus Safety Officers respond to complaints of disturbances, crimes, suspicious persons, motor vehicle related problems, lock outs, fire-alarm activations, medical calls, and to any emergency or request for assistance. Officers are responsible for performing investigations, preparing incident reports, and upholding the rules and regulations of the College, including Housing Regulations, Parking Regulations, and the Standards of Conduct for Students. Officers also note security-related problems such as broken windows and malfunctioning lights and locks. Services offered include property identification and a safety escort service.

While Campus Safety officers do not have arresting authority, they do have the authority to direct adherence to campus policies, and ban any individual from campus, which is enforceable through local law enforcement agencies.

### Relationship with Local Agencies

The College works closely and in cooperation with both jurisdictional law enforcement agencies of the Windham County Sheriff's Department and the Vermont State Police, as well as other emergency-service agencies, including the Town of Putney Fire Department and Rescue, Inc. No written M.O.U.s are in place with these primary providers of law enforcement services.

Local law enforcement agencies will often report off-campus behavior (both criminal and non-criminal) of students to the College. The College also receives press releases and police logs from local agencies. The College reserves the right to address all off-campus behavior of students using College policy and the Standards of Conduct. Landmark College does not have any off-campus student organizations that are formally recognized by the College.

## Reporting Criminal Activity, Fire Safety Violations, and Other Emergencies and Concerns

---

Students, or other community members, should make reports to the Department of Campus Safety, Residential Life Staff, or the Student Affairs Office regarding crimes they are victims of, witness or suspect, fire safety violations, arson or attempted arson, or any other emergency or concern regarding the safety of the community.

To report a crime or other emergencies, the Duty Officer can be reached in the office or via telephone at campus extension 6899 or from a non-campus phone at (802) 387-6899.

The College encourages accurate and prompt reporting of all crimes on campus and to also make a report to the appropriate law enforcement agency in addition to any report to the College, when the victim of a crime elects to, or is unable to, make such a report. Any member of the Student Affairs staff (including Residential Life, Student Conduct, Campus Safety & Emergency Management, Counseling, and Health Services) may facilitate and assist students in connecting with the Department of Campus Safety or local law enforcement agencies.

Information may be reported for inclusion in the annual report on a confidential (not to be construed as anonymous) basis to the Counseling Office staff. In this case, confidential reporting shall be defined as reports that are written or verbally reported, and deemed legitimate, but for which no particular action is requested by the reporting party.

Counselors will inform and encourage, as appropriate, persons they are counseling on how to report crimes on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics.

The following numbers are provided to assist you in reporting incidents of crime. On-campus extensions are noted in **bold text**

Campus Safety & Emergency Management (Duty Officer)	802-387-6899
Resident Dean on Call	802-387-6781
Director of Campus Safety	802-387-1689
Vice President for Student Affairs	802-387-6713
Dean of Students	802-387-6362
Director of Residential Life	802-387-6411
Windham County Sheriff Department	911 or 802-365-4942
Vermont State Police (Westminster Barracks)	911 or 802-722-4600
Putney Fire Department	911 or 802-387-4372

## Timely Warnings

---

Landmark College, via the Student Affairs, Residential Life, or Campus Safety offices, will advise the community when it becomes aware of reports of “Clery-Act” crimes that are considered an ongoing or continuing threat to the immediate safety of the community.

The primary method of distribution for these timely warnings will be through broadcast e-mails and the College’s emergency alert system which uses texts, voice calls, e-mails and postings to web pages and social media sites.



Local law-enforcement agencies have been asked for their cooperation in informing the College about crimes reported to them that may warrant timely warnings.

In issuing these timely warnings, the College will withhold the names of victims.

## Access to Campus Facilities

---

Landmark College is a private institution of higher education. The grounds of the Landmark College campus and most facilities are accessible to the campus community, guests and visitors during posted hours of operation or for special performances and presentations. Exterior doors on campus buildings other than residence halls are locked and secured each evening. After-hours access to academic spaces is allowed to students who have established a specific need for access that has been confirmed by the appropriate faculty.

Public and student access to certain buildings and spaces on campus is restricted according to College policy. Administrative, academic, and other non-residential buildings are locked according to posted building and/or office hours. Specific access to academic facilities after regular business hours is granted for specific academic need and as guided by College policy.

The exterior doors of Frost, Aiken, Alumni, Stone, Davis and Chumley Halls are locked 24 hours a day. Each Landmark student identification card is embedded with a proximity reader for the access to these halls. Residents of the Bridges buildings are issued a key for access to the exterior door of their suite. Each student is issued one key to his/her individual room and is advised to lock their room doors.

Residential, Campus Safety, Facilities staff and other faculty/staff with work-related reasons to be in the residence halls are issued ID cards that allow access. Approved vendors and contractors may be provided with access cards to the exterior doors of Residence Halls. Other vendors and contractors that are not afforded card-access will be escorted by Campus Safety. Any resident who observes an individual who they feel does not belong within the residence hall is advised to call Campus Safety to report the individual.

Residential, Campus Safety, Facilities staff routinely inspect all campus facilities and address any safety deficiencies in a timely manner.

Guests of resident students must be signed in by the student host and should be accompanied by the student host at all times.

College officials reserve the right to verify the identity and purpose of visitors at any time. College officials also retain the authority to request any individual or group of individuals depart from campus at any time, for any reason.

When the College is closed, academic and administrative buildings are locked and only faculty, staff, and students with proper ID may be admitted.

Campus Safety Officers patrol campus facilities throughout the night.

## Maintenance and Security of Campus Facilities

---

The College maintains a safe level of exterior lighting on campus. College personnel routinely monitor lighting fixtures to ensure they are working properly. Members of the

campus community are encouraged to report any lighting deficiencies to Campus Safety or Residential Life.

Campus Safety Officers also routinely inspect access doors for proper operation and report problems when they occur.

Smoke and carbon monoxide detectors are installed in all residence halls and buildings and connected to a main fire safety system that is connected to local Mutual Aid. Fire alarm pull stations are located throughout the campus. Fire safety equipment (extinguishers, sprinklers, alarms, etc.) is inspected on a regular basis.

Emergency “Blue Light” exterior phones are located in four locations on the lower campus (by the library, in the parking lot in the FAB, in the Administration parking lot, and at Charles Drake Athletic Field).

Activating these lights will elicit a response from Campus Safety.

## Crime Prevention & Safety Procedures Education

---

Each year, new students receive crime prevention and fire safety information in a session that is part of the New Student Orientation process. One of the core values of Landmark College is Safety, and it is widely distributed that students and others should “Make choices that keep you and your peers health and safe. Be an active bystander: if you see something, say something.”

Residence Hall safety and crime prevention programs are presented on campus throughout the year. Residence Hall staff can initiate safety programs for their residents by contacting the Campus Safety office. Campus Safety staff conduct safety & security training sessions with the Residential Life staff as well as through their own efforts. These programs include awareness in the areas of alcohol & drug use, theft, fire safety, driving safety, and sexual assault, domestic violence, dating violence and stalking. Each semester, an all-campus Shelter-in-Place drill is conducted as is a test of the College’s emergency alert system.

Employees receive fire and emergency prevention and response tips and reminders through the use of the campus e-mail system, posters mounted in the classrooms, and departmental trainings. The Director of Campus Safety or selected officers will speak with any concerned individual or group about crime or fire prevention and safety concerns.

## Non-Campus Locations of Student Organizations

---

The College does not have any officially recognized student organizations with non-campus locations.

## Emergency Response & Evacuation

---

### Emergency Response

Landmark College maintains a Critical Incident Response Team and an Emergency Operations System. The President of Landmark College, or designee, has primary responsibility for deciding whether to declare the presence of a critical incident and to

activate the Critical Incident Response Team or the Emergency Operations Center.

Upon the activation of the CIRT or the EOC, the President, in consultation with the Public Information Officer and the Emergency Management Director will determine the appropriate content and audience for any broadcast notification. Under the President's authorization, the Public Information Officer (or designee) will initiate the College's notification system. If emergency information is required to the larger community, the College will issue those alerts through various means including, but not limited to, press releases and notices on the College's website.

Notifications will be distributed without delay unless the issuance of a notification will compromise efforts to assist a victim or otherwise contain or respond to or mitigate an emergency.

The primary method of distribution for these timely warnings will be through broadcast e-mails and the College's emergency alert system which uses texts, voice calls, e-mails and postings to web pages and social media sites.

The emergency alert system will be tested on an annual basis by the Student Affairs or Campus Safety Office. These may or may not be in conjunction with annual evacuation drills held in the residence halls and other campus buildings and may or may not be announced. Records of the emergency alert test will be maintained in the emergency alert system.

Local law and emergency services have been included in the drills and development of the Emergency Operation Center.

## Evacuation Drills

Landmark College conducts evacuation drills in the residence halls several times each year. The purpose of the drills is to prepare occupants for an organized evacuation in the event of an emergency. Similar drills in the administrative and classroom buildings are held on a regular schedule. During these evacuation drills occupants become familiar with the location of exits and the sights and sounds of the fire alarm system. Occupants learn where their "muster stations" are.

Shelter-in-place drills are conducted for the entire campus on an annual basis.

Evacuation and shelter-in-place drills provide the opportunity to make certain all related equipment is operating properly and that any necessary repairs are made promptly. Students receive instruction about evacuation and shelter-in-place drills at regular residence hall floor meetings and faculty & staff receive this information through campus communication systems.

Should a long term evacuation of the campus ever become necessary, the Landmark College Emergency Operations Center would coordinate evacuation efforts with local and state Emergency Management authorities.

Evacuation and shelter-in-place drills are monitored and evaluated by Department of Campus Safety and Residential Life staff. Summary reports are provided to the community at the conclusion of the drill period and include, among other information, a description of the exercise, the date and time of the exercise, and whether or not it was announced or unannounced.

## Missing Persons

---

Anyone who believes a resident student to be missing should report their concern to the Director or Assistant Director of Campus Safety, any Campus Safety officers, the Dean of Students or the Vice President for Student Affairs. While a report can be made at any time, a report must be made if it is believed a person has been missing for more than 24 hours. Every report made to campus officials will be investigated.

Depending upon the circumstances presented to College officials, families of a missing student may be notified. Family contact will occur within 24 hours of a student being determined as missing in all cases where a student is under the age of 18 and not emancipated from their family. In the event that family notification is necessary, the Vice President for Student Affairs, or designee, will place the call.

At the beginning of each academic year, Landmark requires all students to confirm or update the emergency-contact information maintained by the College. The form used in this process includes the option for students to provide confidential contact information for a person to be notified in the event that the student is officially reported as missing. This contact information may not be disclosed outside of the College except to law-enforcement personnel investigating the missing person. If this option is left blank, the College will consider the general emergency-contact number provided by the student as necessary to comply with this procedure.

### General Procedure

The Landmark College official receiving the report will collect and document the following information:

- The name and relationship of the person making the report;
- The date, time, and location the missing student was last seen;
- The general routine or habits of the suspected missing student (e.g., often visits friends who live off-campus, often returns home, any recent changes in behavior or demeanor, etc.)
- The missing student's cell phone number, if known by the reporter or if contained in the College's database.

The Landmark College official receiving the report will immediately inform the Vice President for Student Affairs and Campus Safety. The Vice President for Student Affairs will determine if the President and the chief Public Relations officer should be informed.

Upon notification from any person that a student may be missing, Landmark College officials may use any or all of the following resources to assist in locating the student:

- Call the student's room.
- Check the student's residence hall room.
- Talk to the student's RA, suite mate, and unit mates to see if anyone can confirm the missing student's whereabouts and/or confirm the date, time, and location the student was last seen.
- Obtain a report of ID card use and residence hall access.

- Secure a current student ID or other photo of the student.
- Call and text the student's cell phone and call any other telephone numbers on record.
- Send the student an email.
- Check all possible locations mentioned by the parties above including, but not limited to, the library, residence hall lounges, Student Center, etc.
- Contact or call any other on-campus or off-campus friends or contacts that are made known. This could include checking a student's social-networking sites such as Facebook, Twitter, etc.
- Ascertain the student's vehicle's make, model, and license plate number. Campus Safety will check Landmark College parking lots for the presence of the student's vehicle.

If the missing student is under the age of 18 years and not an emancipated individual, within 24 hours of the determination that the student is missing, the Vice President for Student Affairs must notify the student's custodial parent or guardian as identified in the College's records.

If the missing student is over the age of 18 years or an emancipated individual, within 24 hours of the determination that the student is missing, the Vice President for Student Affairs must notify the individuals found in the designated emergency contact information that is maintained by the College. If the emergency contact information is absent or unusable, the appropriate law enforcement agency will be informed.

The Vice President for Student Affairs may ask the Information Technology staff to provide electronic logs for the purpose of determining the last login, access, and use of the Landmark College IT network.

Landmark officials will report the information to the local law enforcement agencies within 24 hours of the determination that the student is missing. If, in the course of gathering the information described above, foul play is evident or strongly indicated, local law enforcement may be contacted immediately. If it is necessary to contact local law enforcement, the College will follow their procedures for managing this type of incident.

## Alcohol and Other Drugs Policy

---

Landmark College recognizes the problems associated with substance use and abuse and has a policy that addresses the following two areas:

- Students should be educated, informed, and at times, counseled in the areas of substance use and abuse, and supported when they choose to seek assistance regarding these issues.
- In order to help maintain a safe environment that is conducive to living and learning for all students, the College must hold students accountable for violations of the policy on the use of alcohol and other drugs.

Landmark provides a professionally trained counseling staff for students. Students with alcohol/drug-related problems are encouraged to seek the help of counselors on a voluntary basis to deal **confidentially** with those issues. (Counselors at Landmark College follow the

rules and regulations of confidentiality as defined and required by law). Health Services and Counseling staff are experienced in working with issues of substance abuse and can assist the student directly as well as provide information about off-campus assessment and/or treatment and a wide variety of support groups available in the local area.

While the College will hold students accountable for violations of the alcohol and other drug policies noted below, it is also committed to supporting any student who makes the responsible decision to address his or her substance use. Students should feel confident in knowing that Resident Deans, Advisors, Deans, Faculty and Staff will support any student who is struggling to address his or her substance use. This support may include referrals to counseling, educational programming or intervention plans on or off campus to assist a student in meeting his or her goals.

The College will generally address behavior relating to drugs and alcohol outlined below.

## Alcohol Policy

The College prohibits the possession, use, or distribution of alcohol on campus. The College recognizes that alcohol is a legal substance for some students but believes that a living and learning community such as ours operates best when all students are held to the same standard regarding alcohol. Therefore, the College prohibits the possession, use, or distribution of alcohol by any member of the community in the normal course of daily activity.

Requests for exceptions to this policy for the service of alcohol or its use in any setting must be approved by the President of the College in consultation with the Vice President for Student Affairs. Exceptions will generally be reserved for formal functions sponsored by the College. It is expected that exceptions granted will be infrequent.

The following behaviors regarding alcohol will be met with disciplinary action by the College.

- Possession, use, or distribution of alcohol on campus (regardless of age)
- Providing alcohol to students of minority age (under 21 years old)
- Being under the influence of alcohol on campus, to any extent, as a minor (under 21 years old)
- Being under the influence of alcohol and the cause of disruption to the campus community or otherwise drawing attention to oneself (regardless of age).

Students found to be in violation of the alcohol policy may be met with sanctions including a disciplinary status ranging from Disciplinary Warning to Expulsion from the College. Other sanctions may include, but not be limited to fines, referral for prosecution, required completion of appropriate rehabilitation programs, community service, educational programs or residential relocation.

The legal drinking age in Vermont is 21. In accordance with the laws of the State of Vermont, anyone under the age of 21 who purchases, possesses or procures alcohol or misrepresents his or her age or alters a form of identification with the intent to purchase alcohol may upon conviction be fined, sentenced to jail, or both. Violators of these laws are subject to criminal prosecution, and to disciplinary action by Landmark College.

For those of legal drinking age who choose to consume alcohol off campus, the College encourages moderate, responsible use for the safety of self and others.

## Alcohol Containers

Empty alcohol bottles, cans, bottle tops, and other containers are not allowed on campus, even for decorative purposes. The Resident Dean will confiscate containers, and students found in possession of the containers may be subject to disciplinary action.

### *Typical Sanctions for alcohol policy violations*

<i>First Violation</i>	<ul style="list-style-type: none"><li>• Disciplinary Warning to Probation</li><li>• Participation in an Alcohol Use Screening/Assessment</li><li>• \$75.00 fine</li><li>• 10 hours of community service</li><li>• Reflection Paper/Community Apology</li></ul>
<i>Second Violation (while on sanctions for a previous violation)</i>	<ul style="list-style-type: none"><li>• Disciplinary Probation to Suspension</li><li>• Participation in an Alcohol Use Screening/Assessment</li><li>• \$150.00 fine</li><li>• 20 hours of community service</li><li>• Reflection Paper/Community Apology</li><li>• Residential Relocation</li></ul>
<i>Third Violation (while on sanctions for a previous violation)</i>	<ul style="list-style-type: none"><li>• Deferred Suspension to Suspension</li><li>• Participation in an Alcohol Use Screening/Assessment (off-campus)</li><li>• \$250.00 fine</li><li>• 30 hours of community service</li><li>• Reflection Paper/Community Apology</li><li>• Residential Relocation</li></ul>

## Amnesty for Medical Intervention

In situations of extreme intoxication or other medical emergencies as a result of excessive drinking or the ingestion of other drugs, the primary concern of the College is the health and safety of the individual(s) involved. Seeking medical assistance for oneself or a fellow student demonstrates responsible student behavior. In these situations, students are expected to call for assistance (e.g. Resident Assistant, Resident Dean, Campus Safety, 911, etc.) when concerned for their own health or welfare, or that of another student.

If an individual seeks such medical attention, the Vice President for Student Affairs Office will not pursue disciplinary sanctions against the student needing medical intervention (or those students who assist in obtaining medical attention) for violations of the Alcohol or Drug policy.

In lieu of typical disciplinary sanctions, students falling under consideration of this policy will be required to meet with a member of the Vice President for Student Affairs staff who may issue educational requirements including (but not limited to) alcohol & drug education, counseling and/or a substance abuse assessment and family notification.



Serious or repeated incidents will prompt a higher degree of response. If a student received Medical Amnesty for a prior incident the availability of amnesty for a subsequent incident is at the discretion of the Vice President for Student Affairs or his/her designee.

This policy does not excuse or protect those who flagrantly violate the Student Code of Conduct and does not grant amnesty to possession with the intent to distribute drugs or other infractions that occur at the time of intoxication - including but not limited to physical or sexual assault, damage to property or other violent acts.

Landmark College expects students to abide by laws and College policies regarding alcohol possession and consumption and reminds students that the possession and use of alcohol and other illicit drugs on campus or the abuse of prescription medication is prohibited. For students who consume alcohol, it is imperative that they understand that moderation minimizes the risk of alcohol poisoning and alcohol-related injuries.

## Drug Policy

The College prohibits the possession, use, distribution, transportation or being under the influence of illicit drugs on campus. If a student is found on campus with illegal drugs, that student is liable for sanctions, ranging from probation to expulsion from the College. Other sanctions that may accompany disciplinary status include attending educational seminars, alcohol assessments, engaging in a substance free contract or community service.

The following are considered to be evidence of drug policy violations and sufficient grounds for full disciplinary action:

1. The actual presence, use, distribution or transportation of illicit drugs on campus.
2. The presence of smoke or odors, as in the case of marijuana.
3. Being under the influence of illicit drugs.
4. The actual presence, use, distribution or transportation of drug analogs, or legal substances with psycho-active properties on campus.

Landmark fully supports the federal and state statutes prohibiting the possession, use, and distribution of illicit drugs on or off campus. Violators of these laws are subject to criminal prosecution, and to disciplinary action by Landmark.

## Prescription Drugs

Students who are found to be sharing, selling, or trading prescription medications on campus, or abusing or misusing their own prescription medications on campus will be subject to sanctions ranging from Disciplinary Probation to suspension or expulsion from the College.

## Drug Paraphernalia

Drug paraphernalia, regardless of intended use, is not allowed on campus. 'Hookahs' are considered to be drug paraphernalia. Even though a Hookah may be used for non-drug related smoking of flavored tobacco, due to their frequent use in the smoking of other substances, the use of Hookahs anywhere on campus is prohibited.



When found, the Resident Deans and other college officials will confiscate the items, and students found to be in possession of drug paraphernalia will be subject to sanctions ranging from Disciplinary Probation to suspension or expulsion from the College.

## Distribution of Drugs

Distribution of illicit substances, substances with psycho-active properties and prescription medication is not limited to a cash exchange. Any student, who provides, shares, jointly purchases, or otherwise makes available any illegal drug to others on or off campus, in any amount, is in violation of this policy.

Additionally, and in lieu of direct evidence of distribution, the College reserves the right to consider the possession of large quantities of drugs, the possession of scales, or drugs packaged in multiple quantities, as apparent distribution and a violation of this policy.

## Driving Under the Influence of Alcohol or Other Illicit Drugs

The operation of a vehicle while under the influence of alcohol or other illicit substance poses a danger not only to the operator, but to passengers and other members of the community. It is for this reason that students who are found by the College to be driving while impaired by alcohol or other drugs will be subject to disciplinary action ranging from Deferred Suspension to Expulsion from the College.

### ***Typical Sanctions for drug policy violations; personal use of illicit substances & misuse of prescription medications.***

<p><i>First Violation</i></p>	<ul style="list-style-type: none"> <li>• Disciplinary Probation to Suspension</li> <li>• Participation in an Alcohol Use Screening/Assessment</li> <li>• \$150.00 fine</li> <li>• 25 hours of community service</li> <li>• Reflection Paper/Community Apology</li> <li>• Residential Relocation</li> </ul>
<p>Second Violation <i>(while on sanctions for a previous violation)</i></p>	<ul style="list-style-type: none"> <li>• Deferred Suspension to Suspension</li> <li>• Participation in an Alcohol Use Screening/Assessment</li> <li>• \$250.00 fine</li> <li>• 20 hours of community service</li> <li>• Reflection Paper/Community Apology</li> <li>• Residential Relocation</li> </ul>
<p>Third Violation</p>	<ul style="list-style-type: none"> <li>• Suspension from the College</li> </ul>

## ***Minimum Sanctions for drug policy violations; sharing or distributing any illicit substance or prescription medication***

<i>First Violation</i>	<ul style="list-style-type: none"><li>• Deferred Suspension to Expulsion</li><li>• Residential &amp; Campus Restrictions</li><li>• Participation in an Alcohol Use Screening/Assessment</li><li>• \$300.00 fine</li><li>• 30 hours of community service</li><li>• Reflection Paper/Community Apology</li></ul>
<i>Second Violation</i>	<ul style="list-style-type: none"><li>• Suspension to Expulsion from the College</li></ul>

## **Drug & Alcohol Abuse Education Programs**

In accordance with the Drug Free Schools and Campuses Act passed by Congress, Landmark College provides enrolled students, faculty and staff with various pieces of information regarding the unlawful use of drugs or alcohol on College property, including legal sanctions, health risks, available assistance and treatment avenues, as well as College-imposed disciplinary standards.

The full description of these programs can be found on the Student Handbook page of the College's website.

## **Sexual Harassment, Sexual Misconduct, Domestic Violence, Dating Violence and Stalking Policy & Procedures**

---

### **Notice of Nondiscrimination**

Landmark College does not discriminate on the basis of sex in its education programs and activities, and Title IX of the Education Amendments Act of 1972, as amended ("Title IX"), as well as applicable state law, requires that it not discriminate in such a manner. Prohibited sex discrimination includes sexual harassment and sexual misconduct as outlined in this policy. Inquiries concerning the application of Title IX may be referred to the College's Title IX coordinator (see below) or to the United States Department of Education Office for Civil Rights. The OCR Region I office's contact information is: Office for Civil Rights, Boston Office, U.S. Department of Education, 8th Floor, 5 Post Office Square, Boston, MA 02109-3921, Telephone: 617-289-0111, Facsimile: (617) 289-0150, Email: OCR.Boston@ed.gov).

### **Title IX Coordinator**

The Vice President for Student Affairs is the designated Title IX Coordinator for Landmark College, and is responsible for coordinating the College's efforts to comply with and carry out its responsibilities under Title IX. The Title IX Coordinator's core responsibilities include overseeing the school's response to Title IX reports and complaints and identifying and addressing any patterns or systemic problems revealed by such reports and complaints. To

accomplish this, subject to the exemption for confidential employees discussed below, the Title IX Coordinator must be informed of all reports and complaints raising Title IX issues, even if the report or complaint was initially filed with another individual or office or if the investigation will be conducted by another individual or office. The Title IX Coordinator is available to meet with students, employees or third parties regarding Title IX-related issues, such as issues related to the College's compliance with Title IX, response to Title IX reports or complaints, related grievance procedures, relevant patterns of conduct, or related education and prevention programs. The contact information for the Landmark College Title IX Coordinator is:

Michael Luciani, Vice President for Student Affairs  
Office of Student Affairs, Strauch Family Student Center  
Landmark College  
19 River Rd South  
Putney, Vermont 05346  
(802) 387-6713  
mluciani@landmark.edu

## General Definitions

The definitions of sexual assault, domestic violence, dating violence and stalking used in this policy are consistent with the Clery Act, as amended effective 2014.

In its primary prevention and awareness programs for incoming students and new employees, and its ongoing prevention and awareness programs for students and employees, Landmark College includes the definitions of sexual assault, the definition of consent in reference to sexual activity, and the definitions of domestic violence, dating violence and stalking that are used by Vermont criminal laws.

However, the College utilizes its own definitions of these prohibited behaviors for purposes of this policy that are consistent with the Clery Act, as amended effective 2014, and determines responsibility for violations of College policy through its own procedures and standards of proof (that is, by a preponderance of the evidence standard), not through the procedures or standards of proof employed in the criminal justice system.

The Vermont State definitions of dating violence, domestic violence, sexual assault and stalking can be found in the appendix at the end of this report.

### *Complainant*

For purposes of this policy, a complainant is usually a student, employee, or third party involved in some way in an academic, athletic, extracurricular or residential program of the College ("covered third party") who has allegedly been subjected to conduct in violation of this policy by a student or non-employee respondent. In some cases (such as, for example, cases in which a student, employee, or covered third party involved in an alleged incident of sexual harassment, sexual misconduct, domestic violence, dating violence or stalking does not wish to participate in the process but the College decides that the alleged misconduct needs to be investigated and addressed), the College may move forward with an investigation and/or related disciplinary proceedings. In such cases, the College may extend the full rights of a complainant as defined in this policy to affected parties as deemed appropriate by the College. For ease of reference and consistency, the term "complainant"

is used hereafter in this policy to refer to a person who believes that he or she has been subjected to sexual harassment, sexual misconduct, domestic violence, dating violence or stalking, or who is believed by another to have been subjected to such conduct.

### ***Respondent***

For purposes of this policy, a respondent is an individual (student, faculty, staff, or third party over whom the College has some form of jurisdiction) reported to have violated the College's Sexual Harassment, Sexual Misconduct, Domestic Violence, Dating Violence and Stalking Policy.

### ***Retaliation***

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

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

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

## **Sexual Harassment Policy**

### ***The Definition of Sexual Harassment***

It is against the policies of Landmark College, and may also be illegal under state and federal law, for any student or employee, male or female, to sexually harass another student, a College employee, or a covered third party. Landmark College is committed to providing a campus free from such conduct. Landmark encourages members of the College community and covered third parties to report unwelcome conduct of a sexual nature so that it can investigate reports appropriately through the procedures outlined below. If the College determines a respondent's conduct is sufficiently serious—that is, sufficiently severe or pervasive—to deny or limit a student's ability to participate in or benefit from the College's program based on sex and thereby creates a hostile environment, it will take prompt, appropriate and effective action to eliminate the hostile environment, prevent its recurrence, and address its effects. In the employment context, the College will take prompt, appropriate remedial action if it determines that a sexually hostile environment has

been created. The College may also choose to take remedial action in cases where conduct is deemed inappropriate, even if it does not rise to the level of sexual harassment as defined in this policy.

Sexual harassment is a form of sex discrimination and means unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

1. submission to that conduct is made either explicitly or implicitly as a term or condition of employment or educational status;
2. submission to or rejection of such conduct by an individual is used as a component or the basis for employment or educational decisions affecting that individual; or
3. the conduct has the purpose or effect of substantially interfering with an individual's work or academic performance or creating an intimidating, hostile, or offensive working, shared living, or educational environment.

Examples of sexual harassment include, but are not limited to the following, when such acts or behavior come within one of the above definitions:

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

Sexual harassment prohibited by this policy may occur regardless of the sex, sexual orientation or gender identity of any individual involved.

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

## Sexual Misconduct Policy

As an educational institution, Landmark College is committed to promoting, through educational and consciousness-raising activities (including the distribution of the following policy), a campus environment where sexual misconduct is recognized as wholly intolerable, and where victims of sexual misconduct are provided with avenues of support and redress as appropriate. In accordance with this commitment, the College has developed the following policy on sexual misconduct. Other educational and consciousness-raising activities are conducted by the College’s Student Affairs Office.

The College is committed to take action, and may be required to take action, if it learns of potential sexual misconduct, even if the person subjected to such misconduct does not wish to formally file a complaint.

The College prohibits a broad range of inappropriate sexualized activity through this sexual misconduct policy. The prohibitions of this policy apply regardless of the sex, sexual orientation or gender identity of any involved individual.

### *Sexual Assault*

Sexual violence is one type of prohibited sexual misconduct. Committing sexual assault upon another person, either male or female, is against the law and violates College policies. Sexual assault may be either rape, fondling without consent, incest, or statutory rape, as defined by the Clery Act and below.

- **Rape** is the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.
- **Fondling** is the touching of the private body parts of another person for the purpose of sexual gratification, without the consent (as defined below) of the victim, including instances where the victim is incapable of giving consent because of his/her temporary or permanent mental incapacity.
- **Incest** is sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law in the applicable jurisdiction.

- **Statutory rape** is sexual intercourse with a person who is under the statutory age of consent in the applicable jurisdiction. In the state of Vermont, the statutory age of consent is 16 years old.

For purposes of the College's Sexual Harassment, Sexual Misconduct, Domestic Violence, Dating Violence and Stalking Policy, **consent** is defined as follows:

- Consent is a voluntary agreement to engage in sexual activity, demonstrated by words or actions freely and actively given by each party, which a reasonable person would interpret as a willingness to participate in agreed-upon sexual conduct;
- Someone who is incapacitated cannot effectively consent (such as when a person is incapacitated by the use of drugs or alcohol, when a person is asleep or unconscious, or when a person has an intellectual or other disability that prevents the person from having the capacity to give consent);
- Past consent does not imply future consent;
- Silence or an absence of resistance does not imply consent;
- Consent to engage in sexual activity with one person does not imply to consent to engage in sexual activity with another;
- Consent can be withdrawn at any time; and
- Coercion, force or threat of either, or placing the other person in fear that any person will suffer imminent bodily injury, invalidates consent.

The College will use an objective standard when determining incapacitation-related questions; that is, a respondent will be found responsible for sexual assault when the College determines that the respondent knew, or reasonably should have known based on an objective standard, that the other person was unable to effectively give or withhold consent because they were incapacitated:

1. By the consumption of drugs, alcohol, or other intoxicants; or
2. Because the other person was subject to a physical or mental incapacity such as sleep or unconsciousness.

It is the responsibility of those who initiate and/or engage in sexual activity to be clear that informed, voluntary consent is given before proceeding with further sexual activity.

It should be noted that ignorance of the policy noted above, or the intoxication of the respondent, will not (particularly given the College's objective standard) be considered an excuse for violating this policy.

### ***Other Sexual Misconduct***

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

To understand how to file a complaint of sexual misconduct at Landmark College, please see the section below on Complaint Procedures for Sexual Harassment, Sexual Misconduct, Domestic Violence, Dating Violence and Stalking.



## *Other Policy Violations*

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

## College Policy on Domestic Violence, Dating Violence and Stalking

Landmark College prohibits conduct by students, faculty or staff that affects other students, faculty, staff or covered third parties, and that constitutes domestic violence, dating violence or stalking, as defined below. While this policy incorporates by reference definitions of domestic violence, dating violence and stalking used in the criminal law, the College determines responsibility for such conduct through its own procedures and standard of proof (that is, by a preponderance of the evidence), not through the procedures or standards of proof employed in the criminal justice system.

### *Domestic Violence*

Domestic violence is violence committed:

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

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

### *Dating Violence*

Dating violence is violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the person subjected to the violence. The existence of such a relationship shall be determined based on the reporting party's statement and with



consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

For the purposes of this definition, dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse, if involving individuals who are or have been dating as defined here.

Dating violence does not include acts covered under the definition of domestic violence stated above.

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

## **Stalking**

“Stalking” is defined as engaging in a course of conduct directed at a specific person that would cause a reasonable person to—

1. Fear for the person's safety or the safety of others; or
2. Suffer substantial emotional distress.

For the purposes of this definition—

1. **Course of conduct** means two or more acts, including, but not limited to, acts in which the alleged stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.
2. **Reasonable person** means a reasonable person under similar circumstances and with similar identities to the person subjected to the stalking.
3. **Substantial emotional distress** means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

Examples of stalking behaviors or activities include, but are not limited to the following, if they occur in the context of stalking as defined above:

1. Non-consensual communication, including face-to-face communication, telephone calls, voice messages, e-mails, text messages, written letters, gifts, or any other communications that are unwelcome.
2. Use of online, electronic or digital technologies in connection with such communication, including but not limited to:
  - a. Posting of pictures or text in chat rooms or on websites;
  - b. Sending unwanted/unsolicited e-mail or talk requests;
  - c. Posting private or public messages on Internet sites, social networks, and/or school bulletin boards;

- d. Installing spyware on a person's computer;
  - e. Using Global Positioning Systems (GPS) or similar technology to monitor a person.
3. Pursuing, following, waiting for, or showing up uninvited at or near a residence, workplace, classroom, or other places frequented by the person.
  4. Surveillance or other types of observation including staring or "voyeurism"
  5. Trespassing
  6. Vandalism
  7. Non-consensual touching
  8. Direct verbal or physical threats
  9. Gathering information about an individual from friends, family, or co-workers
  10. Accessing private information through unauthorized means
  11. Threats to harm self or others
  12. Defamation and/or lying to others about the person, or
  13. Using a third party or parties to accomplish any of the above.

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

## Reporting and Confidential Disclosures: Know the Options

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

### *Professional Counselors and Health Services Professionals as Confidential Resources*

At Landmark College, the professional counselors and health services staff respect and protect confidential communications with clients to the extent that they are able to do so under applicable law. This means that in most cases, these confidential resources will not inform anyone of such communications without a client's consent, and the College will not endeavor to take any action in response to such communications. These professionals may have the responsibility to disclose otherwise-privileged information appropriately when they perceive an immediate and/or serious threat to any person or property. In addition, medical and mental health professionals are required by law to report any allegation of sexual assault of a person under age 18.

Individuals who wish to talk about sexual harassment, sexual misconduct, domestic violence, dating violence or stalking-related issues confidentially, with the understanding that the College will not take any action based on such confidential communications, are encouraged to contact one of these confidential resources.

In accordance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, these confidential resources will not report Clery crimes they learn about through confidential communications for purposes of the College’s compilation of campus crime statistics.

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

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

Contact information for confidential resources is as follows:

Meg Spicer, Counselor & Sexual Respect Coordinator	(802) 387-6739
Jeff Huyett, Director of Health Services	(802) 387-6753
Liz Cooper, Staff Nurse	(802) 387-6302
Counseling Services	(802) 387-1636

### ***Reporting to “Responsible Employees”***

A “responsible employee” is a College employee who has the authority to address sexual harassment, sexual misconduct, domestic violence, dating violence or stalking, who has a duty to report related incidents to the Title IX Coordinator or other College officials, or who a student could reasonably believe has this authority or duty. Responsible employees are respectful of a complainant’s wishes to the extent appropriate and are discreet, but they are not able to guarantee confidentiality. General inquiries or questions about the Sexual Harassment, Sexual Misconduct, Domestic Violence, Dating Violence and Stalking Policy and procedures may remain private, and the College will strive to protect the privacy of individuals to the extent it can while maintaining its obligations to uphold relevant policies and regulations and/or to take reasonable steps to promote the safety of members of the College community. Otherwise, responsible employees will report relevant details (such as the name of the complainant and respondent, any witnesses, and other relevant facts, such as the date, time and specific location of the alleged incident) to the Title IX Coordinator or other College officials. The College will then investigate the report and take reasonable steps designed to prevent recurrence of the behavior.

If a complainant discloses an incident to a responsible employee but wishes to maintain confidentiality or requests that no investigation into a particular incident be conducted or disciplinary action taken, the College must weigh that request against the College’s

obligation to provide a safe, non-discriminatory environment for all students, faculty and staff. The Title IX Coordinator will in most cases determine whether the College needs to perform an investigation and/or take some other action in cases where a complainant would prefer complete confidentiality. If for some reason the Title IX Coordinator is not able or is not the appropriate person to make such a determination, the determination will be made by the Dean of Students or another appropriate person designated by the President.

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

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

## Community Assistance and Resources for Victims of Sexual Misconduct, Domestic Violence, Dating Violence and/or Stalking

The level of confidentiality that can be provided by confidential on-campus resources, and the obligations of non-confidential responsible employees, who are respectful but not necessarily confidential, are described immediately above.

### Confidential On-Campus Resources

Meg Spicer, Counselor & Sexual Respect Coordinator	(802) 387-6739
Jeff Huyett, Director of Health Services	(802) 387- 6753
Liz Cooper, Staff Nurse	(802) 387-6302
Counseling Services	(802) 387-1636

### Respectful but Not Necessarily Confidential On-Campus Resources

Resident Deans	
Resident Assistants	
Academic Advisors	
Campus Safety	(802) 387-6899
Sara Jane Muratori, Assistant Dean & Director Residential Life	(802) 387-6411
Kelly O’Ryan, Dean of Students	(802) 387-6362
Michael Luciani, Vice President for Student Affairs	(802) 387-6713

## Off-Campus Community Resources

Women's Freedom Center advocates@womensfreedomcenter.net	24 hour Hotline: (802) 254-6954 Business line: (802)-257-7364
Windham County Victim Advocate	(802) 579-1358
Brattleboro Memorial Hospital ER	(802) 257-8222
Brattleboro Health Center	(802) 258-3905
Windham County Sheriff	(802) 365-4942
Vermont State Police (Westminster Barracks)	(802) 722-4600

## Reporting and Grievance Procedures for Sexual Harassment, Sexual Misconduct, Domestic Violence, Dating Violence or Stalking Complaints

The reporting and grievance procedure outlined below applies to sexual harassment, sexual misconduct, domestic violence, dating violence and/or stalking complaints filed by students, staff, faculty or covered third parties against other students, staff or faculty, or third parties over whom the College has some measure of control. Even where the College does not appear to have a measure of control over a third party who is believed to have engaged in or who is believed to be engaging in such behavior, the College encourages reporting so that the College can at least refer the complainant to supportive resources and discuss reasonably available accommodations and procedures for obtaining protection orders.

Complaints of sex discrimination by College students, staff or faculty that do not involve alleged sexual harassment, sexual misconduct, domestic violence, dating violence or stalking as defined in this policy will be handled through the Vice President for Student Affairs Office (for students) and the Human Resource Office (for faculty & staff).

The procedures outlined below are designed to provide prompt, fair and impartial investigation and resolution of complaints of sexual harassment, sexual misconduct, and domestic violence, dating violence and stalking. The College will provide written notice to complainants and respondents of the information stated herein by providing a paper copy of the policies, procedures, and support resources to complainants and respondents.

If any person affected by the College's investigation or adjudication of a complaint of sexual harassment, sexual misconduct, domestic violence, dating violence or stalking is concerned that another person involved in the investigation or adjudication (such as, for example, an investigator or Conduct Board member) may be biased against him or her or has a conflict of interest, the person should inform the Vice President for Student Affairs Office, the Human Resources Office (in faculty/staff cases) or the Title IX Coordinator of that concern as soon as possible. The responsible official will consider the concern and inform the parties of his/her decision as to whether an alternate will be named.

Any student, faculty or staff member who wishes to report a complaint of or concern about sexual harassment, sexual misconduct, domestic violence, dating violence or stalking is encouraged to contact the Vice President for Student Affairs (Title IX Coordinator), College security personnel, the Dean of Students, Resident Deans, Academic Advisors, Counselors, College Administrators, and/or local law enforcement officials.

In addition to (or instead of) the College's processes, any student or employee who wishes to report a complaint of sexual misconduct, domestic violence, dating violence or stalking may and should also pursue criminal charges with local, state, or federal law enforcement agencies including the Windham County Sheriff's Department or Vermont State Police. The Office of the Vice President for Student Affairs (Title IX Coordinator), Office of Security, the Office of the Dean of Students, Human Resources Office and Counseling /Health Services Office will offer to, and will upon request, assist students or employees in contacting law enforcement agencies and other agencies for these purposes. This action may be taken regardless of whether an individual chooses to file a complaint with the College. For his or her own part, a complainant may choose to notify such agencies with or without assistance from the College, or may choose not to notify such authorities.

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

**Medical Care** - Whether or not you decide to pursue criminal charges or a complaint at the College, you 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.

**Preservation of Evidence** - Even if you are unsure initially whether you will want to pursue criminal charges or seek a protection order, it is important to preserve all possible evidence in case you decide at some point to do so. Therefore, you should refrain from changing clothes, showering or otherwise changing your physical state after an incident, until after you have consulted with medical personnel about how to best preserve evidence. You should also consult with College officials, law enforcement officers or health care professionals regarding your ability to have evidence collected by a Sexual Assault Nurse Examiner ("SANE"). You should also endeavor to preserve other evidence that may be relevant to a case of sexual harassment, sexual misconduct, domestic violence or dating violence or stalking, such as text messages, email messages, other electronically stored information, and other physical evidence. If you have questions about how to do this, you should consult with College officials.

**Accommodations** - If you report sexual harassment, sexual misconduct, domestic violence, dating violence or stalking to College authorities, College personnel will work with you to determine whether alternative academic, transportation, working and/or living situations are reasonably available and necessary in your particular case. You do not have to file a formal complaint, participate in a disciplinary process, or file a criminal complaint in order to ask for such help from the College. The College will maintain as confidential any accommodations or protective measures provided to you, to the extent that maintaining such confidentiality would not impair the ability of the College to provide these accommodations or protective measures.

Following a report of dating violence, domestic violence, sexual assault, or stalking, the College will provide the student or employee a written explanation of their rights and options.



## ***Informal Resolution of Student Sexual Harassment Complaints***

Students or covered third parties who believe they have been subjected to unwelcome conduct of a sexual nature and/or sexual harassment may seek informal resolution of the issues without filing a formal complaint by contacting the Vice President for Student Affairs. At the discretion of the Vice President for Student Affairs, the consideration of a complaint under this section may be assigned to his or her designees. Informal complaints may be oral or written. In many instances, informal discussion and counseling can be useful in resolving perceived or actual instances of sexual harassment. Problems are sometimes easier to resolve when an informal atmosphere encourages people to identify the difficulty, talk it out, and agree on how to deal with it. Informal complaint resolution does not involve disciplinary proceedings against the alleged harasser.

If requested by the complaining party, the Vice President for Student Affairs (or designee) will assist in attempting to resolve the complaint informally. Such assistance may involve, for example, advising the complainant with respect to communicating with the respondent about the cessation of the behavior. Alternatively, the complainant may ask the Vice President for Student Affairs to meet with the alleged harasser, or to explore other possible resolutions. The Vice President for Student Affairs may enlist the help of other College personnel, such as deans, administrators or Human Resources personnel, in resolving an informal complaint, but only with the written permission of the complaining student.

Use of the informal procedures set forth in this section is not a prerequisite to initiating a formal complaint. Students seeking informal resolution have the right to end the informal process at any time and begin the formal complaint process. This informal mediation process will not be used in cases involving alleged sexual misconduct, domestic violence, dating violence or stalking.

Informal complaints should be raised as soon as possible, because the more time that elapses between alleged incidents of sexual harassment and the filing of an informal complaint, the more difficult it may be to resolve the complaint successfully.

Resolution of the informal complaint process should be reached within forty-five (45) days of the report to the College, absent extenuating circumstances of which the parties will be informed.

## ***Filing a Formal Complaint of Sexual Harassment, Sexual Misconduct, Domestic Violence, Dating Violence or Stalking***

A student or covered third party may file a formal complaint of sexual harassment, sexual misconduct, domestic violence, dating violence or stalking by a student or a third party by contacting the Vice President for Student Affairs (or in the case of a complaint against the Vice President for Student Affairs, by contacting the President of the College, who will designate an alternate contact person). A student or employee may file a formal complaint of sexual harassment, sexual misconduct, domestic violence, dating violence or stalking by an employee or a third party by contacting the Vice President for Student Affairs (Title IX Coordinator), the Director of Human Resources (or in the case of a complaint against the Director of Human Resources, by contacting the President of the College, who will designate an alternate contact person). The Title IX Coordinator or designee will determine whether the Vice President for Student Affairs Office or the Human Resources Office will be the primary point of contact, and which office will conduct the investigation, depending on the nature of the case and his or her judgment as to which office is most appropriate.

After an initial discussion, the complainant will be asked to prepare (or describe to the Vice President for Student Affairs/Director of Human Resources or designee and sign) a written statement describing the complaint. The statement should include information such as the date and time of the alleged sexual harassment, sexual misconduct, domestic violence, dating violence or stalking, the name of the respondent, the circumstances of the alleged sexual harassment, sexual misconduct, domestic violence, dating violence or stalking, and the identity of any persons who may have knowledge or information regarding the circumstances.

The Dean/Director (or designee) will inform the respondent of the allegations, and in the absence of extraordinary circumstances, will give the respondent a copy of the written statement and any summary prepared in connection with the process. The respondent may submit a written response to the Dean/Director.

Respondents will be notified that taking any retaliatory action (directly or through others) which affects the learning, shared living, or working environment of any person involved in the investigation is prohibited by law and will also be considered a separate violation of College policy.

### ***Investigation***

The investigating office will conduct an appropriate investigation which may include interviews with the complainant, respondent, and other persons with information. Individuals conducting investigations and proceedings will receive training annually on the issues related to sexual harassment, sexual misconduct, domestic violence, dating violence and stalking, and how to conduct an investigation and/or hearing process that protects the safety of complainants and promotes accountability.

In a case where a criminal investigation or criminal proceeding may be underway for the same complaint, the College may choose to delay its investigation for a reasonably short period while police are gathering evidence. During this period, the College reserves the right to take interim measures to promote the safety and well-being of the complainant and the College community while the law enforcement agency's fact-gathering is in progress and thereafter. The College, after a reasonable period and communication with law enforcement, will initiate or resume, and complete its own investigation.

If the complaint is not resolved by investigation, the Vice President for Student Affairs/Director of Human Resources (or designee) may recommend the convening of a College Conduct Board Hearing to consider the complaint.

The College will endeavor to complete its investigation and hearing process within sixty (60) days of the initial report to the College, absent extenuating circumstances (such as delays occasioned by College breaks). The College will keep the parties informed regarding the need for any extensions of this period.

### ***Conduct Board Hearings in Cases Involving Student Respondents***

A student who is alleged to have violated the College's Sexual Harassment, Sexual Misconduct, Domestic Violence, Dating Violence and/or Stalking Policy may be required to appear at a College Conduct Board Hearing. The Vice President for Student Affairs, at his or her discretion, may modify these procedures as appropriate, including any time periods within which procedures should occur. Students found to have violated the College's sexual harassment, sexual misconduct, domestic violence, dating violence or stalking policy could



be subject to the following disciplinary sanctions:

- educational requirements;
- formal disciplinary status;
- restrictions on on-campus activities;
- residential restrictions;
- expulsion from campus housing;
- suspension or expulsion from the College.

A College Conduct Board Hearing is convened by the Vice President for Student Affairs or his/her designee. Members of the Board may include the Director of Judicial Affairs, Faculty, Residential Life staff, and College staff. The charge of the Conduct Board is to determine if a violation of the College's Sexual Harassment, Sexual Misconduct, Domestic Violence, Dating Violence or Stalking Policy has occurred, and to recommend sanctions for students found in violation of these policies or standards to the Vice President for Student Affairs, who holds final approval of all Conduct Board recommendations.

Throughout the College's investigation and Conduct Board Hearing both the complainant and respondent will have equal opportunity to:

1. Present relevant material witnesses and other evidence.
2. Be afforded similar and timely access to any information that will be used at the hearing.
3. Attend an informational pre-hearing meeting to review the Conduct Board procedures and information submitted to the College.
4. Request a College Counselor, Academic Advisor or other College Official to be present in the hearing to provide individual support, help facilitate the student's understanding of the Conduct Board hearing process, and to assist the student in communicating his or her position. These support persons do not take part in College Conduct Board deliberations or decisions.
5. Have an advisor of their choice present at the hearing and any related meetings (such advisors may advise the complainant or respondent privately, but cannot act as speaking advocates at a hearing or meeting or otherwise address an investigator or board).
6. Ask questions during the hearing through the chair of the board (direct cross-examination of the complainant or respondent by the other party or his/her advisor will not be permitted).
7. Be separated by physical barriers or the use of technology from direct, in-person contact with the other party while participating in the hearing.
8. Access support resources on campus.

Failure of a respondent to cooperate in a College Conduct Board hearing may result in suspension or other sanction, and will not prevent the College from moving forward with its disciplinary process.

### ***Standard of Proof***

Like Landmark College's student disciplinary system in general, the process to address complaints of sexual harassment, sexual misconduct, domestic violence, dating violence or stalking uses the standard of proof of "a preponderance of the evidence" or "more likely than not". This means that for a finding of responsibility to be made, an administrative

hearing officer or conduct board must conclude that there is more than a 50% likelihood that actions or behavior in violation of the policy at issue did occur.

### ***Disposition Without A Conduct Board/Dean's Sanction***

In cases where the facts are not in dispute, and a student respondent is prepared to accept responsibility for his/her actions, the College may offer the option of Disposition Without a Conduct Board, also called a Dean's Sanction. For a full description of this process, please see the policy under "formal Disciplinary Procedures".

### ***Notice of Outcome***

Following the hearing, the College will report its decision to the complainant and the respondent simultaneously and as soon as practicable, usually within one week of the hearing. The College will state in writing the findings which support its decision as to whether or not a policy violation occurred. A decision that a policy violation occurred may include recommendations for specific actions to be taken as a result of the decision. Any official record will be kept on file at the Student Affairs Office. If there is no appeal or review, the written recommendations will be implemented.

### ***Appeal Procedure for Sexual Harassment, Sexual Misconduct, Domestic Violence, Dating Violence or Stalking Decisions***

Within seven (7) calendar days of the College Conduct Board's written decision, the complainant or respondent may appeal the decision as to responsibility and/or the sanction to the President of the College (or designee) by delivering a written statement of appeal to the President and to the other party. The other party may be notified of any submitted appeal through the Vice President for Student Affairs or his or her designee. The other party may submit a written response to the appeal to the President within 5 working days of delivery of the statement of appeal. Both parties will be informed of any change to the results of a disciplinary process that occurs prior to the time that such results become final, and when such results become final. The decision of the President is final.

### ***Disciplinary Procedure for Cases Involving Employee Respondents and Others***

Disciplinary procedures for employees charged with violating the College's Sexual Harassment, Sexual Misconduct, Domestic Violence, Dating Violence and Stalking Policy are available from the Human Resources website. While the disciplinary procedures for dealing with such cases vary somewhat from those for cases involving student respondents, student and employee complainants will in all cases be provided the procedural and substantive rights described above, with variations as necessary given the context.

## **Educational Programming and Campaigns**

The College will provide educational programming for students and employees addressing the issues of domestic violence, dating violence, sexual violence and stalking. These programs will occur during new student orientation, student leadership trainings, and during ongoing programs throughout the year in the residence halls and on campus. This includes active programming as well as passive programming (poster series, flyers,

informational bulletins). The content of this programming will include:

1. Primary prevention and awareness programs for all incoming students and new employees that includes the College's official statements prohibiting crimes of dating violence, domestic violence, sexual assault, and stalking. These programs include the definitions of these crimes that are also outlined in this report and the College's policy in the Student Handbook.
2. Safe and positive options for bystander intervention. The College systematically provides bystander intervention training for all student leaders (Resident Assistants and Orientation Leaders) all new students, and other student groups.
3. Information on risk reduction to recognize warning signs of abusive behavior; and
4. Ongoing prevention and awareness programs and trauma-informed trainings for students, faculty and staff who have responsibility for working with students.
5. Ongoing programming and campaigns that promote the College's core values or Respect, Understanding, Safety & Honesty.
6. New employees are provided with written materials and required to attend an in-person training (that is open to all faculty & staff) in their first semester.
7. Ongoing prevention and awareness campaigns for all current students and employees including posters, flyers, programming events, discussion groups and informational campaigns that inform about policy, support on and off campus and encourage reporting.

Educational programs will be informed, relevant and inclusive of the diverse communities and identities that make up our campus community, including gender identity, sex, culture, neurodiversity, and culture.

## Disclosure of Results of Disciplinary Proceedings

---

Upon written request, the College will disclose the results of any disciplinary proceeding conducted by the institution against a student who is the alleged perpetrator of any crime of violence or a non-forcible sex offense to the alleged victim or the next of kin (if the victim is deceased).

## Campus Sex Crimes Prevention Act (Sex Offender Registry)

---

The Campus Sex Crimes Prevention Act requires sex offenders, who must register under state law, to provide notice of enrollment or employment at any institution of higher education (IHE) in that state where the offender resides, as well as notice of each change of enrollment or employment status at the IHE. In turn, this information will be made available by the state authorities to the local law enforcement agency that has jurisdiction where the IHE is located.

The College is not required to request this data from the state, but individuals may find information concerning registered sex offenders in the State of Vermont at this address:

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

## Crime Statistics

---

The Department of Campus Safety, under direction of the Director, or his or her designee, gathers and compiles the Department's crime statistics. In addition to the crimes reported to the Department, the Director will solicit information from the Office of Student Affairs. Statistics for crimes that occur off campus are maintained by the Law Enforcement Agency involved.

### Definitions of Reportable Crimes

The following definitions are to be used for reporting the crimes listed in 34 CFR sec. 668.46 (previously 668.47) in accordance with the Federal Bureau of Investigation's Uniform Crime Reporting Program. The definitions for murder, robbery, aggravated assault, burglary, motor vehicle theft, weapon law violations, drug abuse violations, and liquor law violations are excerpted from the Uniform Crime Reporting Handbook. The definitions of forcible and non-forcible sex offenses are excerpted from the National Incident-Based Reporting System Edition of the Uniform Crime Reporting Handbook. Source: Federal Register, April 29, 1994, Vol. 59, No. 82; Federal Register, November 1, 1999, Vol. 64, No. 210.

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

**Manslaughter by Negligence:** Any death caused by gross negligence of another.

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

- **Rape** is the penetration, no matter how slight, of the vagina or anus, with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. This offence includes the rape of both male and females.
- **Fondling** is the touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or his/her temporary or permanent mental incapacity.
- **Incest** is sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- **Statutory rape** is sexual intercourse with a person who is under the statutory age of consent.

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

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

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

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

**Weapon Law Violations:** The violation of laws or ordinances dealing with weapon offenses, regulatory in nature, such as: manufacture, sale, or possession of deadly weapons; carrying deadly weapons, concealed or openly; furnishing deadly weapons to minors; aliens possessing deadly weapons; and all attempts to commit any of the aforementioned.

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

**Domestic Violence:** Felony or misdemeanor crimes of violence committed by a current or former spouse 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, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction 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 jurisdiction.

**Dating Violence:** Violence committed by a person—

1. who is or has been in a social relationship of a romantic or intimate nature with the victim; and
2. where the existence of such a relationship shall be determined based on a consideration of the following factors:
  - a. the length of the relationship
  - b. the type of relationship
  - c. the frequency of interaction between the persons involved in the relationship”

**Stalking:** Engaging in a course of conduct directed at a specific person that would cause a reasonable person to—

1. fear for his or her safety or the safety of others; or
2. suffer substantial emotional distress

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

**Liquor Law Violations:** The violation of laws or ordinances prohibiting: the manufacture, sale, transporting, furnishing, possessing of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to a minor or intemperate

person; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; and all attempts to commit any of the aforementioned. (Drunkenness and driving under the influence are not included in this definition.)

**Hate Crime:** Criminal offence that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim.



## Crime Statistics Report – Calendar Years 2016-2018

		2018	2017	2016
<b>MURDER – NON-NEGLIGENT MANSLAUGHTER</b>				
	ON CAMPUS TOTAL	0	0	0
	RESIDENTIAL FACILITIES	0	0	0
	NON-CAMPUS	0	0	0
	PUBLIC PROPERTY	0	0	0
<b>MANSLAUGHTER BY NEGLIGENCE</b>				
	ON CAMPUS TOTAL	0	0	0
	RESIDENTIAL FACILITIES	0	0	0
	NON-CAMPUS	0	0	0
	PUBLIC PROPERTY	0	0	0
<b>RAPE</b>				
	ON CAMPUS TOTAL	2	1	3
	RESIDENTIAL FACILITIES	2	1	3
	NON-CAMPUS	0	0	0
	PUBLIC PROPERTY	0	0	0
<b>FONDLING</b>				
	ON CAMPUS TOTAL	3	3	2
	RESIDENTIAL FACILITIES	3	3	2
	NON-CAMPUS	0	0	0
	PUBLIC PROPERTY	0	0	0
<b>INCEST</b>				
	ON CAMPUS TOTAL	0	0	0
	RESIDENTIAL FACILITIES	0	0	0
	NON-CAMPUS	0	0	0
	PUBLIC PROPERTY	0	0	0
<b>STATUTORY RAPE</b>				
	ON CAMPUS TOTAL	0	0	0
	RESIDENTIAL FACILITIES	0	0	0
	NON-CAMPUS	0	0	0
	PUBLIC PROPERTY	0	0	0
<b>ROBBERY</b>				
	ON CAMPUS TOTAL	0	0	0
	RESIDENTIAL FACILITIES	0	0	0
	NON-CAMPUS	0	0	0
	PUBLIC PROPERTY	0	0	0
<b>AGGAVATED ASSAULT</b>				
	ON CAMPUS TOTAL	0	0	0
	RESIDENTIAL FACILITIES	0	0	0
	NON-CAMPUS	0	0	0
	PUBLIC PROPERTY	0	0	0
<b>BURGLARY</b>				
	ON CAMPUS TOTAL	0	0	4
	RESIDENTIAL FACILITIES	0	0	3
	NON-CAMPUS	0	0	0
	PUBLIC PROPERTY	0	0	1
<b>MOTOR VEHICLE THEFT</b>				
	ON CAMPUS TOTAL	0	0	0
	RESIDENTIAL FACILITIES	0	0	0
	NON-CAMPUS	0	0	0
	PUBLIC PROPERTY	0	0	0



## Crime Statistics Report – Calendar Years 2016-2018

		2018	2017	2016
<b>ARSON</b>				
	ON CAMPUS TOTAL	0	0	0
	RESIDENTIAL FACILITIES	0	0	0
	NON-CAMPUS	0	0	0
	PUBLIC PROPERTY	0	0	0
<b>LIQUOR LAW ARREST</b>				
	ON CAMPUS TOTAL	0	0	0
	RESIDENTIAL FACILITIES	0	0	0
	NON-CAMPUS	0	0	0
	PUBLIC PROPERTY	0	0	0
<b>LIQUOR LAW REFERRAL</b>				
	ON CAMPUS TOTAL	17	28	38
	RESIDENTIAL FACILITIES	9	28	26
	NON-CAMPUS	0	0	0
	PUBLIC PROPERTY	8	0	12
<b>DRUG LAW ARREST</b>				
	ON CAMPUS TOTAL	1	0	0
	RESIDENTIAL FACILITIES	0	0	0
	NON-CAMPUS	0	0	0
	PUBLIC PROPERTY	1	0	0
<b>DRUG LAW REFERRAL</b> * Vermont decriminalized possession of small amounts of marijuana				
	ON CAMPUS TOTAL	2	11	0
	RESIDENTIAL FACILITIES	1	11	0
	NON-CAMPUS	0	0	0
	PUBLIC PROPERTY	1	0	0
<b>ILLEGAL WEAPONS POSSESSION ARREST</b>				
	ON CAMPUS TOTAL	0	0	0
	RESIDENTIAL FACILITIES	0	0	0
	NON-CAMPUS	0	0	0
	PUBLIC PROPERTY	0	0	0
<b>ILLEGAL WEAPONS POSSESSION REFERRAL</b>				
	ON CAMPUS TOTAL	0	0	2
	RESIDENTIAL FACILITIES	0	0	0
	NON-CAMPUS	0	0	2
	PUBLIC PROPERTY	0	0	0
<b>DOMESTIC VIOLENCE</b>				
	ON CAMPUS TOTAL	0	0	0
	RESIDENTIAL FACILITIES	0	0	0
	NON-CAMPUS	0	0	0
	PUBLIC PROPERTY	0	0	0
<b>DATING VIOLENCE</b>				
	ON CAMPUS TOTAL	0	0	0
	RESIDENTIAL FACILITIES	0	0	0
	NON-CAMPUS	0	0	0
	PUBLIC PROPERTY	0	0	0
<b>STALKING</b>				
	ON CAMPUS TOTAL	1	0	1
	RESIDENTIAL FACILITIES	0	0	1
	NON-CAMPUS	0	0	0
	PUBLIC PROPERTY	0	0	0

## Clery Bias Crime Statistics – Calendar Years 2016-2018

REPORTABLE OFFENSES	RACE			GENDER			RELIGION			SEXUALITY			ETHNICITY			DISABILITY			GENDER IDENTITY			NATIONAL ORIGIN			
	2018	2017	2016	2018	2017	2016	2018	2017	2016	2018	2017	2016	2018	2017	2016	2018	2017	2016	2018	2017	2016	2018	2017	2016	
MURDER/NON-NEGLIGENT MANSLAUGHTER																									
ON CAMPUS	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
NON-CAMPUS	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
PUBLIC PROPERTY	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
MANSLAUGHTER BY NEGLIGENCE																									
ON CAMPUS	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
NON-CAMPUS	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
PUBLIC PROPERTY	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
RAPE																									
ON CAMPUS	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
NON-CAMPUS	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
PUBLIC PROPERTY	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
FONDLING																									
ON CAMPUS	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
NON-CAMPUS	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
PUBLIC PROPERTY	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
INCEST																									
ON CAMPUS	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
NON-CAMPUS	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
PUBLIC PROPERTY	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
STATUTORY RAPE																									
ON CAMPUS	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
NON-CAMPUS	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
PUBLIC PROPERTY	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
ROBBERY																									
ON CAMPUS	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
NON-CAMPUS	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
PUBLIC PROPERTY	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
AGGRAVATED ASSAULT																									
ON CAMPUS	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
NON-CAMPUS	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
PUBLIC PROPERTY	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
BURGLARY																									
ON CAMPUS	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
NON-CAMPUS	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
PUBLIC PROPERTY	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

## Clery Bias Crime Statistics – Calendar Years 2016-2018

REPORTABLE OFFENSES	RACE			GENDER			RELIGION			SEXUALITY			ETHNICITY			DISABILITY			GENDER IDENTITY			NATIONAL ORIGIN			
	2018	2017	2016	2018	2017	2016	2018	2017	2016	2018	2017	2016	2018	2017	2016	2018	2017	2016	2018	2017	2016	2018	2017	2016	
MOTOR VEHICLE THEFT																									
ON CAMPUS	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
NON-CAMPUS	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
PUBLIC PROPERTY	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
ARSON																									
ON CAMPUS	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
NON-CAMPUS	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
PUBLIC PROPERTY	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
SIMPLE ASSAULT																									
ON CAMPUS	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
NON-CAMPUS	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
PUBLIC PROPERTY	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
INTIMIDATION																									
ON CAMPUS	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
NON-CAMPUS	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
PUBLIC PROPERTY	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
LARCENY-THEFT																									
ON CAMPUS	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
NON-CAMPUS	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
PUBLIC PROPERTY	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
DESTRUCTION/DAMAGE/ VANDALISM OF PROPERTY (except arson)																									
ON CAMPUS	2	0	0	0	0	0	1	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0
NON-CAMPUS	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
PUBLIC PROPERTY	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
ANY OTHER CRIME INVOLVING BODILY INJURY																									
ON CAMPUS	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
NON-CAMPUS	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
PUBLIC PROPERTY	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
DOMESTIC VIOLENCE																									
ON CAMPUS	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
NON-CAMPUS	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
PUBLIC PROPERTY	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
DATING VIOLENCE																									
ON CAMPUS	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
NON-CAMPUS	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
PUBLIC PROPERTY	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
STALKING																									
ON CAMPUS	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
NON-CAMPUS	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
PUBLIC PROPERTY	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

## Location and Geography Definitions

---

**On Campus:** Property within a reasonably contiguous area owned or controlled by the institution.

**Residence Facilities:** On-campus student housing owned or controlled by the institution.

**Off Campus or Non-Campus:** Property controlled by student organizations recognized by the institution, or property owned or controlled by the institution used by students for educational purposes that is not contiguous to the campus.

**Public Property:** Sidewalks, streets, parking lots, or thoroughfares within the contiguous area of the institution or adjacent.

## Fire Regulations

---

Compliance with fire regulations is a necessity in the residence halls. Sprinklers, smoke and heat detectors are only a part of fire safety. While the residence halls are as fireproof as it is possible to make them, each room may contain combustible personal items, which make the following rules necessary.

### Fire Drills and Fire Alarms

Fire drills are performed within the first two weeks of the semester during the fall and spring semesters for each residential building on campus. During the summer sessions, the students are informed of the fire alarm system and where to go when the alarm system sounds. There are no formal fire drills conducted in the academic and business buildings on campus.

At the sound of a fire alarm, all occupants of a building are required to evacuate the building and remain at the designated meeting location until given explicit permission to return to the building by a College or Fire Safety official. The meeting points for the residential halls is predetermined by the Resident Dean and relayed to the students of that building during hall meetings. The classroom evacuation points are listed in the Critical Incident Management Plan based on the location of the building and location of the event.

Community members who do not comply with fire-drill instructions will be subject to disciplinary action up to and including fines.

NOTE: All student rooms will have an evacuation route posted in each room. Students should become familiar with the main and secondary routes.

Whenever the fire alarm sounds:

- DO NOT PANIC.
- Shut your window.
- Close your door as you leave.
- Bring a towel to cover your mouth and nose to protect yourself from smoke inhalation.
- Do not take personal items with you. Items will hinder you from exiting quickly.
- Move quickly and carefully in the hallway.

- Do not try to escape through any area full of smoke or fire — use an alternate exit.
- Stay low to the ground or crawl to the nearest exit when there is any smoke in the air.
- Move to the designated meeting point for your building during a fire alarm.
- Listen for directions from staff or emergency personnel.
- Do not try to go back into the building for any reason until instructed by a College or Fire Department official.

## Fire Safety Training

Fire safety education programming is provided to the student body during the fire drill process and as requested during the semester by the Resident Deans, Resident Assistant or local Fire Department. Training for the employees of the college will occur during departmental emergency response trainings.

During the calendar year, the College will hold, at a minimum, two fire drills for each residential unit. In the 2017 calendar year, each residence hall held a drill in the fall and spring semester.

## Prohibited Items

1. Electrical appliances, including but not limited to halogen lamps, hot plates, toasters, immersion coils, “George Foreman” type grills, toaster ovens, electric blankets, space heaters, sun lamps, and power tools are not permitted.
2. Candles, camp stoves, lanterns, hurricane lamps, incense, or any other items with open flames are not permitted.
3. Fireworks, explosives, volatile liquids, and fuel are not permitted.
4. Posters, pictures, and other combustible wall decorations that are not placed flat against the wall or block or hinder entryways are not permitted. Combustible materials may not cover more than 20% of each wall.
5. Ceilings may not be decorated with fabric, posters, fishnet, or other combustible material that might ignite.
6. Wooden constructions (lofts, overstuffed chairs, etc.) unless they are approved by the Resident Dean, Campus Safety, or the Facilities personnel, are not permitted.
7. Room contents must not obstruct doors, passageways, or corridors. Tapestries may not be hung from the ceiling or across closet openings.
8. Extension cords and multi-plug outlets are not allowed unless they have manufactured surge protection devices and UL approved.
9. Hallway doors may not be propped open. Doors may only be held open by magnetic door holders that are connected to the fire alarm system.
10. Gas or charcoal grills are not allowed within 25 feet of the Bridges buildings.

## Fire Detection and Prevention Systems

### *Carbon Monoxide Detection*

All residential housing buildings are monitored with carbon monoxide detectors. Aiken Hall detectors are monitored by the building's fire detection and alarm system. The remaining units are single mount detectors.

### *Frost Hall, Aiken Hall, Stone Hall, Davis Hall and the Bridges*

These seven buildings are equipped with a full detection system that is monitored by a central station monitoring system. The buildings have a full wet-sprinkler system and portable fire extinguishers at the exit doors of the building.

### *Alumni Hall*

Alumni Hall is equipped with a full detection system that is monitored by a central station monitoring system. The building has a partial wet-sprinkler system that covers the Dining Hall, commercial kitchen, and boiler room. There are portable fire extinguishers at the exit doors of the building.

### *Chumley A and Chumley B*

Both Chumley A and B are equipped with a full detection system that is monitored by a central station monitoring system. The buildings have no sprinkler system in place. There are portable fire extinguishers at the exit doors of each building.

## Fire Evacuation Plans & Placards

Each residence hall room is equipped with a wall-mounted placard that provides a graphic representation of the residential floor, the location of the current room of occupancy, and the available evaluation routes in case of a fire.

## Tampering or Damaging Fire Safety Equipment

Fire alarms, fire sprinklers, and fire extinguishers are critical for safety and must not be tampered with. Students who pull false alarms and/or tamper with fire-safety equipment will be subject to fines and disciplinary action up to and including suspension or expulsion, fines from the Putney Fire Department, and may be subject to criminal charges. Students should not hang items from, cover, or otherwise obstruct the effective use of any fire notification or suppression equipment (smoke detectors, sprinklers, etc.).

## Fire Setting

Lighting a fire without authorization, intentionally or unintentionally, on College property, or setting fires with the intention of destroying property is strictly prohibited and in some cases may be considered illegal. Students who are responsible for fire setting will be subject to fines and disciplinary action up to and including suspension or expulsion, fines from the Putney Fire Department, and may be subject to criminal charges.

## Reporting a Fire

All residence halls are directly connected to the Keene Mutual Aid Dispatch Center, which dispatches the Putney Fire Department. In the case of a fire, an individual should:

- i. Pull the nearest fire alarm and then exit the building.
- ii. Contact 9-1-1
- iii. Notify a Resident Dean, Resident Assistant, or Campus Safety personnel as to where the fire is located.
- iv. Remain available to inform the Putney Fire Department or College staff, as they may need information.

## Daily Crime-Fire Log

The Landmark College Department of Safety maintains a daily log of events. The log outlines the activities of the Officer while on duty. The log will include date, time, nature, and location of a crime when it is reported to or discovered by the Officer and the outcome of the event. The responding Officer will complete a full Incident Report on all crimes, fire, policy violations, and incidents. The daily crime-fire log will be available within 48 hours to those individuals wishing to review.

### Fire Right-To-Know Statistics -2016

LOCATION	Date	Cause	Deaths Resultin	Injuries w/ Medical Treatment	Value of Property Damage
Aiken Hall	None		0	0	0
Bridge One	None		0	0	0
Bridge Two	None		0	0	0
Bridge Three	None		0	0	0
Bridge Four	None		0	0	0
Bridge Five	None		0	0	0
Chumley A	None		0	0	0
Chumley B	None		0	0	0
Davis Hall	None		0	0	0
Frost Hall	None		0	0	0
Stone Hall	None		0	0	0
Alumni Hall	None		0	0	0

### Fire Right-To-Know Statistics -2017

LOCATION	Date	Cause	Deaths Resulting	Injuries w/ Medical Treatment	Value of Property Damage
Aiken Hall	None		0	0	0
Bridge One	10/18/17	Burnt food	0	0	0
Bridge Two	None		0	0	0
Bridge Three	11/3/17	Burnt food	0	0	0
Bridge Four	None		0	0	0
Bridge Five	None		0	0	0
Chumley A	None		0	0	0
Chumley B	10/22/17	Burnt food	0	0	0
Davis Hall	None		0	0	0
Frost Hall	None		0	0	0
Stone Hall	None		0	0	0
Alumni Hall	None		0	0	0

### Fire Right-To-Know Statistics -2018

LOCATION	Date	Cause	Deaths Resultin	Injuries w/ Medical Treatment	Value of Property Damage
Aiken Hall	None		0	0	0
Bridge One	9/27/18	Vaping	0	0	0
Bridge One	10/1/18	Burnt Food	0	0	0
Bridge One	10/25/18	Hair straightener cord	0	0	0
Bridge Two	4/5/18	Vaping	0	0	0
Bridge Two	6/25/18	Burnt Food	0	0	0
Bridge Two	9/13/18	Burnt Food	0	0	0
Bridge Three	11/27/18	Vaping	0	0	0
Bridge Four	12/6/18	Burnt Food	0	0	0
Bridge Five	1/29/18	Burnt Food	0	0	0
Bridge Five	2/24/18	Burnt Food	0	0	0
Chumley A	None		0	0	0
Chumley B	10/12/18	Burnt Food	0	0	0
Davis Hall	None		0	0	0
Frost Hall	None		0	0	0
Stone Hall	None		0	0	0
Alumni Hall	None		0	0	0



## Appendix A: Vermont Definitions Of Domestic Violence, Dating Violence, Sexual Assault, Stalking, And Consent With Regard To Sexual Activity.

---

### Domestic Violence:

Domestic Violence: Domestic assault is attempting to cause or to willfully or recklessly cause bodily injury to a family or household member or to willfully cause a family or household member to fear imminent serious bodily injury.

“Household members” are those persons who, for any period of time, are living or have lived together, are sharing or have shared occupancy of a dwelling, are engaged in or have engaged in a sexual relationship, or minors or adults who are dating or have dated.

Note: In the residential college setting, “domestic violence” can be defined by college policy to not cover violence between roommates or others in a residence hall. Landmark excludes roommates and dorm-mates from domestic violence definition.

### Dating Violence

Dating Violence: Domestic assault includes attempting to cause or to willfully or recklessly cause bodily injury to a person one is dating or has dated or to willfully cause such person to fear imminent serious bodily injury.

“Dating” is defined as a social relationship of a romantic nature. Factors to consider in determining whether a dating relationship exists or existed, include:

1. the nature of the relationship;
2. the length of time the relationship has existed;
3. the frequency of the interaction between the parties; and
4. the length of time since the relationship ended, if applicable.

### Consent

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

### Sexual Assault

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

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

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

A “sexual act” means conduct between persons consisting of contact between the penis and the vulva, the penis and the anus, the mouth and the penis, the mouth and the vulva, or any intrusion, however slight, by any part of a person’s body or object into the genital or anal opening of another.

## Stalking

Stalking is defined to mean engaging in a course of conduct which consists of following, lying in wait for, or harassing a person, when such conduct:

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

“Course of conduct” means a pattern of conduct composed of two or more acts over a period of time, however short, evidencing a continuity of purpose.

“Following” means maintaining, over a period of time, a visual or physical proximity to another person in such a manner as would cause a reasonable person to have a fear of unlawful sexual conduct, unlawful restraint, bodily injury or death.

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

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