

Anti-Harassment/Discrimination Policy (prior to 8/14/2020)

A. General Provisions

1. [Introduction](#)
2. [Definitions](#)
3. [Retaliation](#)
4. [Confidentiality](#)
5. [Emergencies](#)

B. Procedures for Addressing Harassment, Discrimination and Related Retaliation

1. [Reporting Requirements for Staff and Faculty](#)
2. [Complaint Procedures](#)
3. [Time Frames for the Investigation and Determination](#)
4. [Appeals](#)
5. [Alternative Dispute Resolution/Disposition Prior to a Final Determination](#)
6. [Scope of Oversight \(Students\)](#)
7. [Pending Discipline \(Students\)](#)
8. [Emergency Removals](#)
9. [Plans or Directives Issued by the Human Relations Officer](#)
10. [Other Procedures](#)
11. [The Human Relations Officer and Record Keeping](#)
12. [Addendum \(California Employees Only\)](#)

C. [Policy on Consensual Relationships Between Faculty or Staff Members and Students](#)

D. [Intellectual Inquiry and Debate](#)

[Appendix A \(Contact Information\)](#)

[Appendix B \(Resources\)](#)

[Appendix C \(Civil Rights and Title IX Coordinator\)](#)

A. General Provisions

1. Introduction

Middlebury College (“Middlebury”) is committed to maintaining a diverse and inclusive campus environment where bigotry and intolerance are unacceptable. Discrimination and harassment,

including sexual harassment, and related retaliation, as defined by applicable law and the corresponding terms of this policy, are antithetical to Middlebury's mission. Middlebury strictly prohibits conduct that constitutes unlawful discrimination and harassment, including sexual harassment, as well as related retaliation, as defined below. Middlebury will take reasonable and appropriate remedial action to prevent unlawful discrimination, harassment, and related retaliation, eliminate any hostile environment, prevent its recurrence, and correct its discriminatory effects on the complainant and others, if applicable.

Except as otherwise specified herein, this Anti-Harassment/Discrimination Policy applies to faculty, staff, students, and applicants (for employment at Middlebury or to Middlebury's programs; hereinafter referred to as "applicants") as well as to others who participate in Middlebury programs and activities, including the undergraduate college, the Language Schools, the School of the Environment, MiddCore, Bread Loaf School of English, Bread Loaf Writers' Conference, Middlebury College Schools Abroad, and the Middlebury Institute of International Studies at Monterey ("the Middlebury Institute"). The policy also applies to volunteers, interns and persons providing services pursuant to a contract to the extent required by applicable local law.

Procedures for filing and resolving complaints of unlawful discrimination and harassment, including sexual harassment and related retaliation in such programs are set forth in Section B below; however, where applicable law mandates different procedures and/or policies with respect to Middlebury programs outside Vermont, those procedures and/or policies will apply. See also [Addendum](#) applicable to California employees only, below.

Middlebury does not discriminate on the basis of sex in its education programs and activities, and Title IX of the Education Amendments 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 (which includes sexual assault and sexual exploitation) as defined by Middlebury's policies. Middlebury's [Civil Rights and Title IX Coordinator](#) is responsible for coordinating Middlebury's efforts to comply with and carry out its responsibilities under Title IX (contact information is listed in [Appendix A](#)). The Civil Rights and Title IX Coordinator's responsibilities include overseeing all Title IX complaints and identifying and addressing any patterns or systemic problems that arise during the review of such complaints. Inquiries concerning the application of Title IX may be referred to the Civil Rights and Title IX Coordinator or to the United States Department of Education Office for Civil Rights (contact information is listed in [Appendix A](#)). See also Middlebury's [Nondiscrimination Statement](#).

Middlebury has a separate [Policy Against Sexual Misconduct, Domestic and Dating Violence and Misconduct, and Stalking](#), which applies to all students, faculty and staff in all Middlebury programs.

This policy is available online at [go/antiharassment](#). Printed copies are also available upon request at a number of Middlebury offices, including [Vice President for Student Affairs](#), [Commons Deans](#), [Vice President for Academic Affairs and Dean of the Faculty](#), [Vice President for Academic Affairs and Dean of Language Schools](#), [Dean of International](#)

[Programs](#), [Public Safety](#), [Human Resources](#), [Human Relations Officer](#), [Assistant Dean of Student Services and Alternate HRO for the Institute](#), [Human Resources Manager and Alternate Human Relations Officer for the Middlebury Institute](#), [Vice President for Human Resources and Chief Risk Officer](#), [Civil Rights and Title IX Coordinator](#), and the appropriate supervisory authority for the Institute or other Middlebury program.

All members of the Middlebury community (faculty, staff, and students), and applicants have the right to pursue discrimination and harassment complaints, including sexual harassment and related retaliation, beyond Middlebury, utilizing local, state, or federal enforcement agencies, including local and state police agencies, as appropriate, regardless of whether they choose to file a complaint under this policy (see contact information in [Appendix A](#)). The agencies listed in [Appendix A](#) can conduct impartial investigations, and facilitate conciliation, and if an agency finds that there is probable cause or reasonable grounds to believe that unlawful harassment, discrimination, or retaliation has occurred, it may take the case to court.

There are certain time deadlines for the filing of complaints with state and federal agencies and/or state or federal court. Therefore, individuals who choose to pursue harassment, discrimination, or retaliation charges beyond Middlebury's procedures should contact these agencies or their attorney for further assistance (see [Appendix A](#)).

There are many resources available to individuals who are involved in some way with an incident of discrimination, retaliation, or harassment, including sexual harassment. Please see Appendices [A](#) & [B](#) for contact information and resources.

Faculty, staff or students found to have violated this Anti-Harassment/Discrimination Policy may be subject to the full range of disciplinary actions, as applicable, up to and including termination of employment, suspension, or expulsion.

2. Definitions

Harassment

Harassment is defined as verbal, written, visual, or physical conduct based on or motivated by an individual's actual or perceived sex, sexual orientation, gender identity or expression, race, creed, color, place of birth, ancestry, ethnicity, religion, national origin, age, disability, marital status, or other characteristics as defined and protected by law in the location where a particular program is operating, that has the purpose or effect, from the point of view of a reasonable person, of objectively and substantially:

- a. undermining and detracting from or interfering with an individual's educational or work performance or access to Middlebury resources; or
- b. creating an intimidating, hostile, or offensive educational, work, or living environment.

Harassment may include repeated slurs, or taunts in the guise of jokes, or disparaging references to others, use of epithets, stereotypes, comments, gestures, threats, graffiti, display or circulation

of written or visual materials, taunts on manner of speech, and negative reference to customs when such conduct is based on or motivated by one or more of the protected characteristics identified above, or other characteristics as defined and protected by applicable law.

In Middlebury's Vermont programs, harassment may also include conduct of the type described above that is based on or motivated by a student's family member's actual or perceived race, creed, color, national origin, marital status, sex, sexual orientation, gender identity, or disability, which has the type of purpose or effect described above.

With respect to Middlebury programs operating in states other than Vermont (e.g., California, New Mexico, and Washington, D.C.), harassment shall be defined as stated in this section unless the local law applicable to the program at issue mandates a broader definition, in which case such law will apply.

See also [Addendum](#) applicable to California employees only, below.

Sexual Harassment

Harassment may also include so-called *quid pro quo* sexual harassment, meaning unwelcome sexual advances, requests for sexual favors, and other verbal, written, visual or physical conduct of a sexual nature when:

- a. submission to that conduct is made either explicitly or implicitly a term or condition of employment or educational status; or
- b. submission to or rejection of such conduct is used as a component of or as the basis for employment decisions (such as wages, evaluation, advancement, assigned duties, or shifts) or educational/student life-related decisions (such as grades, class assignments, or letters of recommendation, or residence-related decisions) affecting an individual.

Other examples of sexual harassment include, but are not limited to, the following:

- touching or grabbing a sexual part of a student's or employee's body;
- touching or grabbing any part of a student's or employee's body after that person has indicated, or it is known or reasonably should be known, that such physical contact was unwelcome;
- continuing to ask a student or employee to socialize on or off-duty when that person has indicated s/he is not interested;
- displaying or transmitting sexually suggestive pictures, objects, cartoons, or posters if it is known or reasonably should be known that the behavior is unwelcome;
- continuing to write sexually suggestive notes or letters if it is known or reasonably 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 reasonably 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 reasonably should be known that the person does not welcome such behavior;
- derogatory or provoking remarks about or relating to a student's or employee's sex or sexual orientation;
- harassing acts or behavior directed against a person on the basis of his or her sex or sexual orientation.

See also [Addendum](#) applicable to California employees only, below.

Discrimination

Middlebury complies with all applicable provisions of state and federal law which prohibit discrimination in employment, or in admission or access to its educational or extracurricular programs, activities, or facilities. Discrimination is defined as conduct directed at an individual based on his/her race, creed, color, place of birth, ancestry, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, age, marital status, service in the armed forces of the United States, positive HIV-related blood test results, genetic information, or against qualified individuals with disabilities on the basis of disability and/or any other status or characteristic as defined and to the extent protected by applicable law.

With respect to Middlebury programs operating in states other than Vermont (e.g., California, New Mexico, and Washington D.C.), discrimination shall be defined as stated in this section unless the local law applicable to the program at issue mandates a broader definition, in which case such law will apply.

See also [Addendum](#) (applicable to California employees only, below).

Human Relations Officer

The Human Relations Officer (“HRO”) is the administrator responsible for coordinating training, overseeing investigations, and adjudicating complaints under this policy. The HRO is also the Civil Rights and Title IX Coordinator’s designee responsible for overseeing investigations and adjudicating sexual harassment complaints under this policy, as well as sexual misconduct complaints under Middlebury’s separate [Policy Against Sexual Misconduct, Domestic and Dating Violence and Misconduct, and Stalking](#), in accordance with the procedures stated therein. Contact information may be found in [Appendix A](#).

Civil Rights and Title IX Coordinator

The Civil Rights and Title IX Coordinator is the administrator responsible for coordinating Middlebury’s efforts to comply with and carry out its responsibilities under Title IX. The Civil Rights and Title IX Coordinator’s responsibilities include overseeing the process for handling all Title IX complaints and identifying and addressing any patterns or systemic problems that arise during the review of such complaints. For more information see [Appendix A](#) and [Appendix C](#).

Complainant

A complainant is usually an individual who has alleged a violation(s) of this policy. In some cases (such as, e.g., cases in which a person involved in an incident of an alleged policy violation does not wish to participate in the process but Middlebury decides that the alleged misconduct needs to be addressed), Middlebury may serve as the complainant or may pursue an investigation and adjudication under this policy without a designated complainant. In these cases, Middlebury may extend the full rights of the complainant as defined in this policy to affected parties as deemed appropriate by the HRO.

Respondent

A respondent is an individual whose alleged conduct is being investigated to determine if it is in violation of this policy or other Middlebury policies, if applicable. See also [Scope of Oversight](#) and [Pending Discipline](#) at the end of this policy for more information.

Confidential Resources

Confidential resources include the staff of the Parton Center for Health and Wellness, the staff of the Chaplain's office, Middlebury Safe and Confidential Advocates ("MiddSafe"[\[1\]](#)) or other medical, counseling, support or religious personnel and volunteers who are required by law to maintain confidentiality. For more information, see [Section "4. Confidentiality,"](#) below.

No Contact Order

When harassment or other forms of interpersonal misconduct have been alleged, or when otherwise deemed appropriate under the circumstances, the Vice President for Student Affairs, Vice President for Academic Affairs and Dean of Language Schools, Dean of International Programs, Commons Deans, CRDs, Civil Rights and Title IX Coordinator, HROs, Public Safety staff, or appropriate supervisory authority for the program at issue may issue a No Contact Order to the people involved, whether or not disciplinary action is taken. A No Contact Order is used to restrict encounters between individuals. While a No Contact Order in and of itself does not constitute discipline and will not appear in an employee's personnel file or on a student's disciplinary record, refusal to adhere to the order after written or verbal notification of its terms is prohibited and may result in disciplinary action.

No Trespass Notice

A No Trespass Notice prohibits the presence of an individual on Middlebury property, or other properties on which Middlebury programs are occurring. No Trespass Notices are legally enforceable and may lead to the arrest of individuals in violation.

Relief from Abuse Orders, Protection Orders, Restraining Orders

In the United States, a relief from abuse order, also called a protective order or restraining order, is a court order that is designed to stop violent, harassing and threatening behavior. It can also

stop the respondent from any contact or communication with the complainant, and protect the complainant and the complainant's family members, as appropriate, from the respondent. Relief from Abuse Orders may be awarded by courts in the United States on a temporary basis, in which case they are instituted by a judge immediately and reviewed within approximately two weeks through a court hearing process for consideration to be instituted permanently. Similar resources may exist in the other countries in which Middlebury operates programs. For more information, please see [Appendix B](#).

Days

Unless otherwise noted, "days" indicates calendar days, regardless of whether the majority of Middlebury's administrative offices are open. "Business days" indicates days on which the majority of Middlebury's administrative offices are open, and generally connotes Mondays through Fridays.

3. Retaliation

Retaliating directly or indirectly against a person who has in good faith made a report or lodged a complaint under this policy or participated in an investigation of a complaint of any type of discrimination or harassment as defined above is prohibited. Retaliation includes but is not limited to ostracizing the person, pressuring the person to drop or not support the complaint or to provide false or misleading information, or engaging in conduct that may reasonably be perceived to affect adversely that person's educational, living, or work environment, threatening, intimidating, or coercing the person, or otherwise discriminating against any person for exercising their rights or responsibilities under this policy. Depending on the circumstances, retaliation may also be unlawful. Retaliation under this policy may be found whether or not the complaint is ultimately found to have merit. Complaints of retaliation should be reported under the procedures described below.

4. Confidentiality

People who have concerns about discrimination, harassment, or related retaliation often ask for assurances about confidentiality. Middlebury encourages individuals to report incidents of discrimination, harassment and related retaliation so that they can obtain support and information and so that Middlebury can respond appropriately. Certain Middlebury employees may maintain confidentiality, but most cannot. Although strict confidentiality may therefore not be guaranteed, in all cases Middlebury will handle information in a sensitive manner and will endeavor to protect the privacy of individuals and maintain confidentiality to the extent possible consistent with its obligations to respond to reports of discrimination, harassment and/or related retaliation.

This section is intended to inform students, faculty, and staff of the various reporting and confidential disclosure options available to them, so that they can make informed choices about where to go for help.

(A) Confidential Resources

A confidential resource is an individual who is legally and ethically bound to keep confidential all information shared with them in the course of providing counsel and support, except under the circumstances noted below. Middlebury respects that the decision to come forward may be difficult and that individuals may wish to seek assistance from someone who can provide confidential information and support, and who can provide assurances that what is disclosed will not be acted on except in the circumstances outlined below. (For a list of confidential resources, see [Appendix B](#), below).

In general, the law recognizes and protects the confidentiality of communications between a person seeking care and a medical or mental health professional, religious advisor or MiddSafe Advocate. The medical, mental health, religious professionals and MiddSafe advocates at Middlebury and their off-campus counterparts respect and protect confidential communications from students, faculty, and staff to the extent they are legally able to do so. These professionals may have to breach a confidence, however, when they perceive a serious risk of danger or threat to any person or property. In addition, medical and mental health professionals may be required by law to report certain crimes (e.g., any allegation of sexual and/or physical abuse of a person under 18). These exceptions to confidentiality are governed by the law of the state in which the confidential resource is located.

An individual who speaks to a confidential resource must understand that, if they want to maintain confidentiality, Middlebury will be unable to conduct an investigation into the particular incident or pursue disciplinary action against the individual who is alleged to have violated this policy.

(B) Non-Confidential Resources

Non-confidential resources are all faculty or staff members, including ombudpersons and residential life staff who are not medical or counseling professionals, clergy, or MiddSafe Advocates, and are therefore not permitted to honor requests for confidentiality. Non-confidential faculty or staff who learn of an incident of discrimination, harassment or related retaliation involving a student are required to report that information to the HRO. (See Section B.1. for more information).

Faculty and staff who are “[Campus Security Authorities](#)” are required to report certain crimes to the Department of Public Safety for the purpose of compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act.

Employees with supervisory responsibility are expected to report all incidents of harassment, discrimination and related retaliation involving employees to the HRO and/or to Human Resources.

General inquiries to Middlebury officials about policies or procedures, and conversations in which the alleged wrongdoer is not identified by name or by implication from the circumstances may remain private. Otherwise, individuals who want to maintain confidentiality should seek a confidential resource.

(C) Evaluating Requests for Confidentiality

If a complainant insists that his or her name or other identifiable information not be revealed, or asks that Middlebury not investigate or take action against the person alleged to have violated this policy, Middlebury will evaluate the request in the context of its responsibility to provide a safe and nondiscriminatory environment for that individual as well as all students, staff, and faculty. Thus, Middlebury may weigh the request for confidentiality against a number of factors, including but not limited to the seriousness of the alleged conduct; circumstances that suggest there is a risk of repeated conduct; whether there have been other discrimination, harassment, or retaliation complaints about the same individual; and the extent of any adverse impact or threat to the complainant and/or the Middlebury community.

(D) Disclosure During Internal Investigations and Adjudications

Middlebury will handle information related to alleged violations of this policy with sensitivity and discretion. However, Middlebury may need to disclose information relating to an incident (including the identity of parties, witnesses or others) to the extent necessary to conduct a thorough, fair, and impartial investigation and adjudication process for all involved parties.

(E) Disclosure Required by Law

Middlebury will not include the names of complainants or other identifying information in publicly available reports that are compiled as required by the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. Middlebury is also part of a larger community and context. If there is an independent investigation, lawsuit, or criminal proceeding related to a discrimination, harassment or related retaliation matter, those involved or others may be required by law to provide testimony or documents (e.g., investigation reports, witness statements, determinations issued under this policy and any other information gathered or obtained in the course of a particular matter).

(F) Disclosure to Law Enforcement

In certain circumstances, Middlebury may need to report an incident to law enforcement authorities. Such circumstances include but are not limited to incidents that warrant the undertaking of safety and security measures for the protection of the individual and/or the campus community, or situations in which there is clear and imminent danger and/or a weapon may be involved. Complainants may choose to notify authorities directly with or without Middlebury's assistance, or may choose not to notify such authorities.

5. Emergencies

If the safety of any individual is an immediate concern, involved parties or observers in the United States should contact local law enforcement by **dialing 911**. Involved parties or observers in other countries should notify local law enforcement and their program director.

B. Procedures for Addressing Harassment, Discrimination and Related Retaliation

1. Reporting Requirements for Staff and Faculty

All members of Middlebury's community are expected to promote an environment free from prohibited discrimination, harassment, including sexual harassment, and related retaliation.

Any faculty or staff member who learns of an incident of discrimination, harassment, or related retaliation involving a student must report this information to a Middlebury Human Relations Officer or the Civil Rights and Title IX Coordinator (see [Appendix A](#) for contact information), or the appropriate dean or program director in cases involving the Language Schools, Schools Abroad, Bread Loaf, the Middlebury Institute, MiddCore, School of the Environment, or other Middlebury program, as applicable, unless their status as a confidential resource precludes this disclosure. Confidential resources include the staff of the Parton Center for Health and Wellness, the staff of the Chaplain's Office, MiddSafe Advocates, or other medical, counseling, support or religious personnel and volunteers who are required by law to maintain confidentiality. Please see [Section "4. Confidentiality"](#) for more information.

Employees with supervisory responsibility are expected to report incidents of discrimination, harassment, including sexual harassment, or retaliation, and take appropriate remedial action should such matters come to their attention. Supervisors should report any complaints or suspected acts of harassment, discrimination, or retaliation (even if they do not involve direct reports) to a HRO, Human Resources, or the Civil Rights and Title IX Coordinator in accordance with Section 2, below. Depending upon the circumstances of a given situation, supervisors may be responsible for taking steps such as, by way of example but not limitation, addressing issues directly with staff, faculty, or students whom they supervise, facilitating informal resolution or mediation of issues, providing information on avenues to address questions of harassment, discrimination, and/or retaliation, or pursuing complaints under the complaint procedures described here.

Failure to report or address harassment, discrimination, or retaliation complaints or suspected acts of harassment, discrimination, or retaliation appropriately in accordance with this section may be considered a violation of Middlebury's policy.

2. Complaint Procedures

Any Middlebury student, faculty member, staff member or applicant (for employment or to any Middlebury program) who has reasonable cause to believe that discrimination or harassment, including sexual harassment, has occurred or is occurring, or who believes that a student, faculty member, staff member or applicant has been subjected to retaliation for having brought or supported a complaint of discrimination or harassment, is encouraged to bring that information to the immediate attention of the HRO who is designated to receive such reports in the Middlebury program at issue (reports or complaints can be made verbally or in writing).[2] Reports may also be made to the Civil Rights and Title IX Coordinator (student, faculty and staff matters) or to Human Resources (employees).

If the designated HRO is unavailable, or if the HRO has a conflict of interest, the report should be made to an alternate HRO. The alternate shall have the same authority as the designated HRO to oversee investigations and adjudicate harassment, discrimination, and retaliation complaints. [Appendix A](#) to this policy lists the names and contact information for offices and/or individuals serving as Human Relations Officers and alternate Human Relations Officers in Middlebury's various programs and locations.

Middlebury encourages students, faculty, staff and applicants to report instances of unwelcome protected-characteristic-related conduct (including unwelcome conduct of a sexual nature) even if the conduct is not sufficiently severe such that it undermines and detracts from or interferes with an individual's education, work performance, or access to Middlebury resources, or creates an intimidating, hostile, or offensive educational, work, or living environment. Middlebury encourages such reports so that the behavior can be addressed before it creates a hostile environment for the affected individual. In such instances, the HRO and/or other Middlebury officials, to the extent appropriate, will address the conduct in a manner that is reasonably calculated to prevent its reoccurrence.

When the HRO receives actual notice – i.e., a written or oral complaint or report directed to the HRO – of conduct that may constitute prohibited discrimination or harassment (including sexual harassment) or related retaliation as defined by this policy, Middlebury will initiate the following process, except as otherwise provided in subsection 5, below:

- a. The HRO will promptly determine initially whether the report or complaint alleges conduct that is prohibited by this policy and whether an investigation and adjudication should proceed.
- b. If the HRO determines that the report or complaint does fall within the scope of this policy and that an investigation and adjudication should proceed, a copy of the policy will be provided to the complainant and the respondent and the parties will be notified that Middlebury is investigating the possibility that the respondent has violated this policy (absent extenuating circumstances). The HRO will then, individually or in conjunction with other Middlebury offices or individuals (including, if warranted, independent investigators), promptly and equitably conduct or supervise an investigation that is appropriate under the circumstances. The investigation will be conducted in a prompt, thorough, fair, timely, equitable, and impartial manner (see also [Time Frames for the Investigation and Determination](#), below). The parties will not be permitted to personally question or cross-examine each other during the course of the investigation.

The investigator is authorized to contact any and all individuals; Middlebury recognizes, however, that individuals who are bound by legal privileges may not be able to disclose privileged information, unless an exception applies. The investigator is authorized to access relevant records, except those legally protected as confidential or privileged, and may collect any additional evidence relevant to the complaint. The nature and scope of the investigation is within the sole discretion of the investigator and/or the HRO.

The parties may retain legal counsel at any time, although legal counsel is not permitted to participate in Middlebury's investigation and adjudication process. Attorneys who wish to communicate about a case may contact Middlebury's legal counsel directly.

In cases where the student is a respondent, if at any point prior to or during the investigation and adjudication process, the HRO becomes aware that other Middlebury policies may have been violated in relation to the matter under investigation, these alleged policy violations may also be resolved through the investigation and adjudication process in this policy. The decision to investigate and adjudicate other alleged policy violations is within the sole discretion of the HRO. In all cases the parties will be notified if the HRO determines that additional alleged policy violations will be investigated and adjudicated in accordance with the procedures set forth herein.

c. The HRO, Civil Rights and Title IX Coordinator, Vice President for Academic Affairs and Dean of Faculty ("VPAA"), Human Resources Department, Vice President for Student Affairs, Vice President for Academic Affairs and Dean of the Language Schools, Dean of International Programs, Commons Dean(s), CRDs, public safety staff, or other supervisory authority for the program at issue (or their designees) may also at any time take appropriate steps, including by way of example only, issuance of No Contact Orders, temporary changes in assignment of duties or housing, changes in class schedules or class requirements, or other accommodations, as appropriate, to protect complaining parties on an interim basis.

d. After the investigation is completed, the investigator shall issue a report to the HRO, together with recommended findings, based on a preponderance of the evidence standard, i.e., whether it was more likely than not that the policy (or other Middlebury policies, if applicable) was violated. The report may be issued orally or in writing depending on the nature and complexity of the information.

e. The HRO is not bound by the investigator's report. Rather, it is advisory to the HRO. The HRO may accept or reject the investigator's recommended finding in whole or in part, and may request additional relevant information before making a determination. The HRO should avoid duplicating the efforts of the investigator, as well as accepting the investigator's recommended finding without careful review of all of the evidence.

f. Either party may choose to meet individually with the HRO prior to the HRO's determination. The HRO may also request an individual meeting with either party or any other person(s) as appropriate.

g. After review of the investigator's report and recommended finding, the HRO shall issue a determination as to whether prohibited discrimination, harassment, and/or retaliation (or other Middlebury student conduct policies, if applicable) occurred. The HRO's determination will be based on a preponderance of the evidence standard, and the HRO will reach a reasonable conclusion based on the evidence presented.

h. If the HRO finds that a staff or faculty member has engaged in conduct that violates this policy, the HRO will refer the matter to the appropriate supervisory authority (e.g., the

Middlebury College VPAA or designee, Provost, the Middlebury Institute's Chief Academic Officer or designee ["the Middlebury Institute's CAO"], Vice President for Academic Affairs and Dean of the Language Schools, Dean of International Programs, in the case of a faculty member, as applicable to the program at issue, and/or the Middlebury College Human Resources Department, or the Middlebury Institute's Human Resources Department, as applicable, in the case of a staff member) to take appropriate remedial measures. The supervisory authority may impose disciplinary action under existing policies and/or contracts, as applicable (e.g., verbal warnings, written warnings, written reprimands, or termination of employment), or other action as deemed appropriate under the circumstances.

i. If the HRO finds that a student has engaged in conduct that violates this policy (or other Middlebury policies under investigation, if applicable), the HRO will refer the matter to the supervisory authority for the program in which the student is enrolled at the time of the misconduct and the supervisory authority for any other Middlebury program in which the student is or will be enrolled (e.g., the Vice president for Student Affairs, Vice President for Academic Affairs and Dean of the Language Schools, Dean of International Programs, appropriate Middlebury Institute dean, Director of the Bread Loaf School of English, Director of the Bread Loaf Writer's Conference, etc.), as applicable, for disciplinary action. Such disciplinary action could include warnings, written reprimands, probationary status, official college discipline, or suspension or expulsion from any or all Middlebury program(s) in which the student is or will be enrolled or participating, or other action as deemed appropriate under the circumstances (e.g. remedies applied to the respondent to address the needs of the complainant, including but not limited to room changes, class changes, building restrictions, extracurricular activity restrictions, modification of No Contact Orders to favor the complainant, and other actions to preserve the rights of the complainant to a discrimination-free environment). Additional non-disciplinary outcomes, such as extending and modifying mutual No Contact Orders, may also be imposed regardless of the finding.

If the conduct occurred during the course and scope of the student's employment at Middlebury, the matter will be referred jointly to the Human Resources Department and the appropriate supervisory authority for the program(s) at issue, as applicable, for disciplinary action up to and including termination of employment and expulsion from Middlebury, or other action as deemed appropriate under the circumstances (see above).

j. To the extent permitted by law, the complainant and respondent will be afforded the same rights and opportunities throughout the investigation and adjudication process, including the opportunity to present witnesses and other evidence. However, the decision to interview particular witnesses or consider evidence offered by the parties is within the sole discretion of the HRO and/or investigator.

k. The complainant and respondent will ordinarily be notified of the HRO's determination as to whether there was a policy violation. In sexual harassment cases involving student complainants, both parties will be notified of the HRO's determination simultaneously in writing, to the extent permitted by law. However, information regarding discipline or sanctions will not be shared with any complainant under this policy except as permitted or required by law.[\[3\]](#)

3. Time Frames for the Investigation and Determination

Absent extenuating circumstances, the investigation of a report or complaint under this policy will ordinarily be completed within 45 days from the time a report or complaint is made to the HRO. This time period may be shorter or longer depending on the circumstances, including but not limited to the complexity of the case and the availability of witnesses. The investigation will be documented, and the HRO will track the investigation for reasonable progress. If either the complainant or respondent would like to request an extension of this time frame, a request with a description of the reasons for the request should be directed to the HRO. The HRO will notify the other party, make a decision, and inform the parties and any other individual who needs to know, of that decision. If extenuating circumstances are present, the HRO may also decide independently to extend this general 45-day time frame, and will inform the parties, and any other individual who needs to know, of any such decision.

Absent extenuating circumstances, the HRO will issue a determination within 10 days after receipt of the investigator's complete report. The 10-day period may be extended if the HRO determines that further information or investigation is needed.

Absent extenuating circumstances, the appropriate supervisory authority or responsible official will issue a decision regarding discipline or other appropriate action, to the extent applicable, within 5 days after the HRO issues a determination. In faculty or staff matters, this time period may be shorter or longer depending on the circumstances, including any contractual rights of the parties.

Middlebury will not wait for the conclusion of a criminal investigation or proceeding to begin its own investigation and resolve complaints under this policy. Middlebury will, however, comply with valid requests by law enforcement for cooperation in a criminal investigation. As such, Middlebury may need to delay temporarily an investigation under this policy while law enforcement is in the process of gathering evidence. Once law enforcement has completed gathering evidence, Middlebury will promptly resume and complete its investigation. Middlebury may also take interim measures to ensure the safety and well-being of the complainant and the school community while law enforcement is gathering evidence.

4. Appeals

In cases where the respondent is a student, the complainant and respondent each has the right to appeal the outcome under the circumstances described below. The purpose of an appeal is to review the adjudication process.

Grounds

Appeals are accepted on the basis of one or more of the following:

- discovery of significant new factual material not available to the HRO that could have affected the original outcome; however, prior omission of factual information that the appealing party knew or reasonably should have known is not a ground for an appeal;

- procedural error where the error prevented fundamental fairness;
- abuse of discretion in the issuance of a sanction, meaning that the appropriate supervisory authority imposed a sanction significantly disproportionate to the offense.

The right of appeal is only available to a respondent or complainant who participated in the investigative process.

Procedures

An appeal must be made in writing to the appellate officer for the program in connection with which the finding of responsibility and sanction were made. Therefore, an appeal must be directed to the VPAA (complaints against undergraduate students and complaints against MiddCore students), the Provost (complaints against Language Schools, Schools Abroad, Bread Loaf School of English, Bread Loaf Writers' Conference, and School of the Environment students) or the Middlebury Institute's CAO (complaints against Institute students), as applicable.

In cases where the HRO refers the matter to the supervisory authority for the program in which the student is enrolled at the time of the misconduct and to the supervisory authority for any other Middlebury program in which the student is or will be enrolled ("other Middlebury program(s)"), for further disciplinary action in accordance with Section B.2. i., above, an appeal of the sanction(s) issued in the other Middlebury program(s) can also be made to the appellate officer for that other Middlebury program. Appeals regarding the finding of responsibility by the HRO must be made to the appellate officer for the program in which the student was enrolled at the time of the misconduct.

Appeals must be made within 5 days of receipt of the HRO's determination or within 5 days of receipt of disciplinary action, if applicable, and must include the grounds for appeal and an outline of any supporting evidence. Appeals transmitted via e-mail will be considered to be "in writing" for the purposes of this section.

The Middlebury official responsible for hearing the appeal (i.e., VPAA, Provost, or the Middlebury Institute's CAO, as applicable) will invite an informational response to the appeal from the HRO, the appropriate disciplinary authority, if applicable, and the other party (to the extent permitted by law), who may respond within 5 business days of the request. The Middlebury official may request assistance from the original investigator, or from a new investigator, or any other relevant individual, as necessary.

The Middlebury official may deny the appeal, or if one or more of the appeal grounds have been met, may:

- return the case to the original HRO or the appropriate disciplinary authority for reconsideration; or
- appoint an Alternate HRO or disciplinary authority to review the case, which will ordinarily occur when the original outcome was deemed to be based on an abuse of discretion.

It is the responsibility of the Middlebury official to determine which aspects of the case merit a new review, and to direct the HRO or disciplinary authority, as appropriate, accordingly.

Absent extenuating circumstances, the Middlebury official will notify the complainant and respondent of the appeal decision simultaneously in writing within 15 days, to the extent permitted by law, and will notify the HRO in writing of instructions for any further action.

All decisions by the Middlebury official and following a second review of the case are final.

5. Alternative Dispute Resolution/Disposition Prior to a Final Determination

At all stages of the investigation and determination processes, Middlebury officials, when appropriate, may make available to complainants alternative dispute resolution methods for resolving complaints. In assessing whether alternative dispute resolution is appropriate, Middlebury officials may consider factors such as, for example, (1) the nature of the allegations, (2) the agreement of the complainant and the respondent, (3) other relevant factors such as any disability of the complainant or the respondent, or any history of misconduct or other policy violations by the respondent. A complainant will not be required to engage in alternative dispute resolution and may end the alternative dispute resolution process at any time. If the complainant ends the alternative resolution process or if the process is either not appropriate or is unsuccessful, Middlebury officials shall continue to respond to the allegations in accordance with the policy.

If at any point before or during the investigation, a student respondent chooses to accept responsibility under this policy, the HRO may issue a determination and refer the matter to the appropriate supervisory authority for the program at issue in accordance with Section B.2. i., above. The supervisory authority may issue a sanction and/or take other action that is reasonably calculated to address the harassment or discriminatory conduct and prevent its recurrence.

6. Scope of Oversight (Students)

Students will be held accountable for policy violations that take place between the time they first arrive on campus to begin their Middlebury program and their graduation, or completion of their program, or Middlebury's confirmation of their resignation or expulsion. Conduct that takes place on or near Middlebury premises or property; occurs at or in connection with a Middlebury-related event; or occurs off-campus but may represent a threat to the safety of the Middlebury community or its members, the pursuit of its objectives, and/or the educational environment of others, may be subject to Middlebury's disciplinary process.

Middlebury retains sole discretion to determine whether to initiate an investigation and adjudication under this policy regardless of the outcome of any disciplinary proceeding conducted by a non-Middlebury institution or program and/or the outcome of any law enforcement investigation or court proceeding.

In cases where a student is found responsible for a policy violation while participating in any Middlebury program, the finding of responsibility may also be referred to the appropriate

authority overseeing any additional Middlebury program or other school or program in which the student is or will also be enrolled for other action as deemed appropriate (see also Section B.2.i., above). This may include but is not limited to: further investigation; additional adjudication under existing policies (using only information gathered in the first disciplinary process, or using subsequently gathered information, or both, as deemed appropriate by the overseeing authority); disciplinary action; or other remedies or processes deemed appropriate by the authority overseeing the additional Middlebury and/or other program or school in which the student is or will be enrolled.

7. Pending Discipline (Students)

A student respondent will not be permitted to graduate from or otherwise be deemed to have officially completed a program in which they are enrolled while a disciplinary matter is pending; the student's graduation or certification will be held in abeyance until the matter is resolved. If a respondent withdraws with a disciplinary matter, sanction, or appeal pending, the withdrawal will be considered a resignation from Middlebury, and the student will have given up the opportunity to return to any Middlebury program. The student's official status at Middlebury will reflect the point in the process at which they withdrew, and the nature of the finding and sanction, as appropriate. Examples include but are not limited to "Withdrawal with a Disciplinary Matter Pending," "Withdrawal with a Disciplinary Sanction Pending," and "Withdrawal with a Disciplinary Appeal Pending."

In extraordinary circumstances, the appropriate supervisory authority may, after consultation with the HRO, a review of the case, and consideration of the interests of the complainant, Middlebury, and other impacted parties, grant permission for a student to withdraw from Middlebury when a disciplinary matter is pending. Should the student be readmitted, the disciplinary matter must be resolved either before the student's return, or immediately upon the student's return.

Middlebury may also notify all institutions or programs in which the student is (or will be) enrolled of any pending or unresolved disciplinary matter pertaining to that student.

8. Emergency Removals

1. In addition to fostering the growth of its individual students, Middlebury recognizes its obligation to protect the safety of the Middlebury community as a whole and to take appropriate action when that safety is jeopardized. To that end, Middlebury reserves the right, notwithstanding and apart from the procedures described in this policy and other applicable policies, on an emergency basis, to ban from campus, suspend, expel, or require to withdraw any individual whose presence at Middlebury is determined by the appropriate Middlebury authorities (e.g., Vice President for Student Affairs and Dean of Students; Vice President for Academic Affairs and Dean of the Language Schools, Dean of International Programs, HRO, Commons Deans, Middlebury Institute dean(s), or other appropriate supervisory authority, etc.) to pose a danger to the Middlebury community or its members, or to be unduly disruptive of Middlebury's academic or other programs and/or residential life, or who appears to be unwilling

or incapable of effectively and/or safely participating in Middlebury's academic or other programs and/or residential life.

2. In such cases, actions taken will be subject to review, typically within one week, by the appropriate Middlebury authority.

3. In cases of emergency removal (other than expulsion) of a student, the conditions and procedures for return will be determined and communicated in writing to the student at the time of the student's departure or shortly thereafter. For more information, see the applicable student status policy.

9. Plans or Directives Issued by the Human Relations Officer

In any case in which a finding of harassment, discrimination, or retaliation has been issued, violation of a plan or directive to address the harassment, discrimination, or retaliation may be grounds for further discipline.

10. Other Procedures

All witnesses identified in connection with an investigation under this policy are expected to cooperate fully in the investigation by providing complete, accurate, and truthful information. This policy prohibits intentionally making a false report or providing false or misleading information in any investigation under this policy. Complainants will not be deemed to have provided false or misleading information under this policy if their factual allegations are intended to be truthful and are made in good faith, regardless of whether the conduct complained of is ultimately found to constitute a policy violation.

Witnesses may be expected to sign statements or other documents memorializing the information provided in the course of the investigation and may be asked to keep the substance of the investigation interview confidential. Failure to cooperate fully with the investigator or other Middlebury official (including but not limited to providing false information, as described above) may subject the employee or student to the full range of disciplinary actions available to the supervising authority or responsible official in accordance with the program's existing policies and/or contracts, as applicable, up to and including termination of employment or suspension or expulsion from Middlebury.

This policy may be amended from time to time; the policy published on Middlebury's [Web site](#) should be consulted for any updates. The amended policy, as published through Middlebury's [Web site](#), shall supersede wholly any prior versions of the policy. Reasonable accommodations will be provided for persons with disabilities who need assistance in reviewing this policy and/or filing or pursuing a complaint under the policy, upon request.

A student may file a complaint of discrimination, harassment, including sexual harassment, or related retaliation relating to the conduct of the HRO, Civil Rights and Title IX Coordinator or investigator appointed under this policy with Miguel Fernandez, Chief Diversity Officer (802.443.5792; fernande@middlebury.edu), or the appropriate supervisory authority for the

Institute, as appropriate given the program at issue. Faculty and staff may file complaints relating to the conduct of the HRO, Civil Rights and Title IX Coordinator or investigator appointed under this policy with Miguel Fernandez, Chief Diversity Officer (802.443.5792;fernande@middlebury.edu). These officials may appoint an individual to serve as a special alternate HRO, as appropriate.

11. The Human Relations Officer and Record Keeping

The HRO will keep confidential records or reports under this policy and the actions taken in response to those reports, and use them for purposes such as to identify individuals or departments likely to benefit from training. The HRO will track reports under this policy for statistical purposes and report to the President concerning the number, nature and disposition of such reports.

Information about the HRO is available at several college offices: [Human Relations Officer](#), [Civil Rights and Title IX Coordinator](#), [Vice President for Student Affairs](#), [Commons deans](#), [Vice President for Academic Affairs and Dean of the Faculty](#), [Public Safety](#), [Human Resources](#), and program directors.

12. Addendum (California Employees Only)

California law has specific requirements for what must be set forth in a harassment/discrimination policy applicable to employees. In accordance with California's Fair Employment and Housing Act Regulations ("FEHA"), and in addition to the policy provisions set forth above, this addendum applies to faculty, staff and other employees who are employed by the Middlebury Institute of International Studies at Monterey, Middlebury's Language Schools at Mills College and any other Middlebury program that is located in California.

1. Definitions

Employees

With respect to protections of individuals from unlawful harassment, the term "employee" shall include unpaid interns, volunteers, and persons providing services pursuant to a contract. With respect to protections of individuals from unlawful discrimination, the term "employee" shall include a person who serves in an unpaid internship or any other limited-duration program that provides work experience.

Discrimination

Discrimination is defined as conduct directed at an individual based on their perceived or actual race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex (includes pregnancy, childbirth, breastfeeding, and related medical conditions), gender, gender identity, gender expression, age (over 40), sexual orientation, or military and veteran status of any person and/or any other status or characteristic as defined and to the extent protected by law.

Discrimination is established if a preponderance of the evidence demonstrates that an enumerated basis (see above definition) was a substantial motivating factor in the denial of an employment benefit to that individual by the employer or other covered entity, and the denial is not justified by a permissible defense. This standard applies only to claims of discrimination on a basis above (see also Government Code Section 12940, subdivision (a)), and to claims of retaliation under Government Code section 12940 subdivision (h). A substantial factor motivating the denial of the employment benefit is a factor that a reasonable person would consider to have contributed to the denial. It must be more than a remote or trivial factor. It does not have to be the only cause of denial.

Harassment

Harassment is defined as verbal, written, visual, or physical conduct based on or motivated by an individual's actual or perceived race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex (includes pregnancy, childbirth, breastfeeding, and related medical conditions), gender, gender identity, gender expression, age (over 40), sexual orientation, or military and veteran status of any person and/or any other status or characteristic as defined and to the extent protected by law in the location where a particular program is operating, that has the purpose or effect, from the point of view of a reasonable person, of objectively and substantially:

1. undermining and detracting from or interfering with an individual's educational or work performance or access to Middlebury resources; or
2. creating an intimidating, hostile, or offensive educational, work, or living environment.

Harassment may include but is not limited to:

1. Verbal harassment, e.g., epithets, derogatory comments or slurs on a basis enumerated in the above;
2. Physical harassment, e.g., assault, impeding or blocking movement, or any physical interference with normal work or movement, when directed at an individual on a basis enumerated above;
3. Visual forms of harassment, e.g., derogatory posters, cartoons, or drawings on a basis enumerated above; or
4. Sexual favors, e.g., unwanted sexual advances, which condition an employment benefit upon an exchange of sexual favors.

National Origin

(a) National origin includes, but is not limited to, the individual's or ancestors' actual or perceived:

- (1) Physical, cultural, or linguistic characteristics associated with a national origin group;
- (2) marriage to or association with persons of a national origin group;
- (3) tribal affiliation;

(4) membership in or association with an organization identified with or seeking to promote the interests of a national origin group;

(5) attendance or participation in schools, churches, temples, mosques, or other religious institutions generally used by persons of a national origin group; and

(6) name that is associated with a national origin group.

(b) “National origin groups” include, but are not limited to, ethnic groups, geographic places of origin, and countries that are not presently in existence.

(c) “Undocumented applicant or employee” means an applicant or employee who lacks legal authorization under federal law to be present and/or to work in the United States.

Retaliation

Retaliation against any individual because the individual has opposed discrimination or harassment on the basis of any protected category, has participated in the filing of a complaint, or has testified, assisted, or participated in any other manner in a proceeding in which discrimination, harassment, or retaliation has been alleged is prohibited.

Retaliation may include, but is not limited to:

(1) threatening to contact or contacting immigration authorities or a law enforcement agency about the immigration status of the employee, former employee, applicant, or a family member (e.g., spouse, domestic partner, parent, sibling, child, uncle, aunt, niece, nephew, cousin, grandparent, great-grandparent, grandchild, or great-grandchild, by blood, adoption, marriage, or domestic partnership) of the employee, former employee, or applicant; or

(2) taking adverse action against an employee because the employee updates or attempts to update personal information based on a change of name, social security number, or government-issued employment documents.

Prohibited Conduct (Coworkers, Third Parties, Supervisors and Managers)

The law prohibits coworkers and third parties, as well as supervisors and managers, with whom the employee comes in contact from engaging in unlawful harassment, discrimination, or retaliation.

2. Complaint Process

Employees may complain orally or in writing. The complaint reporting process is described in more detail in [Section B](#) of Middlebury’s Anti-Harassment/Discrimination policy, above. In addition to those procedures, the parties involved in a harassment, discrimination or related retaliation complaint will receive a designation of confidentiality, to the extent possible. Confidentiality will be kept by Middlebury to the extent possible, although Middlebury cannot promise absolute confidentiality.

When Middlebury receives allegations of misconduct under this policy, it will conduct a fair, timely, and thorough investigation and reach reasonable conclusions based on the evidence presented.

Supervisors must report any complaints of misconduct under this policy to a Human Relations Officer so that Middlebury can try to resolve the claim internally. (This provision does not preclude employees from filing complaints with external agencies. See [Appendix A](#) to this policy, below).

If at the end of the investigation misconduct under this policy is found, appropriate remedial measures shall be taken.

The investigation will be documented, and the Human Relations Officer will track the investigation for reasonable progress.

3. Dissemination of the Policy

This addendum, along with the full text of Middlebury's [Anti-Harassment/Discrimination Policy](#), will be disseminated to all California employees via email with an acknowledgement return form.

C. Policy on Consensual Relationships Between Faculty and Staff Members and Students

The integrity and trust of the faculty-student relationship is central to Middlebury's educational mission. Amorous relationships, defined as any dating, sexual, or other romantic relationship of any length between a faculty member and a student, even if they are not directly in any advisory or teaching role, involve a power differential, and therefore raise serious questions about unfair grading or other imbalanced evaluation practices, conflicts of interest, favoritism and bias. These concerns have an adverse impact on the educational environment of other students, as well as the student directly involved.

A seemingly consensual relationship between any employee with a student may meet the legal definition of sexual harassment, as lack of mutual consent may be inferred from the power differential between the employee – whether faculty or staff – and a student. Accordingly, amorous relationships between all Middlebury employees – faculty and staff – and all students enrolled in any Middlebury program are prohibited.

In exceptional cases falling outside of the anticipated scope of this policy, such as a relationship between an employee and a graduate student in an unrelated Middlebury program, exemptions to this policy may be granted by the Vice President for Academic Affairs/Dean of Faculty (“VPAA/DoF”), or their designee(s), for faculty members, and the Vice President of Human Resources (“VPHR”), or their designee(s), for staff members. Any employee, whether faculty or staff, who wishes to request such an exemption, shall submit a written statement to the VPAA/DoF or the VPHR, as applicable, explaining the reasons for the request. The VPAA/DoF

or the VPHR will consult with the student and then respond in writing to the faculty or staff member with their decision and any conditions of approval that may apply, as applicable.

Questions about this policy shall be directed to the VPAA/DoF for faculty, or the VPHR for staff.

If Middlebury receives information that a faculty or staff member has violated this policy, the procedures laid out in the applicable misconduct policy shall be followed. If the employee is found to have violated this policy, the faculty or staff member will be subject to all appropriate discipline, including termination, consistent with the procedures of the applicable policy.

D. Intellectual Inquiry and Debate

Middlebury is a community of learners and as such recognizes and affirms that free intellectual inquiry, debate, and constructive dialogue are vital to Middlebury's academic mission and must be protected even when the views expressed are unpopular or controversial. This Anti-Harassment/Discrimination Policy statement is meant neither to proscribe nor to inhibit discussions, in or out of the classroom, of complex, controversial, or sensitive matters, including sex, sexual orientation, gender identity or expression, race, color, ethnicity, religion, marital status, place of birth, ancestry, national origin, age, or disability, when in the judgment of a reasonable person they arise appropriately and with respect for the dignity of others. Middlebury also recognizes that verbal conduct can be used specifically to intimidate or coerce and to inhibit genuine discourse, free inquiry, and learning. Such abuses are unacceptable. The "reasonable person standard" is to be used in judging whether harassment has occurred.

[1] Middlebury's Vermont undergraduate campus program includes a confidential resource called [MiddSafe](#); for more information, see <http://www.middlebury.edu/offices/health/saoc/middsafe>

[2] Under Title IX, third parties are protected from sexual harassment arising out of Middlebury's programs or activities. Thus, any third party who participates in any Middlebury College program or activity may report a complaint of sexual harassment under this policy (see Section B.2., above) or a complaint of sexual misconduct under [Middlebury's Policy Against Sexual Misconduct, Domestic and Dating Violence and Misconduct, and Stalking](#). Also, Middlebury will take appropriate action, to the extent practicable, in response to a report or complaint of sexual harassment and/or sexual misconduct by a student, faculty member, or staff member against a third party.

[3] Disclosure of the sanction imposed on the respondent will be permitted in sexual harassment cases when the sanction directly relates to the complainant (e.g., No Contact Orders, building restrictions, classroom changes or where the respondent is prohibited from attending Middlebury for a period of time).

Amended and published on September 6, 2019; supersedes Middlebury's Anti-Harassment/Discrimination Policy dated September 10, 2018.

APPENDIX A

Contact Information

Chief Diversity Officer

Miguel Fernández
Middlebury College
Service Building, 219
Middlebury, VT 05753
802.443.5792
fernande@middlebury.edu

Civil Rights & Title IX Coordinator*

Marti J. McCaleb
Middlebury College
Service Building
802.443.2147
mmccaleb@middlebury.edu

Human Relations Officers**

Eric López, J.D.
Middlebury College
Service Building, 213
802.443.3324
el@middlebury.edu

Thaddeus Watulak, J.D.
Middlebury College
Service Building 215
802.443.5741
twatulak@middlebury.edu

Alternate Human Relations Officers

Ashley Fera Arrocha
Middlebury Institute of International Studies
Associate Dean of Student Services
Office of Student Services
440 Van Buren Street
Monterey, CA 93940
831.647.4654
arrocha@miis.edu

Michael Ulibarri
Middlebury Institute of International Studies
Human Resources Manager
Human Resources Department
460 Pierce Street
Monterey, CA 93940
831.647.6404
mulibarr@miis.edu

Laura Carotenuto
Middlebury College
Human Resources
Marble Works 120
Middlebury, VT 05753
802.443.2012
lcaroten@middlebury.edu

Other Program Site Contacts

Bread Loaf Writers' Conference

Jennifer Grotz, Director
Bread Loaf Writers' Conference
204 College Street 101
Middlebury, VT 05753
802.443.5286
jgrotz@middlebury.edu

Bread Loaf School of English (Vermont)

Emily Bartels, Director
Bread Loaf CPO
4265 Ripton, Route 125
Middlebury, VT 05753
802.443.5418
ebartels@middlebury.edu

Lyndon Dominique, Associate Director
4265 Ripton, Route 125
Middlebury, VT 05753
802.443.5418
ldominique@middlebury.edu

Bread Loaf School of English (New Mexico)

Holly Laird and Lars Engle
Office: 102 Anderson
505.995.4084
Holly_Laird@breadnet.middlebury.edu Lars_Engle@breadnet.middlebury.edu

Bread Loaf School of English (Oxford)

Jeri Johnson
Exeter College Oxford OX2 3DP United Kingdom
011.44.1865.279608
Jeri.johnson@exeter.ox.ac.uk

MiddCore Summer Program

Christal Brown, Director
Middlebury College
Mahaney Center for the Arts 116
Middlebury, VT 05753
802.443.5677
christalmiddlebury.edu

Middlebury Language Schools, Schools Abroad, School of the Environment and MiddCORE

Jeffrey W. Cason
Executive Vice President and Provost
Middlebury College
Old Chapel 202
Middlebury, VT 05753
802.443.5404
cason@middlebury.edu

Language Schools

Stephen B. Snyder
Vice President for Academic Affairs and Dean of Language Schools
Sunderland Language Center 201
802.443.5979
ssnyder@middlebury.edu

Middlebury Summer Language Schools at Mills College

Sasha Miyamoto
Language Schools Administration
PMB 9972, 5000 MacArthur Blvd.
Oakland, CA 94613
510.430.2285
smiyamoto@middlebury.edu

Schools Abroad

Carlos Velez
Dean of International Programs
Sunderland Language Center 128
Middlebury, VT 05753

802-443-5745
velezbla@middlebury.edu

Middlebury School of the Environment

Curt Gervich, Co-Director
Sunderland Language Center 206
Middlebury, VT 05753
802-443-3100
cgervich@middlebury.edu

Liou Xie, Co-Director
Sunderland Language Center 206
Middlebury College
Middlebury, VT 05753
802-443-3100
lxie@middlebury.edu

MiddCORE

Christal Brown
Director, MiddCore
Mahaney Center for the Arts 116
802-443-5677
christal@middlebury.edu

Federal/State Agencies

VERMONT

Emergencies: Dial 911

[Middlebury Police](#)
802.388.3191

[Vermont State Police](#)
802.388.4919

[U.S. Department of Education](#)
[Office for Civil Rights](#)

8th Floor
5 Post Office Square
Boston, MA 02109-3921
Phone: 617.289.0111
Fax: 617.289.0150
TDD: 800.877.8339
OCR.Boston@ed.gov

[Equal Employment Opportunity Commission](#)

John F. Kennedy Federal Building
475 Government Center
Boston, MA 02203
Phone: 800.669.4000
Fax: 617.565.3196
TTY: 1.800.669.6820
ASL Video: 844.234.5122

[Vermont Attorney General's Office, Civil Rights Unit](#)

109 State Street
Montpelier, VT 05609-1001
Phone: 802.828.3171
TTY: 802.828.3665
ago.civilrights@vermont.gov

[Vermont Human Rights Commission](#)

14-16 Baldwin Street
Montpelier, VT 05633-6301
Phone: 800.416.2010 or 802.828.1625
Fax: 802.828.2481
TTY: 877.294.9200
human.rights@vermont.gov

CALIFORNIA

Emergencies: Dial 911

[Monterey Police Department](#)

351 Madison Street Monterey, CA 93940
831.646.3914

[Oakland Police Department](#)

455 7th Street
Oakland, CA 94607
510.777.3211, cell phone emergency
Other (not an emergency): 510.777.3333, 510.238.3455

[Office for Civil Rights](#)

U.S. Department of Education
50 Beale Street, Suite 7200
San Francisco, CA 94105-1813
Phone: 415.486.5555
Fax: 415.486.5570
TDD:800.877.8339
ocr.sanfrancisco@ed.gov

[Equal Employment Opportunity Commission](#) (Monterey, CA)

96 N. Third St., Suite 250
San Jose, CA 95112
Phone: 800.669.4000
Fax: 408.291.4539
TTY: 800.669.6820
ASL: 844.234.5122

[Equal Employment Opportunity Commission](#) (Oakland, CA)

1301 Clay Street
Suite 1170-N
Oakland, CA 94612-5217
Phone: 800.669.4000
Fax: 510.637.3235
TTY: 800.669.6820
ASL: 844.234.5122

[Department of Fair Employment and Housing \(DFEH\)](#)

2218 Kausen Drive, Suite 100
Elk Grove, CA 95758
Phone: 800.884.1684
TTY: 800.700.2320
contact.center@dfeh.ca.gov

DISTRICT OF COLUMBIA

Emergencies: Dial 911

[Washington DC Metropolitan Police Department](#)

300 Indiana Avenue, NW
Washington, DC 20001
Telephone: 202-727-9099
TTY: 711
Email: mpd@dc.gov

Second District Station
3320 Idaho Avenue, NW
Washington, DC 20016
Phone: 202-715-7300

[Office for Civil Rights](#)

U.S. Department of Education
400 Maryland Avenue, S.W.
Washington, DC 20202-1475
Telephone: 202.453.6020
Fax: 202.453.6021

TTY: 800.377.8339

Email: OCR.DC@ed.gov

[Equal Employment Opportunity Commission](#)

131 N. M Street, NE

Fourth Floor, Suite 4NWO2F

Washington, D.C. 20507-0100

Telephone: 1.800.669.4000

Fax: 202.419.0739

TTY: 800.669.6820

ASL: 844.234.5122

NEW MEXICO

Emergencies: Dial 911

[Santa Fe, NM Police Department](#)

2525 Camino Entrada

Santa Fe, NM 87504-0909

505.955.5033 or 505.955.5006

Non-emergency: 505.428.3710

Fax: 505.955.5052

[Office for Civil Rights](#)

[U.S. Department of Education](#)

Cesar E. Chavez Memorial Building

1244 Speer Boulevard, Suite 310

Denver, CO 80204-3582

Phone: 303.844.5695

Fax: 303.844.4303

TTY: 800.877.8339

OCR.Denver@ed.gov

[Equal Employment Opportunity Commission](#) (Santa Fe, NM)

505 Marquette Avenue, NW

Suite 900 - 9th Floor

Albuquerque, NM 87102

Phone: 800.669.4000

Fax: 505.248.5192

TTY: 800.669.6820

ASL: 844.234.5122

[Human Rights Division](#)

New Mexico Department of Labor

1596 Pacheco Street, Suite 103

Santa Fe, NM 87505

Phone: 800.566.9471 or 505.827.6838

[New Mexico Higher Education Department](#)

2048 Galisteo Street

Santa Fe, NM 87505

Phone: 505.476.8400

Fax: 505.476.8453

<http://www.hed.state.nm.us/students/hed-student-complaint-form.aspx>

*Middlebury's Civil Rights and Title IX Coordinator works to comply with and carry out its responsibilities under Title IX of the Education Amendments of 1972 as amended ("Title IX"). In general, Title IX prohibits discrimination in educational programs on the basis of sex. Prohibited sex discrimination includes sexual harassment and sexual misconduct as defined in Middlebury's Anti-Harassment/Discrimination and Sexual Misconduct policies. The Civil Rights and Title IX coordinator's responsibilities include overseeing all Title IX complaints and identifying and addressing any patterns or systemic problems that arise during the review of such complaints. See also [Appendix C](#), below.

**Middlebury's human relations officers serve as the Civil Rights and Title IX Coordinator's designees for the purposes of conducting and/or overseeing investigations and adjudicating sexual harassment and related retaliation complaints under this policy and sexual misconduct and related retaliation complaints under [Middlebury's Policy Against Sexual Misconduct, Domestic and Dating Violence and Misconduct, and Stalking](#). ("SMDVS Policy") They also conduct or oversee investigations and adjudicate all types of complaints under the SMDVS policy and this policy. Alternate Human Relations Officers serve in a similar capacity as the Civil Rights and Title IX Coordinator's designee(s) when the Human Relations Officers are unavailable or have a conflict of interest.

Appendix A: Updated September 9, 2019

APPENDIX B

Resources

Introduction and General Information

Middlebury officials have several options that they can offer to complainants, as appropriate to the circumstances, including:

- i. discussion about options regarding different levels of addressing the conduct;
- ii. assistance with pursuing a formal complaint as provided above;
- iii. issuance of a no-trespass or no-contact order;
- iv. referral to counseling and other support services;

v. academic allowances or changes in living (for persons in residence on a Middlebury campus or in connection with a Middlebury program), transportation or working arrangements or other services or accommodations that are reasonably available and necessary in a particular case; and

vi. assistance in seeking court orders and notifying proper law enforcement authorities, which Middlebury will provide, if the individual so chooses.

Reporting Sexual Harassment or Related Retaliation

To report a complaint of sexual harassment and/or related retaliation please contact the Human Relations Officer and the appropriate supervisory authority for the Middlebury program, listed in [Appendix A](#). You may also contact the Department of Public Safety at 802.388.5133. (Please see [Appendix A](#) and below for other contact information and resources available for all Middlebury programs).

Services and Accommodations

It is not necessary to file a complaint, participate in an adjudication process, or file a criminal complaint in order to request from Middlebury services or accommodations designed to preserve safety or restrict contact between a student, employee or (third party) and another individual. These may include but are not limited to No Contact Orders between the parties, academic or residential accommodations, changing transportation or working situations, or providing other employment accommodations, and/or other support resources, as appropriate. Middlebury personnel will identify appropriate options and work with complainants to determine whether these services or accommodations are reasonably available and necessary in a particular case.

General Resources

[Rape, Abuse, and Incest National Network \(RAINN\)](#)
<http://www.rainn.org>

[National Domestic Violence Hotline \(24 hour\)](#)
1.800.799.SAFE
<http://www.thehotline.org/>
[National Sexual Assault Online Hotline](#)

[Stalking Resource Center](#)
<http://www.victimsofcrime.org/our-programs/stalking-resource-center>

Resources for Middlebury Programs in Vermont

On Campus

[Department of Public Safety](#)
802.443.5911

Off Campus

[Middlebury Police](#) or [Vermont State Police](#)

802.388-3191 802.388-4919

Emergency: 911

You may also report an assault or any other crime to the police. Crimes on campus should be reported to the Middlebury Police Department. Crimes occurring in Vermont, but outside the town of Middlebury, should be reported to the Vermont State Police. Crimes that occur outside of Vermont should be reported to the police department that serves the location where the crime took place.

[Addison County State's Attorney's Office](#): 802.388.7931.

Confidential Resources

On Campus

[Parton Center for Health and Wellness](#) (Students Only)

Health Services

802.443.5135

These services are confidential and information is not shared without the student's written permission, except in the limited circumstances described herein. Health care professionals are required to report to law enforcement authorities the sexual assault of a person under the age of 18, or where there is risk of immediate danger to self, others or property. Consequently, in some circumstances, providers may not be able – legally or ethically – to maintain confidentiality.

[Counseling Services](#) (Students Only)

802.443.5141

Short-term and crisis counseling is available. These services are confidential, except in the limited circumstances described herein. Mental health professionals are required to report to law enforcement authorities the sexual assault of a person under the age of 18, or where there is risk of immediate danger to self, others, or property. Consequently, in some circumstances, providers may not be able – legally or ethically – to maintain confidentiality.

When Parton Center for Health and Wellness is closed: students may access confidential counseling phone support. To access a counselor by phone after hours (evenings and weekends), call the Counseling number (802-443-5141) and press 1 when instructed to do so. Students may also call Public Safety (802-443-5133) and ask to be connected with a counselor.

[MiddSafe: Middlebury Safe and Confidential Advocates](#) (undergraduate program excluding undergraduate academic breaks; check website for summer hours)

802.377.0239

MiddSafe advocates are Middlebury College students, faculty, and staff committed to providing a safe and confidential resource for our peers in need of support and information around sexual assault, stalking, dating violence, domestic violence, and other personal violations. The group's goal is to exist as a non-judgmental, compassionate, and effective system for individuals in emergency and non-crisis situations. Advocates provide a menu of options to guide students

towards medical, legal, and emotional resources on local, state, and national levels. MiddSafe advocates offer the following advocacy services:

*Hotline operated by volunteer student advocates 24 hours a day, 7 days a week, excluding undergraduate academic breaks on the Vermont campus.

*Faculty and staff advocates available during their regular office hours to serve in their confidential advocate capacity.

*All advocates can provide referrals to on- and off-campus services to offer support and advocacy (e.g. appointments at Parton Health and Wellness Center or Porter hospital, meetings with deans, professors, Public Safety, the Civil Rights and Title IX Coordinator, and making contact with Counseling Services of Addison County or Middlebury Police Department)

*All advocates have received training to support individuals engaged in the campus judicial process, should someone choose an advocate as their designated support person.

[College Chaplain](#)

802.443.5626

The College chaplains are available to provide supportive *confidential* counseling of all kinds, faith-based or otherwise.

Off Campus

[Porter Hospital](#)

802.388.4701

If the Health Center is closed, or if you prefer to seek treatment off campus, you may receive care at Porter Hospital's Emergency Room. The Department of Public Safety can provide transportation, and it is not necessary to share information with them about the nature of your emergency.

[Counseling Service of Addison County \(CSAC\)](#)

802.388.6751; *after hours or in emergencies, call 802.388.7641*

CSAC offers a wide range of professional mental health and developmental services designed to meet the needs of those seeking help. Their staff includes persons trained in developmental services, substance abuse treatment, psychiatry, psychology, mental health counseling, and social work. They provide emergency counseling 24 hours a day at the number above. Services may be provided over the phone or in person.

Independent Counselors

In addition to CSAC, there are a number of independent counselors in Addison County. For assistance choosing a counselor, you can talk with any member of the Middlebury counseling staff or other individuals with whom you feel comfortable.

[Employee and Family Assistance Program](#) (for staff and faculty)

1.800.828.6025

The College's Employee and Family Assistance Plan provides confidential counseling and referral services to reduce stress and improve the quality of life for employees. The EFAP provides confidential assessment and referral services, and short-term counseling. The services of the EFAP are free to employees, up to the limits of the plan. All assistance is confidential; no one at Middlebury College will know that an employee has used the EFAP.

WomenSafe 24-Hour Hotline

1.800.388.4205; Office, 802.388.4205

Based in Middlebury, WomenSafe is a local non-profit organization providing crisis intervention, problem-solving assistance, safety planning, and emotional support to survivors of physical, sexual and/or emotional abuse, including female, male, and transgender members of the Middlebury community. They also provide medical and legal advocacy, and support groups for female survivors.

Pride Center of Vermont/SafeSpace Vermont

866.869.7341 or 802.863.0003

SafeSpace offers free and confidential services to LGBTQ survivors of all forms of abuse or violence.

RAINN (Rape, Abuse and Incest National Network)

1.800.656.HOPE [for men as well as women]

This comprehensive national resource includes a telephone and on-line hotline.

Vermont Statewide Emergency Number

800.489.RAPE

This number will automatically connect the caller with the local Domestic Violence/Sexual Assault program.

For Victims with Disabilities: 800.489.7273

This number will automatically connect the caller with the local program for crisis intervention, peer counseling, court advocacy, information, referral and other services.

Legal Assistance

Vermont Legal Aid: 800.889.2047; <http://www.vtlegalaid.org/>

Vermont Bar Association: <https://www.vtbar.org/>

Resources for Middlebury College Programs Outside of Vermont

Please contact the Human Relations Officer or on-site administrator for further information pertaining to Middlebury programs elsewhere (Appendix A).

Bread Loaf School of English (New Mexico)

On Campus

[St. Johns College Security Department](#)

Telephone: 505.984.6000 or 505.984.6025 or 505.660.8177
Dial 0 from any Campus Phone

Jim Ardis, Director of Security and Safety
505.984.6125

Off Campus

[Santa Fe, New Mexico Police Department](#)

2515 Camino Entrada
Santa Fe, NM 87507
Mailing: P.O. Box 909
Santa Fe, NM 87504-0909
505.955.5033 or 505.955.5006
Non-emergency: 505.428.3710
Fax: 505.955.5052
Emergency: 9-1-1

[Christus St. Vincent Hospital](#)

455 St. Michael's Drive
Santa Fe, NM 87505
505.913.3361
St. Vincent Hospital provides services such as thorough medical examinations, prophylaxis, and evidence collection.

[Solace Crisis Treatment Center](#)

6601 Valentine Way
Santa Fe, NM 87507
800.721.7273 (24 hour crisis advocacy hotline)
505.988.1951

[The Rape Crisis Center of Central New Mexico](#)

Albuquerque, NM 87112
Business: 505.266.7712
Hotline: 888.811.8282

[New Mexico Coalition Against Domestic Violence](#)

505.246.9240
<http://www.nmcadv.org/about-us/>

[Domestic Violence Helpline \(NM Legal Aid\)](#)

505.243.4300 or 1.877.974.3400
<http://www.nmlegalaid.org/?q=content/domestic-violence-helpline>

Legal Referral Services

[State Bar of New Mexico](#)

1-800-876-6227

<http://www.hed.state.nm.us/institutions/complaints.aspx>

[New Mexico Legal Aid](#)

1.866.416.1922

<http://www.nmlegalaid.org/>

Middlebury Institute of International Studies at Monterey

On Campus

[Office of Student Services](#)

440 Van Buren Street

Monterey, CA 93940

831.647.4128

[Campus Security](#)

[460 Pierce St Monterey, CA 93940](#)

[831.647.4153](#)

[Emergency: Call 911](#)

Off Campus

[Local Police Department](#)

Monterey Police Department

351 Madison Street Monterey, CA 93940

831.646.3914

Emergency: Call 911

[Monterey Rape Crisis Center](#)

831.375.HELP or 831.424.HELP

[Community Hospital of the Monterey Peninsula \(CHOMP\)](#)

23625 Holman Highway

Monterey, CA 93940

831.624.5311 or 888.45CHOMP

Mental Health Crisis Line: 831.625.4623

[Suicide Prevention Service](#)

24-Hour Suicide Crisis Line: 1.877.663.5433

YWCA domestic violence crisis line: 831.372.6300

57 Webster Street

Monterey, CA 93940 (men & women)

[Monterey County Social Services](#)

1281 Broadway Ave.
Seaside, CA 93955
831.899.8001

[Shelter Outreach Plus Domestic Violence Shelter](#)

3087 Wittenmyer Court
Marina, CA - 93933
(831) 384-3388

Women's Crisis Center
831.757.1001

Counseling

Student Assistance Program: Well Connect: 1.800.326-6142

[Employee and Family Assistance Program](#) (Faculty and Staff):

Middlebury's Employee and Family Assistance Plan provides confidential counseling and referral services.

Administered by: [e4Health](#); 1.800.828.6025

[e4Health Log In](#):

Username: middlebury college

Password: guest

Community Human Services Counseling and Recovery: 831.658.3811

Legal Assistance

[Free and Low Cost Legal Help](#)

<http://www.courts.ca.gov/selfhelp-lowcosthelp.htm>

[Law HelpCA.org \(legal aid and self-help resources\)](#)

<http://lawhelpca.org/>

[California Bar Association](#)

415-538-2000

<http://www.calbar.ca.gov/>

Middlebury at Mills College

On Campus

[Mills College Public Safety](#)

510.430.5555 (for emergency assistance)

Off Campus

[Oakland Police Department](#)

455 7th Street
Oakland, CA 94607
510.777.3211, cell phone emergency
Other (not an emergency): 510.777.3333, 510.238.3455
Emergency 9-1-1

Licensed Counselor
Thomas Zurfluh, Psy.D,
2154 Broderick Street, San Francisco, CA 94115
415.789.8383
thomas.zurfluh.psyd@gmail.com

[Bay Area Women Against Rape \(BAWAR\)](#)

BAWAR, the nation's first rape crisis center, was formed in 1971. BAWAR provides free in-person counseling to survivors of sexual assault and their significant others. It also offers accompaniment to police, court and hospital, a 24-hour hotline, support groups, and community education.

24 hour free hotline: *510.845.RAPE (7273)*
Office: 510.430.1298
470 27th Street
Oakland, CA 94612, located within the Alameda County Family Justice Center (www.acfjc.org)

[Highland Sexual Assault Center](#)

Highland Hospital Campus
1411 East 31st Street
Oakland, CA 94602
Hotline: 510.534.9290
Business: 510.534.9291

[San Francisco Women Against Rape \(SFWAR\)](#)

SFWAR offers 1-to-1 peer counseling, support groups, a 24-hour support hotline, medical and legal advocacy, and referrals.
24 hour free hotline: 415.647.RAPE (7273)
Office: 415.861.2024
3542 18th Street, #7
San Francisco, CA 94110

[San Francisco Domestic Violence Consortium](#)

<http://www.dvcpartners.org/>

Woman, Inc

1.877.384.3578

<http://www.womaninc.org/>

Legal Assistance

Free and Low Cost Legal Help

<http://www.courts.ca.gov/selfhelp-lowcosthelp.htm>

Law HelpCA.org (legal aid and self-help resources)

<http://lawhelpca.org/>

California Bar Association

415-538-2000

<http://www.calbar.ca.gov/>

Washington DC-CNS Center

Washington DC Metropolitan Police Department

300 Indiana Avenue, NW

Washington, DC 20001

Telephone: 202-727-9099

TTY: 711

Email: mpd@dc.gov

Second District Station

3320 Idaho Avenue, NW

Washington, DC 20016

Phone: 202-715-7300

24-hour Hotlines

DC Rape Crisis Center

5321 1st Place, NE

Washington, DC 20011

Telephone: 202-232-0789

Hotline: 202-333-7273

Hotline: 800-656-HOPE (4673)

Network for Victim Recovery of DC

Washington, DC 20011

Hotline: 1-800-641-4028

DC Crisis & Suicide Prevention Hotline

2512 Virginia Avenue, NW

Washington, DC 20037

Hotline: 202-552-4673

[DC Coalition Against Domestic Violence](#)

5 Thomas Circle, NW
Washington, DC 20005
Telephone: 202-299-1181

[My Sister's Place 24 Hour Hotline](#):202-529-5991

Medical Care & Emergency Rooms

[George Washington University Hospital](#)

900 23rd Street, NW
Washington, DC 20037
202-715-4000

[Howard University Hospital](#)

2041 Georgia Avenue, NW
Washington, D.C. 20060
Telephone: 202-865-6100

[Sibley Memorial Hospital](#)

5255 Loughboro Road, NW
Washington, D.C. 20016
Telephone: 202-537-4000

Counseling Services

[Counseling & Psychotherapy Services of DC](#)

5100 Wisconsin Avenue, NW
Washington, DC 20016
Telephone: 202-244-8855

Appendix C: Civil Rights and Title IX Coordinator

Inquiries concerning the application of Title IX may be referred to Middlebury's [Civil Rights and Title IX Coordinator](#) or to the United States Department of Education Office for Civil Rights (contact information is listed in [Appendix A](#)). The full text of Middlebury's [Nondiscrimination Statement](#) is available at <http://www.middlebury.edu/about/handbook/general/nondiscrimination>. Printed copies are also available from the offices of the Vice President for Student Affairs, the Commons deans, the Civil Rights and Title IX Coordinator, human relations officer(s) or the supervisory authority for the program at issue. Reasonable accommodations will be provided for persons with disabilities who need assistance in reviewing Middlebury's [Nondiscrimination Statement](#) and its Anti-Harassment/Discrimination and Sexual Misconduct policies.

The [Civil Rights and Title IX Coordinator](#) is the administrator responsible for coordinating Middlebury's efforts to comply with and carry out its responsibilities under Title IX. The Civil Rights and Title IX Coordinator's responsibilities include overseeing the process for handling all

Title IX complaints and identifying and addressing any patterns or systemic problems that arise during the review of such complaints.

Middlebury's Human Relations Officers serve as the Civil Rights and Title IX Coordinator's designees for the purposes of overseeing investigations and adjudicating sexual harassment and related retaliation complaints under this policy and sexual misconduct and related retaliation complaints under [Middlebury's Policy Against Sexual Misconduct, Domestic and Dating Violence and Misconduct, and Stalking](#). Middlebury's Alternate Human Relations Officers serve in a similar capacity as the Title IX Coordinator's designee(s) when the Human Relations Officers are unavailable or have a conflict of interest.

Appendix C: Updated September 9, 2019