

2025 Annual Security and Fire Safety Report

Bennington College · Bennington, VT

*Containing information for the 2025 summer term and
Clery Act statistics for the 2024 summer term.*



Middlebury
Language Schools

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Alphabetical Index

AOD	Alcohol and Other Drugs
BAC	Blood Alcohol Content
CDC	Center for Disease Control
CSA	Campus Security Authority
CSAC	Counseling Service of Addison County
EMT	Emergency Management Team
FASD	Fetal Alcohol Spectrum Disorder
FBI	Federal Bureau of Investigation
HIV	Human Immunodeficiency Virus
HRO	Human Relations Officer
SANE	Sexual Assault Nurse Examiner
SEC	Securities and Exchange Commission
TAM	Threat Assessment and Management Team
VAPA	Visual and Performing Art Center
VAWA	Violence Against Women Act
VCIC	Vermont Crime Information Center
VPAA	Vice President of Academic Affairs
YPLL	Years of Potential Life Loss

Important Numbers

Bennington Campus Resource for Middlebury Language Schools

Dial 911 Emergencies

802.447.4250 Bennington College Campus Safety
802.442.1030 Bennington Police

Health Services and Resources - Bennington, Vermont

802.443.5141 Counseling Services, Middlebury, College
802.442.5491 United Counseling Service of Bennington County
802.440.4077 Southwestern Vermont Medical Center (SVMC) Express Care

Middlebury College, Middlebury Vermont Campus Resources

Middlebury College Summer Programs

802.443.5510 Language Schools office- General info
802.443.5396 Acting Dean of the Language Schools through June 2026
802.443.5649 Associate Dean, Language Schools
802.443.5545 Language Schools Operations Director
802.443.3100 Co-Directors, School of the Environment
802.443.5230 Arabic School
802.443.5520 Chinese School
802.443.5526 French School
802.443.5203 German School

School of Hebrew
802.443.3572 3-week & 7-week programs
802.443.3593 Graduate Coordinator

802.443.5874 Italian Language School
802.443.5215 Japanese School
802.443.5292 Portuguese School
802.443.2006 School of Russian

Spanish School
802.443.5538 7-week program
802.443.5539 Graduate Coordinator

802.443.5215 School of Korean
802.443.3100 School of Environment

Important Numbers — Continued

Middlebury College Public Safety and Local Law Enforcement

802.443.5133	Public Safety (Business line)
802.443.5911	Public Safety (Emergency Line)
802.388.3191	Middlebury Police Department
802.388.4919	Vermont State Police Department
802.388.7931	Addison County State's Attorney's Office

Middlebury College Resources

802.443.5465	Human Resources
802.443.5472	Facilities Services
866.660.9533	Invest EAP
802.443.2465	Vice President for Student Affairs
802.443.3108	Associate Vice President and Dean of Students
802.443.2147	Civil Rights & Title IX Coordinator
802.443.3324 or 802.443.5741	Human Relations Officers/Title IX Coordinator Designees
831.647.4654	Alternate Human Relations Officer
802.443.5936 or 802.443.2382	Disability Resource Center

Middlebury College Health Services and Resources (see Bennington Resources on page vi)

802.443.5141	Counseling Number
802.388.7641	CSAC (Counseling Service of Addison County)
802.443.5135	Health Services
802.388.4701	Porter Medical Center Inc.
802.847.0000	University of Vermont Medical Center
802.775.7111	Rutland Regional Medical Center
During Business Hours	SANE (Sexual Assault Nurse Examiner)
802.443.5135	After hours, contact Public Safety at 802.443.5911
802.443.3020	Environmental Health and Safety
800.889.2047	Vermont Legal Aid
800.388.4205	Atria Collective (formerly WomenSafe)
800.799.7233	National Domestic Violence Hotline
800.656.HOPE	RAINN (Rape, Abuse, and Incest National Network)
802.863.0003	SafeSpace

Message from the Associate Vice President of Safety

This Annual Security and Fire Safety Report contains information on security programs, policies, procedures, safety practices and fire systems for Middlebury College's Bennington campus in Bennington, Vermont. It also includes statistics for the previous three years concerning reported crimes that occurred on Bennington buildings and property owned or controlled by Middlebury – as well as statistics for reported crimes that occurred on public property within or immediately adjacent to and accessible from the Bennington campus.

This Annual Security and Fire Safety Report also contains the annual statistics of certain crimes committed at the non-campus buildings and properties owned or controlled by Middlebury that are used in direct support of or in relation to Bennington Campus's educational purposes, are frequently used by students, and are not within the same reasonably contiguous geographic area of the Bennington, Vermont campus. The report collects information on any reports of fires in student residential buildings at the Bennington campus.

This information has been compiled and released in accordance with the Jeanne Clery Campus Safety Act (the "Clery Act") and the Violence Against Women Reauthorization Act of 2013, and is produced by Middlebury College's Department of Public Safety in collaboration with Bennington College's Office of Campus Safety. Electronic copies of the Annual Security and Fire Safety Report are distributed via email to all students, faculty, and staff at the Middlebury, VT Campus and at the Bennington Campus. Printed copies are available and are provided upon request at the Middlebury Department of Public Safety, 125 Main Street, Middlebury, VT 05753 (email: publicsafety@middlebury.edu or phone: 802.443.5133). The report may also be accessed on Middlebury College's Department of Public Safety's website.

All faculty, staff, and students play important roles in crime prevention. By following safety policies and reporting suspicious or criminal activity to the appropriate authorities in a timely manner, community members can help reduce crime and increase safety.

If you have questions or suggestions about this Annual Security and Fire Safety Report or regarding safety and security at Middlebury, please contact me at 802.443.5201 or dkirby@middlebury.edu.

Sincerely,

Demitria Kirby

Associate Vice President of Safety
125 South Main Street
Middlebury College

Bennington College, Office of Campus Safety, Bennington, Vermont

Campus Safety officers on Bennington Campus are available at all times, day and night. Campus safety officers do not act in the capacity of sworn law enforcement and thus do not have the power to make arrests but work closely with local law-enforcement agencies. Campus Safety officers have the authority to stop individuals on campus and to request identification. They also can issue parking tickets, tow cars and issue trespass notices.

Often, Campus Safety officers are the first responders to assist with fire, medical emergencies, and criminal activity. The department works with the Bennington Police Department, the Vermont State Police, the state's attorney of Bennington County, the Vermont Department of Liquor Control, the Bennington Fire Department, Bennington Area Rescue, and the Southern Vermont Medical Center.

The authority of Bennington Campus Safety is primarily within the College's on campus Clery geography. The only exceptions being three buildings controlled by the College that are not on the main campus. Those buildings are: The Paran Creek Apartments, the Putnam Building, and the Welling Townhouse.

Agreements with Law Enforcement

Campus Safety has a cooperative agreement, not a memorandum of understanding, with the Bennington Police Department in the areas of criminal investigation, service of warrants, and events security. Campus Safety immediately reports serious crimes and missing persons to the Bennington police, and provides the department with reports of crimes on campus in accordance with Bennington or Middlebury's policies.

Campus Safety informs and encourages victims and witnesses to report criminal acts and suspicious behaviors to the Bennington Police. When the police must arrest people on campus, Campus Safety offers its assistance and cooperation.

Reporting Procedures

An emergency is any immediate threat to life and/or property that requires immediate response from police, fire, or emergency medical services. Examples include crimes in progress, fire, or a serious injury or illness.

When you need an immediate response at any of the Middlebury programs or anywhere in the United States, dial 911.

Reporting Crimes and Emergencies

Members of the Bennington College community and guests to the campus are encouraged to report emergencies and suspected criminal activity to the Office of Campus Safety immediately. Campus Safety maintains an emergency phone number (dial 767 from campus phones or 802.447.4250) for immediate assistance. Campus buildings have public campus phones with stickers indicating the phone numbers for Campus Safety. Members of the College community are also encouraged to report crimes that have already occurred to the Office of Campus Safety for the purpose of including the crimes in the annual statistical disclosure.

When reporting a crime or emergency:

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

Response to incidents will vary. Typically, when Bennington Campus Safety receives a report or a crime or emergency, an officer will be dispatched to the location. The officer(s) will then make a determination on appropriate response, including whether the situation can be handled with available College resources or if a request for assistance from external responders is warranted. Following the incident, a report will be generated and sent to the appropriate department for follow up. Examples of those departments include Language School Administration, Conduct, Civil Rights and Title IX, Residential Life, and Human Resources. When appropriate, reports may be shared with law enforcement.

If sexual assault (including rape, fondling, incest, and statutory rape), domestic violence, dating violence, stalking or other crimes occur, staff on the scene, including Campus Safety, will offer the victim services and options for filing a report.

All crimes should be reported to the Bennington Campus Safety, Middlebury College Department of Public Safety, the Middlebury Civil Rights and Title IX Coordinator, Human Resources, Dean of Students, Middlebury officials responsible for conduct and/or investigations, or other designated Language School department coordinator or official to ensure inclusion in the annual crime statistics and to aid in providing timely warning notices to the Bennington campus community as appropriate.

Accurate and Prompt Reporting

Anyone on campus can report emergencies and suspected criminal activity to the Office of Campus Safety. Campus Safety maintains an emergency number (dial 767 from campus phones or 802.447.4250) for immediate assistance. Also, campus buildings have public campus phones with stickers indicating the phone numbers for Campus Safety. Members of the campus community are also encouraged to report crimes that have already occurred for the purpose of including the crimes in the annual statistical disclosure.

We encourage community members, students, faculty, staff, and guests to report all crimes, suspicious activity, and public safety-related incidents and hazards to Bennington College Campus Safety or other designated security department and/or official and local law enforcement accurately and in a timely manner (see contact information below). This should also be done when a harmed party or impacted party elects to, or is unable to, make such a report. This language captures situations involving both physical and mental incapacitation. It does not include situations where a victim is unwilling to report.

Non-campus Buildings or Property

If a Middlebury student, staff member, or faculty member becomes aware of a crime or emergency or needs to make a request for related assistance connected with a non-campus location (that is, any building or property owned or controlled by Middlebury that is used in direct support of Middlebury's educational purposes and which is frequently used by students, but which is not within the same reasonably contiguous geographic area as one of Middlebury's campuses), they are encouraged to contact the police (dial 911). Other contacts are the on-site director or designee or the security or Campus Safety officials responsible for the building or location.

Examples of non-campus buildings or property are those that meet the definition of “non-campus” as described above, such as the Snow Bowl and certain spaces used for the MiddCORE program at the Middlebury Institute of International Studies at Monterey, Schools Abroad programs, courses or events at the College's Washington, D.C., suite, certain hotels or other accommodations that are repeatedly used by sports teams or other Middlebury students, and property used for summer study courses, as applicable. Individuals are encouraged to report crimes to Middlebury departments or officials responsible for security-related issues or administration, and to local police agencies as appropriate and/or required by applicable law.

Middlebury does not officially recognize any student organizations that have non-campus housing or other non-campus locations, so it does not have a policy concerning the monitoring and recording by local police agencies of criminal activity by students at any such locations.

Clery Crime Reporting

Any student or faculty or staff member who has information about a Clery Act crime is requested to report the crime to The Bennington Campus Safety Director or Campus Safety department, the Middlebury Associate Vice President of Safety, Middlebury Public Safety Department or the Civil Rights and Title IX Coordinator, for inclusion in the Clery Act crime statistics and so we can determine whether or not a timely warning is needed (See Timely Warning below). Clery crime reports should also be made by using the online [Crime Report Form](#).

All crimes can be reported to the Department of Public Safety/Office of Campus Safety. Matters related to discrimination, harassment, sexual and/or personal violence can also be reported directly to the Title IX office.

Bennington College Campus Safety Contact Information

For emergencies, including medical, fire, smoke, crime, or the carbon monoxide alarm, first call 911 and then call the Bennington College Office of Campus Safety.

Reports can also be made in person at the Bennington College Office of Campus Safety or the Middlebury College Department of Public Safety at 125 South Main Street, Middlebury, VT.

Emergencies (Police, Ambulance, and Fire Department): Dial 911

Bennington College Campus Safety: **802.447.4250**

Bennington Police: **802.442.1030**

Civil Rights & Title IX Coordinator, Butterfly Blaise Boire

Middlebury College Service Building, Middlebury, VT 05753

802.443.2147

bboire@middlebury.edu

Campus Security Authority (CSA)

A Campus Security Authority (CSA) is someone to whom you can report a crime and includes the following groups of individuals and organizations associated with an institution:

- A campus police department or a campus security department of an institution.
- Any individual or individuals who have responsibility for campus security but who do not constitute a campus police department or a campus security department (e.g., an individual who is responsible for monitoring the entrance into institutional property).
- An individual or organization specified in an institution’s statement of campus security policy as an individual or organization to which students and employees should report criminal offenses.
- An official of an institution who has significant responsibility for student and campus activities, including but not limited to student housing, student discipline, athletics, off campus trips, and campus judicial proceedings.

You report a crime when you bring it to the attention of a CSA, and that report should be made in good faith. You can also make a report by filling out the online Campus Security Authority crime report form. This report will be forwarded to the Middlebury College Department of Public Safety. The CSA report form is located on [Middlebury's Department of Public Safety web page](#).

Confidential Reporting

Campus “pastoral counselors” and campus-based “professional counselors,” when acting as such, are not considered campus security authorities and are not required to report crimes for inclusion into the annual disclosure of crime statistics. As a matter of policy, counselors are encouraged to explain to a victim that the counselor could inform Public Safety of the crime solely for statistical purposes, keeping the victim's name anonymous. If the victim agrees, the counselor would ask the victim to complete a Campus Security Authority form and leave all identifying information blank. Counselors are defined as follows:

1. *Pastoral counselor:* An employee of an institution who is associated with a religious order or denomination, who is recognized by that religious order or denomination as someone who provides confidential counseling and who is functioning within the scope of that recognition as a pastoral counselor.
2. *Professional counselor:* An employee of an institution whose official responsibilities include providing mental health counseling to members of the institution’s community and who is functioning within the scope of the counselor’s license or certification.

For more information, please see the “Confidentiality and Confidential Resources” section of this report.

Clery Act Crimes that Must be Reported by the CSA and Included in the Annual Security Report

CSAs are responsible for reporting allegations of Clery Act crimes that are reported to them while acting in their capacity as CSAs. CSAs are required to report such crimes to the Middlebury College Department of Public Safety (802.443.5133), the Bennington College Office of Campus Safety (802.447.4250), the Civil Rights and Title IX Coordinator (802.443.2147), and/or Language School administration so that the crime report can be included in annual crime statistics, and in order to make a timely warning determination (see Timely Warning, below).

The Middlebury College Department of Public Safety works cooperatively with our designated CSAs, including the Civil Rights and Title IX Coordinator, Dean of Students, Human Resources, Residential Life, and officials responsible for investigations and/or conduct to ensure we are collecting statistics from all appropriate sources. Additionally, we work closely with Bennington Office of Campus Safety as well as local law enforcement who hold the appropriate jurisdiction for our various Clery geography locations. Outreach is conducted at least once annually to make a request for applicable statistics. We encourage all CSAs to use the online [Campus Security Authority Crime Report Form](#), which will be electronically transmitted to the department of Public Safety.

All members of the College community, including visitors and guests, are encouraged to please dial 911 in case of an emergency, or call Bennington College Campus Safety at 802.447.4250.

Crimes that fall within the scope of the Clery Act and must be reported include the following:

- Murder and non-negligent manslaughter
- Manslaughter by negligence
- Sexual assault/sex offenses (rape, fondling, incest, and statutory rape)
- Robbery
- Aggravated assault
- Burglary
- Motor vehicle theft
- Arson
- Liquor law violation
- Drug law violation
- Weapon law violation
- Hate crimes: any of the serious crimes above (except manslaughter by negligence) and larceny-theft, destruction/damage/vandalism of property, intimidation (threats of injury or violence), or simple assault, if there is evidence that the victim was intentionally selected because of the perpetrator's bias against the victim on the basis of race, religion, gender, gender identity, sexual orientation, ethnicity, national origin, or disability
- Domestic violence
- Dating violence
- Stalking
- Hazing

The definitions for the crimes are located in this document, see the Crime Statistics Section of this document.

CSAs must also report arrests and referrals for campus disciplinary action for liquor law violations, drug law violations, and weapons law violations (e.g., possession, carrying, etc.).

Antihazing Policy and Education

Middlebury College's Policy Against Hazing prohibits hazing activities of any kind, whether by an individual or an organization and including passive participation in hazing activities. This includes witnessing hazing taking place as a group member, affiliate or guest, or participating in or being present in person or via technology in discussions where hazing is planned.

All Middlebury community members are expected to report activities believed to be hazing to a Class Dean, Director of Athletics, Office of Student Engagement, Dean of Students, the AVP of Student Affairs for the Institute and the Schools, or the Vice President of Student Affairs. Upon review of the facts, the Vice President of Student Affairs, or designee, will determine if an investigation is warranted. If so, they will follow the investigative process as outlined in the Policy Against Hazing.

Additionally, Hazing activity is subject to additional penalties or fines and/or criminal prosecution by the state of Vermont; See 16 V.S.A. Sec. [570k](#) & [570l](#).

In compliance with the Stop Campus Hazing Act, Middlebury College has implemented prevention and awareness programming related to hazing. This evidence-based programming is available to all faculty, staff, and students and provides education on prevention strategies such as bystander intervention, ethical leadership, and strategies for building group cohesion. Additionally, all members of the community are educated on Middlebury's Policy Against Hazing which informs them how to report suspected activities of hazing, who to report to, the process for investigation, and relevant state laws.

Daily Crime Log

The Office of Campus Safety at Bennington College prepares and maintains a daily log for public viewing. This log is available 24 hours a day.

Emergency Phones

Campus Safety maintains an emergency phone number (dial 767 from campus phones or 802.447.4250) for immediate assistance. All campus houses have phones for emergency calls to Campus Safety.

Emergency Response

This section describes the procedures that Bennington College will use to immediately notify the campus's summer community upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on Bennington's campus, the process that Bennington will use to confirm that there is a significant emergency or dangerous situation, to determine the appropriate segment or segments of a campus community to receive a notification, and to determine the content of the notification.

Upon learning of an incident on the Bennington College campus during the summer, Campus Safety officer(s) will respond, assess if there is a dangerous situation or emergency, and will notify the Director of Campus Safety, or their designee. Members of Campus Safety will notify the Bennington Police to respond to incidents involving weapons or other serious threats of violence on campus. The Director or designee, upon confirmation of an emergency or dangerous situation affecting the Bennington campus

will send a RAVE message to the Bennington campus community, which will primarily be Middlebury College employees and students.

In all cases, Bennington will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the applicable notification system, unless issuing a notification will, in the professional judgment of responsible authorities, compromise efforts to assist victims, or to contain, respond to, or otherwise mitigate the emergency.

Bennington College conducts an Emergency Response and Evacuation test annually. The test is designed to assess emergency plans and their capabilities. General information about emergency response and evacuation procedures for Bennington College is available at <https://www.bennington.edu/human-resources/employment-bennington/emergency-response-policy>.

Emergency Notification Procedures

Crime and Campus Safety Alerts are issued when a crime or pattern of crimes or other activity presents an immediate and significant danger to the community.

To facilitate communication, Bennington College utilizes the RAVE Emergency Notification System. During an emergency, notifications are sent to all employees via campus telephone and email, and any other communication devices registered with the system (home phone, personal cell phone, email address, etc.). Middlebury College students and employees at the Bennington College campus will be enrolled in the Bennington RAVE System. This system is tested annually and for the summer programs by request.

Adding or Changing Cell Phone Emergency Contact Information

To alert the college community of emergencies or potential emergencies, Middlebury Public Safety and/or Bennington Campus Safety may use the RAVE Emergency Notification System. This system uses the cell phone numbers entered into BannerWeb (students) and Oracle (employees). Students are required to provide their emergency contact information upon course registration. Middlebury also sends an email explaining that the cell phone numbers must be in Banner in order to receive emergency notifications in this manner. Employees are notified that in order to receive RAVE cell phone messages or text messages, they must list their cell phone number in Oracle.

Students, to add your cell phone number, log into BannerWeb; select “Personal Information;” and select “Update cell phone for emergency communications.”

Faculty/Staff, to add your cell phone number log into Oracle and select “Contact Information”.

Please review your information regularly to ensure your emergency contacts are up to date. Also, in order to recognize the emails, phone calls, or texts from RAVE, please add the numbers above to your phone's contacts.

Timely Warning

Bennington Campus Safety, in collaboration with Language School Administration, will provide a timely warning to the campus community when a Clery crime has occurred or is occurring, has been reported to Campus Safety or local law enforcement, and is considered to represent a threat to the campus community. Campus Safety provides warning notices to the community in a manner that is timely to aid in the prevention of similar crimes and withholds as confidential the names and other identifying information of victims. Notices can be sent via campus email or through the RAVE Emergency Notification System.

Bennington Campus Safety may also issue warnings to the campus community when other situations pose safety concerns (see the Emergency Response section), or otherwise as deemed appropriate.

In its annual letter to local law enforcement agencies, both Middlebury Public Safety and Bennington Campus Safety request that local law enforcement inform the institution on an immediate basis of crimes that may require timely warnings.

General Emergency and Evacuation Procedures

In case of an immediate emergency, call 911.

Evacuation maps are located in each building on campus.

In the event of a large-scale event that exceeds the resource capabilities of the College, requests for assistance will be made to external resources such as the local and state police, the local fire department, and medical first responders. Local agencies utilize the ICS system when further assistance is needed.

Fire Evacuation

Familiarize yourself with your building's evacuation procedures. Locate the nearest exit and fire extinguisher.

- If you smell smoke or detect a fire, activate the nearest alarm, if possible, and call 911 from a safe location.
- Evacuate as soon as you hear the alarm.
- Before opening any door, use the back of your hand to test its temperature. Also check the doorknob's temperature. If either is hot, leave the door closed, stuff towels or clothes in the cracks, and open a window. Look for another exit.
- If the door isn't hot, open it slowly and be prepared to close it quickly if necessary.
- In a smoke-filled area, keep low to the floor to avoid inhaling smoke.
- If you see or smell smoke in a hall or stairway, consider another exit.
- Close doors as you leave.
- Exit the building cautiously. Carry a towel or blanket to protect yourself from flames or smoke.
- If the exit is blocked, return to your room, close the door, open a window, and call for help.
- If there is a fire, don't use any elevators.
- Report to your muster point.
- Do not re-enter the building until a Bennington Campus Safety representative advises that the Fire Department has indicated that it is safe to re-enter.

Active Threat

The U.S. Department of Homeland Security defines an active shooter as an individual actively engaged in killing or attempting to kill people in a confined and populated area; in most cases, the victims are chosen at random.

Because active-shooter situations are often over within 10 to 15 minutes, before law enforcement arrives on the scene, individuals must be mentally and physically prepared to survive. (In 2014 Middlebury College began training all students, faculty, and staff in the "Run, Hide, Fight" protocol described below.)

If you are involved in a situation where someone has entered the area, and begins shooting or you hear gunshots fired, the following is a list of actions that are recommended. These kinds of incidents are unpredictable. The guidelines provided are based on past experiences. Other actions may be necessary. If the individual poses an immediate threat to you, you may need to act using your best judgment.

Run, Hide, Fight*

If you can safely leave the area:

- Exit the building immediately (“Run”). Tell anyone you may encounter to exit the building also.
- Leave the campus if you can safely do so. Attempt to let a supervisor or fellow worker know that you are leaving so that everyone can be accounted for.
- Call 911 and the Middlebury College Department of Public Safety at 802.443.5911.
- Give the dispatcher the following information:
 1. Your name
 2. Location of the incident (be as specific as possible)
 3. Number of armed people involved (if known)
 4. Identification or description of armed people
 5. Number of persons who may be at risk
 6. Your contact information and location

If you are at immediate risk and exiting the building is not possible:

- Go to the nearest room or office (“Hide”).
- Close and lock the door.
- Cover the door windows.
- Keep quiet and act as if no one is in the room.
- Silence your phone. Notifications on your phone could give away your location. Do not turn off your phone as that will be the primary way in which the College will communicate with you.
- DO NOT answer the door.
- Be aware that a fire alarm might have been pulled by an intruder.
- Identify/obtain an object in the room that can be used to incapacitate the armed person if they enter the room.
- If possible, call (or text, but only if you cannot speak safely) 911.
- Give the dispatcher the following information:
 1. Your name
 2. Location of the incident (be as specific as possible)
 3. Number of armed people involved (if known)
 4. Identification or description of armed people
 5. Number of persons who may be at risk
 6. Your contact information and location
- Wait for local police or security to assist you out of the building.

If an armed intruder enters the room and you are in immediate danger:

- Commit mentally to incapacitating the intruder (“Fight”).
- Strike the intruder with an object and continue to strike until the intruder is incapacitated.
- Yell as you fight.
- Call 911 when possible.

*Run, Hide, Fight: Surviving an Active Shooter Event is funded by the Regional Catastrophic Preparedness Grant Program, a Department of Homeland Security initiative (October 2012), produced by the city of Houston Mayor’s Office of Public Safety and Homeland Security. Middlebury College uses it with permission for training purposes.

Earthquake Preparedness

Falling objects cause most injuries during earthquakes, so remove heavy objects from shelves above beds or desks and place them on lower shelves. Secure freestanding cabinets, bookcases, and other tall furniture to the wall. If you can’t secure them, place them where they’re not likely to fall and cause injury. Desks, chairs, or beds should not be directly next to or under a window. If it is impossible to avoid such an arrangement, sit and sleep with your head away from the windows. Keep plants and other freeswinging objects away from windows so they will not break the windowpane.

At the first indication of an earthquake, **move to a safe area (under sturdy furniture, or braced in an interior door frame or interior corner)**, away from shelves and windows, and keep your face and head covered for protection from broken glass and falling debris. Remember to duck, cover, and hold.

If you’re inside, don’t rush outside, as there may be hazards from falling debris.

If you’re outdoors, stay there. If possible, move to an open area away from buildings, trees, overhead power lines, brick walls, and falling objects. Stay low to the ground and look for hazards that may require moving to a safer area.

If you’re in a car, pull over and stop in a safe area away from trees, power lines, bridges, overpasses, and buildings. Stay inside the car. If live wires should fall across the car, remain still until help arrives. Cars are usually well insulated and will provide protection against electricity.

Develop a personal emergency plan. Doing so will increase your personal safety if there is an earthquake, provide necessary resources and training for handling an earthquake’s aftermath, and help put family and friends at ease. Keep a flashlight on hand, too, in case of power outages.

After an earthquake, local telephone lines and cellular service may have reduced capacity. Do not make calls immediately after an emergency unless you’re in danger. That way, lines can remain available for emergency services.

To stay in contact with your relatives after an emergency, call an out-of-state friend or family member. Ask this person to call your relatives and friends and tell them you are safe.

Testing Emergency Notification, Response, and Evacuation Procedures

Middlebury will test the institution's emergency response and evacuation procedures on at least an annual basis, including tests that may be announced or unannounced, by the Emergency Notification System (RAVE), and could utilize text, phone, and/or email. Middlebury will publicize its emergency response and evacuation procedures in conjunction with at least one test per calendar year, by directing people to the emergency procedures web pages. Middlebury will document, for each test, a description of the exercise, the date, the time and whether it was announced or unannounced.

Upon request from Middlebury College, Bennington College will conduct a fire drill in each student residential building during the summer. During these drills, the students become familiar with the exits and the muster points. Upon request, Bennington Campus Safety will also test their emergency notification system and meet with Middlebury College students, faculty, and staff to review evacuation procedures.

Emergency Operations Plan

Bennington College has developed an Emergency Response Plan to provide a systematic and comprehensive response to a wide variety of emergency conditions that could occur on campus.

Middlebury College maintains an Emergency Operations Plan which highlights the functions of the emergency response teams (Emergency Management Team and Crisis Management Team) during urgent situations. Middlebury College's Emergency Management Team (EMT) is trained in the College's emergency preparedness and response procedures. The EMT consists of staff members from various college departments and offices who are responsible for operational management during an emergency. The EMT reports to the Crisis Management Team (CMT), composed of senior leadership responsible for policy and executive-level decision making during an emergency. The College's Emergency Response web page provides information on topics such as lockdown, evacuation, active shooter threats, bomb threats, and natural disasters. This information can also be found in building evacuation plans.

Team Training

Members of Middlebury College's CMT and EMT must complete the online course Introduction to the Incident Command System, ICS-100 for Higher Education [https://training.fema.gov/is/course overview](https://training.fema.gov/is/course%20overview). Team chairs will schedule additional training sessions on at least an annual basis. Training will, when it is practicable, include first responders and other external agencies to test the College's plans and their compatibility with local, regional, or state plans. For testing purposes, team members will practice with hypothetical critical incidents and emergencies. They will employ tabletop exercises, functional exercises, and drills that test the utility of emergency operation planning, the team members' preparedness, the team's coordination with external entities, and team members' knowledge, acquisition, and deployment of resources.

On July 8, 2025, Bread Loaf School of English Administration participated in a tabletop facilitated by the Emergency Management Coordinator. Members and EMT and CMT were also invited along with Vermont State Police. The scenario included a student being lost on the trails surrounding the Bread Loaf campus.

On April 23, 2025, the College's Emergency Management Coordinator facilitated a tabletop with members of EMT and program staff from the Bread Loaf Writer's Conference. The scenario discussed was a health emergency with widespread community impact.

On April 9, 2025, the College's Emergency Management Coordinator facilitated a tabletop with the assistance of the Cybersecurity and Infrastructure Security Agency (CISA). Members of the EMT and CMT were present and participated in the scenario of a cyber attack on the institution.

On November 6, 2024, Middlebury College's EMT and CMT participated in a tabletop exercise on a protest on campus that escalated to violence, criminal activity, and police involvement. Middlebury Police Department was also in attendance.

On July 18, 2024, Middlebury College's Emergency Management Coordinator facilitated a tabletop on Bennington College's campus in Bennington, VT. Several members of the College's EMT and CMT were present along with Middlebury College's Language School staff and operations staff from the Bennington College. The scenario involved a natural disaster which impacted the student, faculty, and staff participants of the College's summer programs that are hosted there. There was also a test of the Bennington College's RAVE system to confirm that it would reach members of the Middlebury community while on their campus. The test confirmed the ENS system works as it is supposed to.

On July 11, 2024, the College's Emergency Management Coordinator facilitated a tabletop at the College's Bread Loaf campus in Ripton, VT. EMT and CMT were present along with the administrative and operational staff responsible for the summer programs at the Bread Loaf campus. The scenario involved a car accident occurring on Route 125, causing injuries as well as structural damage to the campus. A RAVE test for summer program participants was also conducted.

On April 24, 2024, the Middlebury College EMT and CMT met for a tabletop on a fire in a residence hall. The Chief of the Middlebury Fire Department was also in attendance. In addition to the discussion, the EMT tested the polling function in the College's emergency notification system (ENS). The test confirmed the function works as expected.

Each exercise and training opportunity, as well as real life situation, is reviewed by the Emergency Management Coordinator through After Action Reports.

Threat Assessment and Management (TAM) Team

The Threat Assessment and Management Team (TAM) are trained to assess potential threats to the Middlebury campus community. In cooperation with other Middlebury teams and offices as appropriate, this team formulates appropriate intervention and management strategies in response to situations when an individual's behavior and/or statements indicate that they may present a threat to the health or safety of others. TAM members are professionals in safety, counseling, student life and human resources. TAM may also assist and support the EMT when emergencies involve community members who may pose a risk to others.

If you believe somebody has committed, or may commit, a violent act; see someone engaging in behavior that could lead to potential violence; or see some other threat to the health or safety of the College community, you can report it using the report form found on the TAM website. If it's urgent, call Public Safety at 802.443.5911.

For more information on TAM, including a list of team members and educational materials on threat assessment, please visit [go/threatassessment/](https://middlebury.edu/go/threatassessment/).

Bennington College has their own Behavioral Threat Assessment Team for assessing and responding to threats concerning members of their campus community.

In case of an immediate emergency, call 911.

Campus Security and Access

Building Security

Bennington College is private property. Community members may use campus facilities for public events in such buildings as the Visual and Performing Arts Center (VAPA), Student Center, art galleries, theaters, Crossett Library or as invitees to nonpublic campus events.

People visiting a specific office or facility should stop at the Campus Safety Office to obtain a visitor's parking pass. Campus Safety has the ability to issue no trespass orders when appropriate.

Some administrative buildings are secured during the evening, while some are open 24 hours a day. Those that typically remain open are Jennings Music Building, Deane Carriage Barn, Old Carpenter Shop, VAPA, CaPA, Dickinson and Tishman. The barn is locked at midnight. Schedules are subject to change.

Student houses are locked 24/7, and students may use the electronic card access for entry; interior student rooms have keyed locks that students are encouraged to utilize. If a student is locked out of their residence, they may contact Campus Safety for assistance. Campus Safety will confirm the person is registered by requesting to view photo identification. The person's name and housing unit will be recorded in the officer's daily log.

Bennington College Office of Campus Safety regularly patrols all buildings on campus. In addition, housekeepers and various Building and Grounds staff inspect buildings as part of their regular duties.

There are several areas on campus that are restricted from access without authorization. Authorization must be on file at the Campus Safety Office prior to access being granted. Valid College identification is necessary to confirm authorization for access.

Faculty, staff, and students are required to carry their ID card at all times while on campus. Identification cards are issued through IT. All lost cards should be reported to their office. This ID is required to access residential housing, check out materials from the Library, to eat in the dining halls and etc. Identification must also be presented to a Campus Safety officer or other College official when requested.

Maintenance Issues

Any work orders can be directed to buildingsandgrounds@bennington.edu. All other inquiries, will go to the offices for each language program. All emergencies will go through Campus Safety.

Crime Statistics

In an effort to provide members of the campus community with information about campus crime and crime-related problems, the Middlebury College Department of Public Safety and other Middlebury at Bennington College officials, in compliance with the *Jeanne Clery Campus Safety Act* and the [*Violence Against Women Reauthorization Act of 2013*](#), collect, publish and distribute the crime statistics in its Annual Security Report (see below). Statistical information is collected from Middlebury Campus Security Authorities, Bennington College Office of Campus Safety and local law enforcement.

Crimes – Middlebury at Bennington College Campus

Middlebury College contracts space and services at Bennington College between June through mid August each summer for its Language School programs. The crime statistics for Bennington College are collected for the applicable June through August time frame for each year and area listed below for the time period that Middlebury controls the space pursuant to the contract referenced above.

Definitions of Clery Geography Terms

On-campus: Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls; and any building or property that is within or reasonably contiguous to the area as identified above, that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes.

On-campus student housing facility: Any student housing facility that is owned or controlled by the institution, or is located on property that is owned or controlled by the institution, and is within the reasonably contiguous geographic area that takes up the campus is considered an on-campus student housing facility. This definition includes the following types of housing:

- Undergraduate, graduate and married student housing
- Single family houses that are used for student housing
- Summer school(s) student housing
- Buildings that are used for student housing but also have faculty, staff or other individuals living there
- Buildings that are owned by a third party that has a written agreement with the institution to provide student housing
- Housing for officially and not officially recognized student groups that are owned or controlled by the institution or are located on property that the institution owns or controls
- Parking facilities and dining halls that are physically attached to and accessed directly from student housing facilities.

Non-campus building or property: Any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.

Public property: All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from the Bennington College campus. There is no public property requirement for non-campus buildings and properties.

"Controlled by": This means that the institution (or an institution-associated entity) directly or indirectly rents, leases, or has some other type of written agreement (including an informal one, such as a letter or an email) for use of a building or property, or a portion of a building or property.

"Reasonably contiguous": This means a building or property the institution owns or controls that is in a location that is considered by students and employees to be, and treated as, part of the campus. This determination is made on a case-by-case basis by taking into consideration the circumstances of the campus and the location.

There are four general categories of crime statistics: criminal offenses, hate crimes, Violence Against Women Act (VAWA) offenses, and arrests and referrals for disciplinary action.

Definitions of Criminal Offenses

Criminal homicide/murder and non-negligent manslaughter: the willful (non-negligent) killing of one human being by another.

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

Sexual Assault (Sex Offenses)

Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent. This includes attempted sexual assaults. Sexual assault includes rape, fondling, incest, and statutory rape as defined below.

Rape: The penetration, no matter how slight, of the vagina or anus, with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.

Fondling: The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of their age or because of his/her temporary or permanent mental incapacity.

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

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

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

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

Burglary: The unlawful entry of a structure to commit a felony or a theft. For reporting purposes this definition includes offenses that are classified by local law enforcement agencies as burglary (any degree); unlawful entry with intent to commit a larceny or felony; breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempts to commit any of the aforementioned.

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

Motor vehicle theft: The theft or attempted theft of a motor vehicle (e.g., automobile, truck, sport utility vehicle, bus, motorcycle, motor scooters, mopeds, all-terrain vehicles, self-propelled motor homes, snowmobiles, golf carts, motorized wheelchairs, etc.). This includes all cases where motor vehicles are taken by persons not having lawful access even though the vehicles are later abandoned, including joyriding.

Hazing: The Stop Campus Hazing Act (SCHA), enacted on December 23, 2024, amended the Clery Act to include reporting obligations for incidents of Hazing effective January 1, 2025. Hazing is defined as any intentional, knowing, or reckless act committed by a person (whether individually or in concert with other persons) against another person or persons regardless of the willingness of such other person or persons to participate, that:

- Is committed in the course of an initiation into, an affiliation with, or the maintenance of membership in, a student organization*; and
- Causes or creates a risk, above the reasonable risk encountered in the course of participation in the institution of higher education or the organization (such as the physical preparation necessary for participation in an athletic team), of physical or psychological injury including—
 - Whipping, beating, striking, electronic shocking, placing of a harmful substance on someone's body, or similar activity;

- Causing, coercing, or otherwise inducing sleep deprivation, exposure to the elements, confinement in a small space, extreme calisthenics, or other similar activity;
- Causing, coercing, or otherwise inducing another person to consume food, liquid, alcohol, drugs, or other substances;
- Causing, coercing, or otherwise inducing another person to perform sexual acts;
- Any activity that places another person in reasonable fear of bodily harm through the use of threatening words or conduct;
- Any activity against another person that includes a criminal violation of local, State, Tribal, or Federal law; and
- Any activity that induces, causes, or requires another person to perform a duty or task that involves a criminal violation of local, State, Tribal, or Federal law.

*Student Organization: defined as “an organization at an institution of higher education (such as a club, society, association, varsity or junior varsity athletic team, club sports team, fraternity, sorority, band, or student government) in which two or more of the members are students enrolled at the institution of higher education, whether or not the organization is established or recognized by the institution.

Unfounded crimes: For Clery Act purposes a crime can be determined to be unfounded only after a full investigation by sworn law enforcement personnel and after the sworn law enforcement officer makes a formal determination that the report is false and baseless.

Table 1. Criminal Offense Reporting Table- Middlebury at Bennington College Campus

Offense	Year	Geographic Location			
		On Campus	On-Campus Student Housing Facilities	Non Campus Property	Public Property
Murder/Non-Negligent Manslaughter	2022	0	0	0	0
	2023	0	0	0	0
	2024	0	0	0	0
Manslaughter by Negligence	2022	0	0	0	0
	2023	0	0	0	0
	2024	0	0	0	0
Rape	2022	0	0	0	0
	2023	0	0	0	0
	2024	0	0	0	0
Fondling	2022	0	0	0	0
	2023	0	0	0	0
	2024	0	0	0	0
Incest	2022	0	0	0	0
	2023	0	0	0	0
	2024	0	0	0	0

Table 1. Criminal Offense Reporting Table- Middlebury at Bennington College Campus (Continued)

Statutory Rape	2022	0	0	0	0
	2023	0	0	0	0
	2024	0	0	0	0
Robbery	2022	0	0	0	0
	2023	0	0	0	0
	2024	0	0	0	0
Aggravated Assault	2022	0	0	0	0
	2023	0	0	0	0
	2024	0	0	0	0
Burglary	2022	0	0	0	0
	2023	0	0	0	0
	2024	0	0	0	0
Motor Vehicle Theft	2022	0	0	0	0
	2023	0	0	0	0
	2024	0	0	0	0
Arson	2022	0	0	0	0
	2023	0	0	0	0
	2024	0	0	0	0
Hazing	2022	0	0	0	0
	2023	0	0	0	0
	2024	0	0	0	0

Unfounded Crimes - Middlebury at Bennington College Campus

2022: There were no reported unfounded crimes in 2022.

2023: There were no reported unfounded crimes in 2023.

2024: There were no reported unfounded crimes in 2024.

Definitions of Hate Crime Offenses

Hate Crimes: A crime reported to local police agencies or to a campus security authority that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim.

For the purposes of this section, the categories of bias include the victim's actual or perceived race, religion, gender, gender identity, sexual orientation, ethnicity, national origin and/or disability. All of the Criminal Offenses listed above (except for manslaughter by negligence) and the additional crimes of larceny-theft, simple assault, intimidation, or destruction/damage/vandalism of property, that manifests such evidence, will be recorded as a hate crime. Middlebury is required to list the category of bias to the extent possible. The definitions for each category of bias can be found on the Department of Public Safety's website at: <https://www.middlebury.edu/offices/health/publicsafety/csa#reported> or in the [Handbook for Campus Safety and Security Reporting](#) 2016 Edition (pp. 3-25-3-27).

Timely response to these incidents is crucial. Failure to report allows the incidents to remain hidden and may even allow them to escalate. Middlebury takes all reports seriously and will thoroughly investigate every incident and work with local law enforcement agencies whenever necessary. Reports can be filed with the Department of Public Safety (Middlebury College), Campus Safety (Bennington College), Vice President for Academic Affairs & Dean of Language Schools, Civil Rights and Title IX Coordinator, Human Resources, a Human Relations Officer, or a campus security authority.

Hate Crimes- Middlebury at Bennington College Campus

2022: There were no reported hate crimes in 2022.

2023: There were no reported hate crimes in 2023.

2024: There were no reported hate crimes in 2024.

Definitions of Violence Against Women Act (VAWA) Offenses

***Sexual assault (rape, fondling, incest, and statutory rape) are VAWA offenses.** For Clery Act reporting purposes these offenses are included in the Criminal Offenses definitions and statistical chart above.*

Domestic violence: A felony or misdemeanor crime of violence committed by a current or former spouse or intimate partner of the victim; by a person with whom the victim shares a child in common; by a person who is cohabitating with or has cohabited with the victim as a spouse or intimate partner; by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

Dating violence: Per Vermont law, dating violence is considered as domestic violence. Therefore, the crime log will refer to dating violence as domestic violence. In this Annual Security Report, dating violence and domestic violence will be counted separately per the Clery Act. Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For the purposes of this definition, dating violence includes, but is not limited to, sexual or physical abuse or threat of such abuse; and dating violence does not include acts covered under the definition of domestic violence.

Stalking: Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others, or suffer substantial emotional distress. "Course of conduct" means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property. "Reasonable person" means a reasonable person under similar circumstances and with similar identities to the victim. "Substantial emotional distress" means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

Table 2. VAWA Offense Reporting Table

Offense	Year	Geographic Location			
		On Campus	On-Campus Student Housing Facilities	Non Campus Property	Public Property
Domestic Violence	2022	0	0	0	0
	2023	0	0	0	0
	2024	0	0	0	0
Dating Violence	2022	0	0	0	0
	2023	0	0	0	0
	2024	0	0	0	0
Stalking	2022	0	0	0	0
	2023	2*	0	0	0
	2024	0	0	0	0

*This statistic was initially reported in error as a 0 when it was published in July 2024. It was corrected and republished in August 2024.

Definitions: Weapon, Drug, and Liquor Law Violations

Arrest: Persons processed by arrest, criminal citation or summons.

Referral for Disciplinary Action / Disciplinary Referral: The referral of any person to any official who initiates a disciplinary action of which a record is established and which may result in the imposition of a sanction.

Weapon Law Violation: The violation of laws and ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices or other deadly weapons. This classification encompasses weapons offenses that regulatory in nature. Classification also includes: manufacture, sale, or possession of deadly weapons; carrying deadly weapons, concealed or openly; using, manufacturing, etc., of silencers; furnishing deadly weapons to minors; aliens possessing deadly weapons; and attempts to commit any of the above. This type of violation is not limited to “deadly” weapons; it also applies to weapons used in a deadly manner.

Drug Abuse Violation: The violation of laws prohibiting the production, distribution and/or use of certain controlled substances and the equipment of devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation or importation of any controlled drug or narcotic substance. Arrests for violations of state and local laws relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include, but are not limited to: Opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics - manufactured narcotics that can cause true addiction (Demerol, methadone); dangerous non-narcotic drugs (barbiturates, Bensedrine); bath salts and their derivatives; and illegally obtained prescription drugs.

Note: Vermont has legalized possession of small amounts of marijuana for persons 21 years and older. Vermont has also decriminalized the possession of small amounts of marijuana for persons under the age of 21. Possession of marijuana on campus continues to be a violation of College, but it will not be included in Clery statistics.

Liquor Law Violation: The violation of state or local laws or ordinances prohibiting: the manufacture, sale, purchase, transportation, possession, or use of alcoholic beverages; transporting, furnishing, possessing of intoxicating liquor (i.e. under the age of 21); maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to minor or intemperate person; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; and all attempts to commit any of the aforementioned. Drunkenness and driving under the influence are not included in this definition, nor is possession of alcohol by an individual 21 years of age or older where such possession is in violation of College policy (i.e. at an unregistered party).

Table 3. Arrest and Disciplinary Referrals Reporting Table

Offense	Year	Geographic Location			
		On Campus	On-Campus Student Housing Facilities	Non Campus Property	Public Property
Arrest Weapons: Carrying, Possession, etc.	2022	0	0	0	0
	2023	0	0	0	0
	2024	0	0	0	0
Disciplinary Referrals: Weapons: Carrying Possession, etc.	2022	0	0	0	0
	2023	0	0	0	0
	2024	0	0	0	0
Arrest: Drug Abuse Violations	2022	0	0	0	0
	2023	0	0	0	0
	2024	0	0	0	0
Disciplinary Referrals: Drug Abuse Violations	2022	0	0	0	0
	2023	0	0	0	0
	2024	0	0	0	0
Arrests: Liquor Law Violations	2022	0	0	0	0
	2023	0	0	0	0
	2024	0	0	0	0
Disciplinary Referrals: Liquor Law Violations	2022	0	0	0	0
	2023	0	0	0	0
	2024	0	0	0	0

Crime Prevention

Prior to the start of each summer session, Middlebury College Department of Public Safety meets with Language School Administration as well as their bilingual staff to review crime prevention information. These educational sessions are also available to other faculty, staff, and students upon request.

Middlebury College Department of Public Safety provides the following suggestions about personal safety issues. These can be found on the department’s website at all times, and are also emailed to the community when deemed appropriate (for example when sending a community notice about crime in the area or a timely warning). These are, of course, only general observations; you must decide what is most prudent for keeping yourself and your property safe in particular situations.

Individuals who are harmed as the result of a crime are not responsible for the actions of people who commit crimes, who are accountable for their crimes and the outcomes of their actions.

The only true way to eliminate crimes is for those who commit them not to do so. The following safety guidelines are intended to provide supportive ideas but no way intended to outline doing or not doing any of these things will ultimately prevent a crime from happening.

Personal Safety

Here is how you can do your part:

- Be aware of your vulnerability; follow the measures of self-protection and property protection outlined here.
- Be alert for suspicious or criminal activity and for conditions that may represent hazards to the community.
- Get involved by becoming more security conscious and by reporting all incidents of suspicious or criminal activity, no matter how insignificant they may appear, immediately to the Bennington Campus Safety or a Campus Security Authority.
- Remember that unreported crimes cannot be solved. This allows the perpetrators to commit additional, and possibly more serious, crimes.

Walking or Running Safety

- Avoid traveling alone at night. Instead, travel in pairs.
- Avoid dark, vacant, or deserted areas; use well-lit, regularly traveled pathways. Runners, walkers, or joggers should face traffic. If you're out after dark, use extra precautions: stay in pairs, travel well-lit areas, and wear reflective clothing or tape.
- Don't display expensive jewelry or carry large amounts of cash.
- Always let someone know where you are going and when you will return.
- Be alert and aware of your surroundings at all times. Walk purposefully and confidently. Keep moving.
- Do not hitchhike or accept rides from casual acquaintances.
- When walking to your residence or vehicle, keep your keys in hand.
- When a private vehicle or taxi drops you off at your residence, ask the driver to wait until you get inside.
- If you are threatened by an approaching vehicle, run in the opposite direction. The vehicle will have to turn around to follow you.
- If you think you're being followed or feel threatened, increase your pace and move away from the threat; join any group of people nearby; cross the street, and, if necessary, keep crossing back and forth. If someone pursues you, run to a business, residence, or well-lit area. Call for help, scream, or raise a commotion. Enlist the aid of a passerby. Find a phone and dial 911 or pull a fire alarm. Do anything that will attract attention or summon assistance. If you are walking alone and someone passes you, check to make sure that person is continuing to walk in the other direction.
- If you are confronted by an assailant, yell and struggle. Assess the situation and call for help.

Residence Halls and Private Residences

- Lock your room door and windows when you go to sleep or when you leave, even if only briefly; take your keys with you.
- Do not share your key card with others. Contact Campus Safety immediately if you lose your card.
- Immediately report defective locks on your windows and doors.
- Don't keep your residence and your vehicle keys on the same ring.
- If you carry keys, do not put your name and/or address on key rings.
- If you lose your residence keys, notify Bennington Campus Safety.
- Do not linger in poorly lit, secluded areas.
- Do not attach vehicle or other keys to your ID card.
- Require visitors to identify themselves before you open your door. Request official identification from all repair or service personnel.
- Get to know your neighbors so you can help one another.
- If you discover someone has entered your room, DO NOT GO IN. Go to a neighbor and call Campus Safety (for College housing) or the local law enforcement authorities (for private residences). If you're already inside, DO NOT TOUCH ANYTHING. You may disturb evidence important to a police investigation.
- If you are awakened by an intruder, do not try to apprehend them. They may be armed or may easily arm themselves with something in your room. Attempt to get out of the room if it is possible. Call 911 as soon as possible.
- If you see a suspicious person or vehicle, either on campus or in your neighborhood, IMMEDIATELY contact Bennington College Campus Safety or the local law enforcement authorities. Try to get the license plate number, state, and description of the vehicle, but do not chase the car to do so.
- Do not prop open doors to residence halls or other College buildings.
- People outside the College community are prohibited from soliciting in residence halls. If you see an outside solicitor in the dorms, immediately report this to Campus Safety.
- Do not yell or attempt to detain voyeurs or anyone you observe looking into a private space. If the offender runs away, and you can safely observe this person, watch to see if this person gets into a car, goes to another dorm, etc. Also observe the person's physical bearing. Then immediately report the incident by calling Bennington Campus Safety, or the police.
- Hang up on obscene, harassing, or annoying phone calls. Do not respond to harassing text messages, nor try to find out who the caller is even if you think it's a friend playing a joke. Keep the message or text and then report its contents to Campus Safety. This will be useful to the Campus Safety officer or the police, if there is a police report.

Use of Athletic Facilities

- Avoid using the athletic facilities alone, especially after dark or during off hours.
- Use the buddy system. Work out with a friend, and go to and from the gym together.
- Confine your running and jogging to the daylight hours and to well-traveled areas. If jogging on the roads, wear bright-colored clothes.
- Avoid showering alone in the locker room. Or shower back at your residence.
- Avoid bringing cash, wallets, watches, or other valuables to the athletic facilities. Do not leave valuables unattended or in coat rack areas.
- Keep your locker locked whenever unattended. This includes those times you leave to shower or visit the trainer, the equipment room, etc. Most thefts at the athletic facilities stem from unlocked lockers or property left unsecured in the locker-room area.

In the Locker Room

- If there is someone with you in the locker room, and if you are comfortable doing so, ask them to wait for you, so you will not be showering alone.
- Immediately report all incidents of voyeurism to Campus Safety.
- If you encounter an intruder:
 - Call loudly for help. Your call for assistance should carry into the hallway.
 - Keep out of the intruder's way, and do not attempt to prevent the intruder from leaving.
 - Try to exit the locker room quickly.
 - Observe the intruder so you can later describe the person.
 - Immediately notify the police by dialing **911**.

Safety While Driving

- Immediately report all suspicious people or vehicles around parking areas to Campus Safety.
- When you park, keep your vehicle locked and the windows rolled up.
- Have your key ready when you approach your car. Check inside and under your car to make sure no one is hiding in either place.
- Never leave your vehicle unattended with the engine running.
- Choose to park in well-lit lots, preferably in heavily traveled areas.
- Lock all packages, luggage, and valuables in the trunk or out of sight.
- Keep spare keys in your wallet or purse, not inside the vehicle.
- If your car breaks down, open the hood and then stay locked inside the vehicle. If someone stops to help, do not open your window or door, but ask that this person call for assistance if you were not able to do so.

- If you're unfamiliar with the location you are heading to, ask someone for specific directions before you leave.
- If you get lost, do not pull over until you find a well-lit public area where you can ask for directions.
- If you suspect you are being followed, drive to a well-lit public area and call the police.
- If someone with a weapon confronts you, wanting your vehicle, give up the car. It is not worth potentially being injured or losing your life over it.

Protection of Property

Most crimes committed on College campuses involve the theft of personal property. Larcenies are crimes of opportunity and occur primarily when property is left in unlocked or unattended areas.

- Avoid bringing large amounts of cash or valuables to campus or your residence.
- Keep valuable items out of sight. If you must keep cash or valuables in your room, do not store them in obvious hiding places like desks or dressers.
- Never lend out the key to your room or residence.
- When leaving your vehicle at a service station or parking garage, leave only the ignition key.
- Check with your family insurance agent to determine if your property is covered under your parents' homeowner's insurance. If not, consider purchasing your own insurance.

Internet Safety

Generally, Internet fraud is any scheme that uses one or more components of the Internet—including chat rooms, email, message boards or websites—to present fraudulent solicitations, to conduct fraudulent transactions, or to transmit the proceeds of fraud to either financial institutions or others involved in the scheme.

What are the major types of Internet fraud?

- Auctions and retail schemes; online auctions are the primary avenue for Internet fraud
- Business-opportunity or work-at-home schemes
- Identity theft and fraud
- Investment schemes
- Credit card offers
- Credit repair
- Vacation prize promotions
- International money offers: someone claiming to be an international official promises big profits in exchange for help moving large sums of money to a foreign country.
- Advance-fee loans
- Internet-access services
- Health and diet scams
- Free goods such as computers, electronics, etc.
- Cable-descrambler kits

Filing Complaints about Internet Fraud

You can file complaints about specific types of fraud. For commodities fraud, contact the Commodity Futures Trading Commission (CFTC). For securities fraud, contact the SEC Enforcement Division Complaint Center or your state securities regulators. If you think you have been the victim of an Internet fraud scheme, you can also file a complaint online with the Internet Crime Complaint Center, a joint project of the FBI and the National White Collar Crime Center.

Further Information may be located at these government websites:

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

[Internet Crime Complaint Center](#)

[Federal Deposit Insurance Corporation](#)

[Securities and Exchange Commission](#)

And at these nongovernmental websites:

[Better Business Bureau](#)

[Fraud.org](#)

[Internet Scambusters](#)

[National Cyber Security Alliance](#)

Bicycle Security

- Retain the original purchase documentation, including the serial number.
- Always lock your bike. Optimally, bikes should be locked around the frame and through both wheels, as well as secured to a bike rack.
- Do not lock your bike to a tree, bench, or handrail.
- Invest in a strong bicycle lock or strong padlock and chain. Chains should be case-hardened steel with links at least 5/8-inch in diameter.
- Utilize bike storage rooms if available. If you leave your bicycle outside, keep it in a well-lit and heavily traveled location.
- Find out if your parents' or your insurance policy covers your bicycle. If not, consider insuring it.

Bicycling Safety

- Bike riders are responsible for their own safety, and both Middlebury College and Bennington College do not make or enforce rules about bike riding. Nonetheless, it is consistent with good common sense that you should ride responsibly and always wear a helmet, not weave or change lane positions, always leave at least three feet between yourself and obstacles such as parked cars or poorly maintained shoulders, and make sure that your brakes and other components of your bicycle are in working order.
- Vermont state law requires a white front light and red rear light for night riding. Also, wearing bright, reflective clothing will increase your visibility and help reduce conflicts.
- Generally, bicyclists should ride with the flow of traffic, on the road's right-hand side.
- Do not ride the wrong way on a one-way street.
- Cyclists should obey all traffic laws and always use hand signals when turning.

- Pay attention to your surroundings: keep alert, do not wear headphones or ear buds, and warn pedestrians or fellow riders when you are passing them. Also, warn vehicle drivers if their driving places you in danger.
- Take extra care when passing parking lot exits or biking through a parking lot.
- Walk bicycles across crosswalks and train tracks to avoid bicycle/vehicle collisions.

Security Awareness Programs

All Middlebury students, faculty, and staff employees receive annual Emergency Preparedness Training. This video includes information on several topics related to emergency preparedness, including the College's emergency protocols, how to contact Public Safety, the emergency notification system (including instruction on entering contact information for the system), and viewing of the "Run, Hide, Fight: Surviving an Active Shooter Event." Additional training is also made available to students, faculty, and staff upon request (e.g. residential life training, new faculty orientation, new employee orientation).

Additionally, members of the community are informed of how to notify Bennington Campus Safety at 802.447.4250.

The Emergency Preparedness and active threat training can also be accessed online at any time on Middlebury's Emergency Response website: <http://www.middlebury.edu/er/general>.

Notification Regarding Missing Students

If there is reason to believe that a student may be missing, whether or not the student resides on campus, all possible efforts will be made to locate the student. If a student is missing from the Middlebury at Bennington summer Language Schools program, immediately report this to the Program Coordinator, Operations Manager, your Language School director, or Bennington College Campus Safety. In some circumstances—for example, a reported kidnapping or a missing child, Campus Safety will notify the police immediately. If a student younger than 18 and not emancipated is missing, Bennington Campus Safety will work with Middlebury College and they will notify the student's custodial parent(s) or guardians (in addition to notifying any additional contact person designated by the student) as soon as practical and no later than 24 hours from the time the student is determined to be missing.

Students attending any Middlebury College residential program may designate a confidential contact person in the event they go missing. This person can be anyone and does not need to be the same as the student's emergency contact(s). The information will be accessible only to authorized campus officials and may not be disclosed, except to law enforcement personnel in furtherance of a missing person investigation. If a student is missing, authorized campus officials and law enforcement officers will have access to this designated contact and will communicate with the person no later than 24 hours from the initial report.

Regardless of whether the student has identified a contact person, is above the age of 18, or is an emancipated minor, Middlebury or Bennington will inform the local law enforcement agency that has jurisdiction in the area within 24 hours of the time the student is determined to be missing.

Educational Programs to Promote the Awareness and Prevention of Domestic Violence, Dating Violence, Sexual Assault, and Stalking

OVERVIEW

Middlebury provides comprehensive, intentional, and integrated programming, initiatives, strategies, and campaigns intended to end dating violence, domestic violence, sexual assault, and stalking that:

- are culturally relevant, inclusive of diverse communities and identities, sustainable, and responsive to community needs;
- are informed by research or assessed for value, effectiveness, or outcome; and
- consider environmental risk and protective factors as they occur on the individual, relationship, institutional, community, and societal levels.

More specifically, Middlebury's educational programs include, for example, the following:

MANDATORY EDUCATION FOR NEW STUDENTS

Middlebury provides mandatory online training for its incoming Language School students. The following online course is provided to all incoming students: Sexual Violence Prevention for Graduate Students (Primary). This course is specifically tailored to meet the needs of adult learners of all ages outside of the traditional first-year experience. This is a reality-driven course designed to educate students about consent, healthy relationship, bystander intervention, as well as the realities of sexual assault, dating/ domestic violence, and stalking. Featuring student presenters and survivors, the course includes scenarios, testimonials, and key advice for students who deal with these crucial topics. Student feedback on course satisfaction, quiz results, and questions/concerns is reviewed annually to evaluate effectiveness and cultural appropriateness.

PROGRAMS FOR FACULTY AND STAFF

Middlebury provides mandatory online training to all Language School faculty and staff. The training is managed by Human Resources, and the current course is titled: Sexual Harassment: Building a Safe and Inclusive Community. It includes such topics as Title IX; identifying who is at risk; prevalence, costs of sexual violence; understanding sexual assault; relationship violence; stalking and cyberstalking; criminal law and policy definitions; consensual sexual activity; being a bystander, barriers to intervention, and safe and positive options; roles and responsibilities of faculty and staff; reporting; confidentiality; how to talk to survivors; a survivor's reactions; interim measures; preserving evidence; institutional response; reporting vs. investigating; conduct proceedings, protection from retaliation, a culture of respect, Middlebury's policy and procedures for addressing sexual misconduct (including sexual assault), domestic violence, dating violence, and stalking, which includes a statement that Middlebury prohibits these behaviors as defined in its policy in accordance with the Clery Act, as amended in 2014; and the application of the preponderance of the evidence standard in its adjudication of these matters (as referenced in Middlebury's policy). The above online trainings are supplemented by written information provided to faculty, staff and students (with links to policies, resources and information) regarding Middlebury's Non-Discrimination Policy, reporting and contact information, links to campus and local resources, and information about the Title IX Coordinator and Title IX designees

How to be an Active Bystander

The best way to prevent sexual and relationship violence is to commit to the following community values:

- Violence is not tolerated on campus; and
- Everyone is expected to do their part to prevent it.

Everyone must commit to engaging in moments of action, no matter how small. ***Every moment of action counts when we are working to prevent violence. Moments of action contribute to a culture of bystander intervention and, research shows, lead to fewer incidences of violence.***

Moments of action occur when we notice the potential for violence. We might see someone intentionally trying to get someone else intoxicated, or isolating someone at a party. We could recognize power differences like age, or sense that someone seems fearful. When we notice these cues, we must act because even the smallest actions can prevent violence. No matter who you are or what personal or social barriers you might face, there is always something you can do to help keep our community safe. Options for action include the following:

Direct: Directly talk to someone or intervene in a situation. You might ask a friend who's been hard to reach if everything is OK. Or you might take an intoxicated friend back to their residence hall. Direct action means getting involved in a situation or following up with a student, coworker, or supervisor who you worry is in an unhealthy relationship.

Delegate: Get others involved. Delegating action when there's danger, or when someone else can act, is often safest. You might call Public Safety (x5911) (or your program's campus security department -if at a separate campus) or the police (911) for help, ask someone to assist you in finding a ride for a friend, or suggest to a party's host that she ask someone to leave. You might express your concerns over a matter to a student's Advisor, Dean, or Coach.

Distract: Interrupt the precursors to violence so harmful situations can't occur. You might spill a drink, sing loudly, or tell someone their car is getting towed. You might ask someone to accompany you somewhere so you can talk privately with the individual.

Moments of action also occur when we act proactively to send the message to those around us that we take the work of reducing violence seriously and we are committed to doing our part. We might have a conversation with people we care about on campus about what moments of action mean to us, share a great article on Facebook or tweet about an everyday moment of action, or choose to integrate bystander intervention into our academic work. When we create a moment of action on our own, without waiting for warning signs to appear, we make our community inhospitable to violence.

Moments of Action for Student Bystanders

- Send a mass email to your contact list with a simple message, "This issue is important to me and I believe in the goal of reducing violence."
- The next time you are walking to class with a friend, have one conversation and tell them that ending violence matters to you.
- Make bystander intervention or sexual violence on campus the topic of a paper or speech you have to do for a class.
- Bring a friend to an awareness event.
- Work to ensure organizations you are involved in collaborate with prevention efforts on campus.
- Explore how art and activism can be a part of ending violence. Create your own art or explore opportunities to engage in activism.
- If you suspect that a friend is in a relationship where they are being harmed, ask them, and provide information about available resources.

- If you see someone spike another person's drink with alcohol or drugs, stop them, and call the Department of Public Safety (or your program's campus security department -if at a separate campus) or 911, distract by spilling the drink, or get someone else to let the person know that their drink is unsafe to consume.
- If you choose to leave an event early, account for the people who were in your group.
- If you see someone at an event who has had too much to drink, ask them if they need to be walked home or assisted in any way.
- If you hear what sounds like yelling or fighting in your residence hall, apartment, the locker room, or any other location, talk with a Residential Life staff member, Class Year Dean, a Professor, a Coach, Program Director or someone else who can help.
- If someone needs your help and you don't have the answer, contact your resources and find someone who does.

Moments of Action for Faculty and Staff Bystanders

- Change your email signature line to include a statement that echoes the principles that violence will not be tolerated at Middlebury and everyone is expected to do their part to prevent it.
- Add a line to your syllabus that expresses the prevention principles.
- Request a presentation from your local (e.g Atria Collective) violence prevention program.
- If you suspect that a student or co-worker is in an abusive relationship, ask them and provide information about available resources.
- If someone appears upset, ask if they are OK.
- Assign a paper, project, or reflection to your students about moments of action, community, and our prevention principles.
- If someone explains that women “say 'no' when they really mean 'yes,’” interrupt and make an attempt to educate them.
- If you hear what sounds like yelling or fighting in your neighborhood, classroom, or office, talk with a neighbor, your manager, your students or someone else who can help.
- If someone needs your help and you don't have the answer, contact your resources and find someone who does

Moments of Action for Family Bystanders

- Talk with the other members of your family about your commitment to ending violence and to keeping each other and others safe.
- Make a donation to a local rape crisis center or domestic violence shelter.
- Volunteer for one hour, and bring a friend.
- Write a letter to the editor of your local newspaper talking about any aspect of sexual or relationship violence that is most powerful to you.
- Explore how art and activism can be a part of ending violence. Create your own art or explore opportunities to engage in activism.
- If you know information about an incident of sexual violence, tell authorities what you know in case it is helpful.

- If you hear what sounds like yelling or fighting in your neighborhood, place of employment, or community, talk with a neighbor, the police, your employer or someone else who can help.
- If someone needs your help and you don't have the answer, contact your resources and find someone who does.

Risk-Reduction Tips

In addition to bystander action, both reactive and proactive, there are ways to reduce risk around sexual and relationship violence. ***It is important to remember that experiencing violence is never the victim's fault.***

- Take note of your surroundings including exits, and paths of egress.
- Stay with friends or groups of people to avoid isolated areas.
- If something or someone seems wrong or unsafe, get help and/or find the nearest exit.
- Make sure your cell phone is with you and charged, and that you have easy access to emergency numbers.
- Avoid putting headphones in both ears when walking or running and discontinue headphone use when biking.
- Make and keep to a plan with friends when attending events. Arrive together, check in with each other throughout the evening, and leave together. Have a code word with your friends or family to signal discomfort or that it's time to leave.
- Don't leave drinks unattended. If you do, get yourself a fresh drink.
- Don't accept drinks from people you don't know or trust.
- Watch out for your friends and ask your friends to watch out for you.

Immediate Safety and Support

- **Go to a safe place:** your room, a friend's room, a colleague's room, or anywhere you will feel safe.
- **Call someone you trust.** No matter how late it is, you should not be alone. Call a close friend or the Project Against Violent Encounters Hotline (PAVE) (802.442.2111) (all individuals). PAVE offers trained volunteers who can provide immediate confidential support and information at any time.
- **If safety is an immediate concern call 911 or contact Campus Safety** to access police or emergency services. You have the option of reporting to the police at any time, or you can decide not to make a report to the police. Middlebury will provide assistance if you wish to make a police report. This option is available regardless of whether you choose to file a complaint with Middlebury. Individuals may request assistance by contacting a Civil Rights and Title IX Coordinator or Human Relations Officer, Language School Director, or member of the Office of Campus Safety.
- Campus Safety is available 24 hours a day and will dispatch emergency response, assist with recording an initial report, and facilitate contact with Middlebury officials so that you can receive information about reporting, and academic, residential, or other accommodations. You do not need to disclose the nature of your emergency to be connected to services.

- **Please seek immediate medical care.** If you may be experiencing or have experienced sexual assault, domestic or dating violence, or stalking, you are encouraged to immediately seek any necessary medical care, and to seek help from appropriate Middlebury law enforcement and/or medical personnel, even if you are not sure if you have physical injuries and/or you are uncertain about whether to ultimately pursue a complaint or criminal charges, or to seek a protective order. Even if you do not feel physical pain, you may have internal injuries that cannot be immediately seen or felt. Explore with medical professionals the need for a forensic exam by a trained Sexual Assault Nurse Examiner (SANE), pregnancy testing, emergency contraception, and/or testing for Human Immunodeficiency Virus (HIV) and other sexually transmitted illnesses.

Medical, Support, and Preserving Evidence

[Southwestern Vermont Medical Center](#)

802.442.6361

100 Hospital Dr, Bennington, VT.

[Southwestern Vermont Medical Center ExpressCare](#)

802.440.4077

100 Hospital Dr, Bennington, VT.

Students may access confidential counseling through [TimelyCare](#).

[Employee Assistance Program \(Invest EAP\)](#) (Confidential: Staff, faculty and family members)

866.660.9533

Middlebury is pleased to offer employees and their household members a local, free, independent EAP to support you and your family.

No one is immune to life's challenges. Relationship dynamics, worries over the virus, money, work/life balance, substance abuse: you name it, and EAP helps with it.

Invest EAP is a local clinical and wellbeing non-profit that provides counseling and resources to your entire employee population and their households, including easy-to-use telehealth counseling.

[Pride Center of Vermont SafeSpace Vermont](#)

866.869.7341 or 802.863.0003

SafeSpace offers free and confidential services to Lesbian, Gay, Bisexual, Transgender, Questioning (LGBTQ) survivors of all forms of abuse or violence.

[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

[Vermont Bar Association](#): 802.223.2020

Ongoing Care

There's no one correct way to care for yourself or others who have experienced trauma. Middlebury offers a variety of resources and options in the belief that survivors benefit from having many choices available to seek the support and resolution they need. Choose whichever options feel most helpful to you. There are many people on campus and in the greater community who care and can help you to find care for yourself.

- Be patient with yourself. The healing process takes time and includes your physical, emotional, and psychological health.
- Prioritize your physical health and wellbeing.
- Affirm your choices by expressing your wants and needs to those supporting you.
- Don't look for simple answers to explain what happened.
- Know your rights and how to get the support you need.
- Do things you enjoy and give yourself permission to have positive experiences.

If you are not sure what you need

If you would like confidential support while exploring your options, consider contacting Atria Collective. They can provide confidential information and support as you consider your needs, and can help you to connect with campus-based and external resources. Contacting one or more of the above confidential resources in no way precludes you from choosing to file a complaint later with Middlebury or with the police.

Preserve Evidence

It is important to preserve all possible evidence that may assist in proving that sexual assault, domestic violence, dating violence, stalking, or related retaliation occurred or is occurring in case you decide at some point to file an internal complaint, make a criminal complaint or seek a protection order. This evidence may assist in proving whether the alleged criminal conduct (or a policy violation) occurred and/or it may be helpful in obtaining a protective order.

Medical and Support Resources

SANE

A SANE exam is conducted by a professional with special training in working with individuals who may have experienced sexual trauma of all kinds. They can care for injuries, test and provide prophylaxis for sexually transmitted infections and/or pregnancy, and collect forensic evidence (if requested). *You do not have to be certain that you have experienced sexual trauma to request a SANE exam or any other kind of*

medical or emotional care. The SANE can help you discuss options for reporting. You have the right to have someone with you during this exam including an advocate. SANE exams are free of charge.

Even if you are not sure about reporting your experience to Middlebury, pressing charges with the police, or obtaining a protective order, it makes sense to preserve the option of reporting later by having evidence collected. You can discuss your options directly with the SANE.

In most cases, DNA evidence needs to be collected within 72 hours in order to be analyzed by a crime lab but a sexual assault forensic exam can reveal other forms of evidence beyond this time frame that can be useful if you decide to report. Place your belongings, including the clothes you were wearing, in a paper bag to safely preserve evidence. If you have questions about the timeframe, you can call the National Sexual Assault Hotline at 800.656.HOPE (4673) Source: [What Is a Sexual Assault Forensic Exam?](#)

Before a medical exam, try to preserve the evidence. Resist the urge to cleanse yourself before you seek treatment. It may be difficult to keep from washing yourself, but if you do you may destroy evidence that could be useful should you decide to report the experience. Do not wash, change clothes, eat, drink, smoke, brush your teeth, go to the bathroom, or brush your hair. Bring a change of clothing with you to the exam, since your clothes may be collected as evidence.

These services are confidential, and information is not shared without the individual'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.

Confidentiality and Confidential Resources

Middlebury encourages individuals to report incidents of sexual misconduct (including sexual assault), domestic violence, dating violence, stalking and related retaliation so that they can get the support they need, 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 to the extent it can do so consistent with its obligations to respond to reports of sexual misconduct (including sexual assault), domestic violence, dating violence, stalking and/or related retaliation.

Confidential Resources

Individuals are encouraged to seek support from internal and external resources such as counseling services, advocacy services, and/or Chaplains.

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, services 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 confidentially offer information, services, and support, and who can provide assurances that the disclosed information will not be acted on except in the circumstances outlined 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 trained advocate. The medical, mental health, certified peer and staff advocates, and religious professionals 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 respondent. However, confidential resources may assist the individual in receiving other forms of protection and support, such as victim advocacy; health or mental health services; and pastoral care or counseling. An individual who initially requests confidentiality may later decide to file a complaint with Middlebury or report the incident to local law enforcement, and thus have the incident fully investigated. These confidential resources will help to direct the individual to the appropriate resources in the event that the individual wishes to file an internal complaint with Middlebury or report to the police. An individual who initially requests confidentiality may later decide to access additional campus resources or supports that will not result in a formal report or investigation, but do require sharing some level of information with offices that are not designated as confidential related to these issues. This could include academic accommodations, disability-related accommodations, and changes to living, working, or transportation arrangements.

Non-Confidential Resources

Non-confidential resources are all faculty or staff members, including Residential Life staff and ombudspersons, who are not medical or counseling professionals, or clergy, and are therefore not permitted to honor requests for confidentiality. Non-confidential faculty or staff who learn of an incident of alleged sexual misconduct, domestic or dating violence or misconduct, stalking or related retaliation involving a student are required to report that information to a HRO or the Civil Rights and Title IX Coordinator, and they are “responsible employees” to this extent. The Civil Rights and Title IX Coordinator and HROs are “responsible employees” for the purposes of redressing reports of sexual misconduct, domestic and dating violence and misconduct, stalking and related retaliation in accordance with Middlebury’s Non-Discrimination Policies.

Faculty and staff who are [Campus Security Authorities](#) are required to report certain sex offenses and other crimes to the Department of Public Safety for the purpose of compliance with the Jeanne Clery Campus Safety Act.

Employees with supervisory responsibility are expected to report all incidents of alleged sexual misconduct, domestic and dating violence and misconduct, stalking or related retaliation involving employees to a HRO, the Civil Rights and Title IX Coordinator, and/or to Human Resources.

General inquiries to Middlebury officials about policies or procedures, and conversations in which the respondent 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.

Middlebury will complete publicly available recordkeeping, including Clery Act reporting and disclosures, without the inclusion of personally identifying information about individuals, and will maintain as confidential any accommodations or protective measures provided to individuals, to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations or protective measures.

Disclosure Required by Law

Middlebury will not include the names of complainants or other personally identifying information in publicly available reports that are compiled as required by the Jeanne Clery Campus Safety Act, and when issuing timely warnings as required by the Clery Act, will withhold as confidential the names of such individuals. Middlebury officials responsible for compiling publicly available recordkeeping such as crime statistics published in the Annual Security Report(s), daily crime logs, or timely warnings, will review reports before publication and distribution to ensure that the information does not contain the names of complainants or other personally identifying information. Statistics published in Middlebury's Annual Security Report(s) contain only the number and type of reported crimes. Middlebury is also part of a larger community and context. If there is an independent investigation, lawsuit, or criminal proceeding related to a sexual misconduct (including sexual assault), domestic or dating violence or misconduct, stalking, or related retaliation matter, those involved or others may be required by law to provide testimony or documents (e.g., investigation reports, witness statements, and any other information gathered or obtained in the course of a particular matter).

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 personally and directly with or without Middlebury's assistance, or may choose not to notify such authorities personally.

Options for Reporting VAWA Related Offenses

Making a Report On Campus

Any Middlebury student, faculty member, staff member or covered third party who has reasonable cause to believe that sexual assault, domestic or dating violence, stalking and/or related retaliation has occurred or is occurring should report this information to the immediate attention of the Civil Rights and Title IX Coordinator or a Human Relations Officer. Reports also may be made to Bennington's Office of Campus Safety or other appropriate personnel for the program at issue (e.g., program director/dean or associate director). Reports may be made verbally (in person, or by phone or videoconferencing) or in writing (via mail or email).

The appropriate personnel for the Middlebury program at issue will coordinate its response to the report with other officials, as appropriate, including the Civil Rights and Title IX Coordinator, and/or a Human Relations Officer, responsible Threat Assessment and Management Team and, if necessary, law enforcement, to intervene at the earliest practical point to stop the behavior and coordinate services to the complainant. A coordinated response will include consideration of the complainant's request for confidentiality and may also include the implementation of safety measures as deemed necessary, services and accommodations, and referral to confidential resources. Please note that filing a complaint with Middlebury does not require you to file a report with the police. The legal system and Middlebury's disciplinary process are independent of one another so you can choose to report to the police (or choose not to).

Reporting to Law Enforcement

In addition to (or instead of) utilizing Middlebury's processes and resources, any student, employee or covered third party who wishes to report a complaint of sexual misconduct (including sexual assault), domestic violence, dating violence, or stalking under this policy may also pursue criminal charges with local, state, or federal law enforcement agencies.

Middlebury will offer and upon request provide assistance to students, employees and covered third parties with notifying law enforcement agencies. These options are available regardless of whether an individual chooses to file a complaint with Middlebury. Individuals have the option to notify such agencies with or without assistance from Middlebury, and have the option not to personally notify such authorities. Individuals may request assistance by contacting the Civil Rights and Title IX Coordinator, a Human Relations Officer, or program director/dean. Contact may be made via email, phone, teleconference or in person.

Vermont

Emergencies: dial 911. In non-emergency situations, please call one of the following departments that serve Addison County, as applicable. In most cases, you should contact the law enforcement department of the town where the crime occurred:

- Bennington Police Department: 802.442.1030

Please note that each department has a specific service area and their hours of operation may vary.

Some other things to keep in mind:

- You always have the right to report or not report a crime to law enforcement, except under certain circumstances:
 - If someone who is under 18 goes to the hospital for a SANE (sexual assault nurse examiner) exam or if the hospital is aware of any crime against someone under the age of 18, the hospital is required to report the crime to the Vermont Department for Children and Families (DCF). It is possible that DCF could, in turn, report the crime to law enforcement without the knowledge or willingness of the person who experienced the crime.
 - Also, any crime involving a stabbing or a gunshot wound must be reported by hospitals to law enforcement, regardless of the age of the victim.
- If a victim of a crime chooses to report to law enforcement, confidential victim advocates from Atria Collective (formerly WomenSafe) are available to accompany you and assist you with the process. Middlebury officials may also accompany you and facilitate contact with law enforcement.
- The law enforcement response to domestic violence, sexual violence, dating violence, and stalking varies based on the crime, circumstances, and context. Different law enforcement agencies may handle the same report differently.
- It is possible that if you report a crime to law enforcement, an investigation may be commenced and charges may be brought. Depending on the department and circumstances, your ability to control or influence the process after reporting may vary.

You may find the following summaries from the Vermont Network Against Domestic and Sexual Violence helpful. Please note, however, that the information herein does not constitute legal advice and may be

amended from time to time. Individuals should consult their counsel or other local resources to ensure complete and accurate information.

What will the police do if I report?

If you tell the police about what happened to you they may arrest and charge the person who assaulted you with a particular crime(s). Because this is the criminal system, the police will have to decide whether what happened to you was a crime and when there is “probable cause.” They will then decide whether or not to charge and arrest the perpetrator. A person charged with a crime is called a defendant. The choice of reporting a sexual assault to the police can be difficult. Advocates from your local network program are available to provide you more information about reporting and can support you in whatever you decide is right for you.

What happens after the perpetrator is arrested?

An arrest is the beginning of the criminal process. Once someone is arrested they may be released immediately, released at any point in the criminal process or, in severe cases, remain in jail. This will depend on many complicated legal factors. Defendants released from jail before the end of the case will be given “conditions of release” by the court. This is an order that the defendant must follow while the criminal case is going forward. Often the conditions will tell the defendant not to have contact with you as the victim of the crime. As a victim of a crime you have the right to know if and when the defendant is getting released from jail and the defendant’s conditions of release. Some victims may have increased safety concerns following an arrest. You may call your local Network program for more information and support.

Prosecution of crimes of sexual violence

Following a charge/ arrest, the police transfer the case to the prosecutor, also called the state’s attorney. A prosecutor is a lawyer who works for the state through the state’s attorney’s office.

The state’s attorney’s job is to continue to gather evidence to prove that the defendant committed the crime and to prepare the case against the defendant. The state’s attorney decides how to proceed with the criminal case.

State’s Attorneys’ Victim Advocates

The state’s attorney’s office also has its own victim advocates. They provide information and updates on the case. They can also offer support and help with communicating your concerns and questions to the state’s attorney. Because these advocates work for the state’s attorney, they are not confidential. This means that the state’s attorney’s advocates may be required to share with the state’s attorney relevant information you share about the case.

Sentencing

If the defendant pleads guilty or is found guilty after a trial, the judge will impose a sentence. A sentence may include a probation term, time in jail, or a combination of both. In many cases, sentencing will also require the defendant to participate in a sex offender treatment program. You may be present in the court room during the sentencing if you want. As a victim you have the right to make a “Victim Impact Statement” to the court. This is your time to describe the impact that the crime had upon you and your family. An advocate or family member may read your Victim Impact Statement for you.

Department of Corrections

Once the defendant has been sentenced, the Department of Corrections (DOC) will supervise the defendant for the duration of the sentence. DOC is responsible for ensuring that the offender is following the terms of the sentence. DOC's Victim Services Program is available to provide information about the status of an offender and support to victims of crime whose offenders are in the custody of Vermont DOC. You can also register to receive automatic notifications by phone or email about the offender's status. For more information, you can contact DOC's Victim Services at 802.241.2302.

Source: Legal Options for Victims of Sexual Violence in Vermont (vtnetwork.org); see also Quick Look: Police Reports and Protective Orders: [The National Domestic Violence Hotline](#) and [Reporting to Police: Options and Tips for Being Prepared](#).

Rights & Options

Services/Support/Accommodations

- [VINE \(Victim Information & Notification Everyday\)](#): This service provides information about criminal cases and the custody status of offenders 24 hours a day.
- Full Faith and Credit: Refers to Section 2265 of VAWA and requires that a valid protection order issued in one state be treated in another state as if it were one of its own. It enables the victim to travel safely without having to establish jurisdiction or secure a new protective order.
- [WomensLaw](#) provides legal information and support to victims of domestic violence and assault.
- [Legal Services Corporation](#) provides legal assistance to low-income individuals and families throughout the nation.

Source: Domestic Violence Hotline

For more information about Protection Orders and Relief from Abuse Orders in Vermont (including how to apply for an order and how the order is enforced), please see [WomensLaw.org/Know the Laws: Vermont](#).

See also [Reporting to Police: Options and Tips for Being Prepared](#)

Accommodations:

The HROs, Civil Rights and Title IX Coordinator, Vice President for Academic Affairs/Dean of Faculty ("VPAA"), Human Resources Department, Dean of Bread Loaf School of English, Vice President for Student Affairs, Dean of Students, Vice President for Academic Affairs and Dean of the Language Schools, Dean of International Programs, RDs, 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.

NCO/Trespass/Court Orders

Middlebury can issue No Contact Orders restricting contact between two members of the Middlebury community, and No Trespass Notices restricting individuals from Middlebury-owned or rented property. Requests for a No Contact Order or a No Trespass Notice may be directed by telephone, email or in person to an HRO, the Civil Rights and Title IX Coordinator, Campus Safety or program director.

In the United States, a relief from abuse order, also called a protection 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. Such 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 subsequently through a court hearing process where it is determined whether they will remain in effect for a longer term. Similar resources may exist in other countries where Middlebury operates its programs (please contact Sexual Assault Support and Help for Americans Abroad: <https://pathwaystosafety.org> for more information regarding similar orders in foreign jurisdictions).

Middlebury does not have the authority to issue Relief from Abuse Orders, Orders of Protection, or Restraining Orders, as these are granted by the court system. In addition to (or instead of) Middlebury's No Contact Orders and No Trespass Notices, individuals who are being or who may have been subjected to sexual assault, domestic or dating violence, stalking and/or related retaliation may pursue Orders of Protection, Restraining Orders and/or Relief from Abuse Orders from United States courts or courts outside of the United States as applicable. Middlebury will support individuals if they request Middlebury's assistance with making contact with law enforcement authorities and other external resources to seek such orders. Middlebury will comply with and respect such orders to the extent applicable.

Requests for assistance with contacting law enforcement authorities or obtaining an Order of Protection, a Relief from Abuse Order, a Restraining Order or other lawful order may be made in person, or via email, phone or teleconference to an HRO, Civil Rights and Title IX Coordinator, Campus Safety staff member or program director.

Additional Information from the National Domestic Violence Hotline:

A protective order is an official legal order issued by a state court that requires the abusive person to stop the violence and abuse and maintain a certain distance from the victim. Depending on where you live, it can also be called a restraining order, protection order, an injunction, or an order of protection.

How do I get a protective order?

Different states have different processes, but as a general rule, appropriate forms have to be filled out and submitted to the county court. A court date will be scheduled and both parties will be notified. If you are under 18, you will likely need parental consent.

Why would I get a protective order?

A protective order is legal protection against the abusive partner and can be enforced by police. Special provisions can be requested such as custody of children, continued financial support, getting the abuser to leave the residence, etc. Some states also require the abusive partner to surrender their firearms.

It's important to note that while a protective order may help keep an abusive partner away from you, it does not work in every case. Some abusive partners continue to contact and abuse their partners despite the presence of a protective order. Some may become even more dangerous after an order is filed because it threatens their power and control over the relationship. While you cannot predict someone's behavior, you know your situation best, and it's a good idea to consider how your partner might react based on what you know about them before obtaining a protection order.

What happens when I get a protective order?

When the abuser does something that the court has ordered them not to do, or doesn't do something the court has ordered them to do, they may have violated the order. You can ask the police or the court (or both, depending on the violation) to enforce the order. If you are not able to contact the police when the violation occurs, they should take a report if you call them soon afterwards. In some cases, violating a protective order might result in a misdemeanor or felony criminal conviction and punishment. These types of violations can also later be addressed by a civil court, and it is often a good idea to bring them to the court's attention.

Things to consider before obtaining a protective order:

- PROS: You will have legal documentation of protection; the abuse may stop; provisions can be made for children, finances, etc.; can still be enforced if you move or leave your home state. See <http://www.womenslaw.org/>.
- CONS: You will have to see the abusive partner in court; abuse may not decrease/abusive partner may not obey the order; some orders are not always enforced.

Please note that police reports and protective orders are just parts of an overall safety plan and do not guarantee your safety from an abusive partner. Remember, you are the most knowledgeable person about your own situation, and you must use your own judgment about what is best for you. If you are considering taking legal steps against an abusive partner, the National Domestic Violence Hotline strongly recommends that you get in touch with a legal advocate, and they can help you find one in your area. Please call the National Domestic Violence Hotline at 800.799.7233.

Contact Information for Reports to Bennington Campus Safety, Law Enforcement, or Middlebury Officials

Office of Campus Safety

Emergencies: dial x767 (SOS) from a campus phone

Non Emergencies: dial 0 (campus phone) or 802.447.4250

campussafety@bennington.edu

Bennington Police Department

802.442.1030

118 South St, Bennington, VT 05201

Contact Information for Middlebury Officials

All Middlebury Programs

Civil Rights and Title IX Coordinator

Butterfly Blaise Boire

Middlebury College Service Building

802.443.2147

bboire@middlebury.edu

Deputy Civil Rights and Title IX Coordinator

Taryn Moran

Middlebury College Service Building

802.443.5840

tarynm@middlebury.edu

B.1.a. Non-Discrimination Policy

Middlebury is committed to creating and maintaining a diverse, equitable and inclusive campus environment where we value openness, curiosity, rigor, and equality. Discrimination, including harassment, is antithetical to our values and mission, and, therefore, Middlebury seeks to eradicate unlawful discrimination based on protected personal characteristics in its educational and employment environments.

Individuals who feel they have experienced discrimination, including harassment, based on a protected personal characteristic are strongly encouraged to report the behavior to our [Civil Rights and Title IX office](#) (“CRTIX”). Middlebury takes reasonable and appropriate remedial action to prevent unlawful protected personal characteristic-based discrimination, harassment, and related retaliation, eliminate any hostile environment, prevent its recurrence, and address its discriminatory effects on all those impacted, if applicable. It is not necessary to file a complaint with Middlebury or participate in an adjudication process in order to request “supportive measures” from Middlebury. Appropriate supportive measures may vary depending on specific facts and circumstances and will be determined on a case-by-case basis. Moreover, Middlebury provides procedures to assure prompt and equitable investigation and resolution intended to stop discrimination/harassment, remedy harms and prevent repetition.

Violations of this Policy may result in sanctions up to and including termination, dismissal, or expulsion, as determined by the appropriate Middlebury officials. Concerns about conduct under this Policy may be resolved through informal or “adaptable” resolutions, when appropriate. Retaliation against an individual because they have made an allegation of discrimination, or cooperated in an investigation of such a complaint, as further defined below, is prohibited. Submitting a complaint that is not in good faith or providing false or misleading information in any investigation of complaints is also prohibited. Nothing in this Policy shall be construed to abridge academic freedom and inquiry, principles of free speech, or impair Middlebury’s educational mission.

SCOPE:

This Policy applies to all Middlebury students, staff, faculty, applicants and visitors to Middlebury’s programs and campus. “Middlebury” includes the undergraduate college, the Language Schools, the School of the Environment, Bread Loaf School of English, Bread Loaf Writers’ Conference, the Schools Abroad, and the Middlebury Institute of International Studies at Monterey.

See also the Addendum applicable to California employees only, available at [Appendix A: Addendum Applicable to California Employees](#).

Types of Behavior Prohibited by Law and this Policy:

This Policy prohibits the following:

- (i) Sexual Harassment as defined by Title IX, including but not limited to sexual assault, domestic and dating violence, sex-based stalking, hostile environment sexual harassment, and *quid pro quo* sexual harassment;
- (ii) Discriminatory harassment, whether caused by an identifiable person or not, based on or motivated by an individual’s actual or perceived protected personal characteristics, or, if not attributable to one or more identifiable Respondents, that has the purpose or effect, from the point of view of a reasonable person, of objectively and significantly undermining and detracting from or interfering with an individual’s educational or work performance or access to Middlebury resources on the basis of their protected personal characteristics;

- (iii) Discrimination in employment, or in admission or access to Middlebury’s educational or extracurricular programs, activities, benefits or facilities based on an individual’s protected personal characteristics; and
- (iv) The adoption or implementation of any policy, practice, or procedure that has a disparate impact that objectively and significantly undermines and detracts from an individual’s access to Middlebury resources or equal participation in Middlebury’s programs, on the basis of an individual’s protected personal characteristics.

Investigation and Resolution Procedures

Alleged violations of this policy are investigated and adjudicated using the following procedures:

(A) Title IX Investigations & Resolutions Procedure

In accordance with Federal law and the Title IX regulations issued in May 2020, alleged Title IX Sexual harassment prohibited by this Policy in an education program or activity of Middlebury in the United States where the Reporting Individual is participating in or attempting to participate in Middlebury’s education or employment program or activity at the time of the filing of the complaint is investigated and adjudicated using Middlebury’s [Title IX Investigation & Resolutions Procedure](#), which applies to:

- (i) Sexual assault, domestic violence, dating violence, or stalking on the basis of sex;
- (ii) *Quid pro quo* sexual harassment (as further defined below); and
- (iii) Severe, pervasive and objectively offensive sexual harassment on the basis of sex that constitutes unwelcome conduct determined by a reasonable person to be so severe, pervasive and objectively offensive that it effectively denies a student or employee equal access to the College’s education program or activity (i.e., “hostile environment sexual harassment” for Title IX purposes).

(B) Non-Discrimination Investigations & Resolutions Procedure

All other conduct prohibited by this policy that is not covered by Middlebury’s Title IX Investigation & Resolutions Procedure is investigated and adjudicated using Middlebury’s [Non-Discrimination Investigations & Resolutions Procedure](#).

AMNESTY

Middlebury encourages the reporting of all concerns regarding harassment and discrimination. Sometimes individuals are hesitant to report such instances because they fear they may be charged with other policy violations, such as underage alcohol or drug consumption. While not condoning infractions of any kind, to encourage reporting, Middlebury may, where appropriate, offer leniency with respect to alleged ancillary policy violations that may be revealed as a result of a report or that are related to the prohibited conduct incident(s) at issue, particularly those involving underage drinking or drug use. The nature and scope of the leniency will depend on the particular circumstances involved, and Middlebury may take disciplinary action if it determines that the conduct giving rise to the alleged ancillary policy violation placed or threatened to place the health or safety of another person at risk. Individuals should understand that the use of alcohol or drugs never makes them at fault for instances of harassment or discrimination committed against them, nor does it mitigate accountability for committing such violations against another. This Policy will not be construed to limit counter-complaints made in good faith or to prohibit action as to a report made in good faith.

CONFIDENTIALITY AND PRIVACY

Middlebury will treat information it receives with appropriate sensitivity and care and will endeavor to protect the privacy of the individuals to the extent it can do so, consistent with its obligations to respond to reports of alleged Non-Discrimination Policy violations. CRTIX will only disclose information regarding a concern that has been reported to it on a need-to-know basis or as required by law. Further details regarding reasonable steps Middlebury will take to protect the privacy of the Parties and witnesses during the pendency of a process conducted under this Policy are outlined in the applicable procedures.

GLOSSARY OF TERMS

1. Protected personal characteristics means actual or perceived sex, race, creed, color, place of birth, ancestry, ethnicity, national origin, religion, sexual orientation, sex characteristics, gender identity or expression, age, marital status, pregnancy, service in the armed forces of the United States, positive HIV-related blood test results, genetic information, or disability and/or any other status or characteristic as defined and to the extent protected by applicable law in particular states in which Middlebury operates educational programs (e.g. crime victim status in Vermont).

2. "On the basis of sex" includes sexual harassment. Some common examples include: touching or grabbing a sexual part of a person's body; touching or grabbing any part of a person's body after that person has indicated, or it is known or reasonably should be known, that such physical contact was unwelcome; continuing to ask a person to socialize when that person has indicated they're 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 person's sex; harassing acts or behavior directed against a person on the basis of their sex.

3. Domestic violence means conduct that constitutes a crime of violence in the relevant jurisdiction (either felony or misdemeanor) committed:

1. By a current or former spouse or intimate partner of the Reporting Individual;
2. By a person with whom the Reporting Individual shares a child in common;
3. By a person who is cohabitating with, or has cohabitated with, the Reporting Individual as a spouse or intimate partner;
4. By a person similarly situated to a spouse of the Reporting Individual under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or
5. By any other person against an adult or youth Reporting Individual who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

For the purposes of this definition, domestic violence includes but is not limited to sexual or physical abuse or the threat of such abuse, if involving individuals who are or have been in a domestic relationship as defined above, and violence means conduct that involves the use or threatened use of physical force against a person, or creates a reasonable belief that physical force may be used against a person in the course of the conduct.

4. Dating violence means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the Reporting Individual.

For the purposes of this definition, dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse, if involving individuals who are or have been dating as defined here, and violence means conduct that involves the use or threatened use of physical force against a person, or creates a reasonable belief that physical force may be used against a person in the course of the conduct. The existence of such a relationship shall be determined, as an initial matter, based on the Reporting Individual's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For the purposes of this definition, dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of domestic violence.

5. Discrimination in employment, admission or access to Middlebury's education or extracurricular activities means taking an adverse action in educational programs or employment against a person based on or motivated by that individual's protected personal characteristics or effectively denying a person admission or access to Middlebury's educational programs or activities based on that individual's protected personal characteristics.

6. Discriminatory harassment, with one exception,^[1] means unwelcome conduct based on or motivated by a protected personal characteristic or characteristics that has the purpose or effect, from the point of view of a reasonable person, of objectively and significantly:

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 abusive educational, work, or living environment.

Generally, 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 protected personal characteristics, which has the type of purpose or effect described above. With respect to Middlebury programs operating in states other than Vermont (e.g., California 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.

Specifically in the context of Reporting Individuals who are Middlebury employees working in a Middlebury education program or activity in Vermont, harassment also includes conduct described in the Vermont law definition stated in footnote 1.

7. Quid Pro Quo Sexual Harassment means unwelcome sexual advances, requests for sexual favors, and other verbal, written, visual or physical conduct of a sexual nature when:

1. submission to that conduct is made either explicitly or implicitly a term or condition of employment or educational status;
2. 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; or

3. an employee, agent, or other person authorized to provide an aid, benefit, or service under Middlebury's education program or activity explicitly or impliedly conditions the provision of such an aid, benefit, or service on a person's participation in unwelcome sexual conduct.

8. Retaliation means intimidation, threats, coercion, or discrimination against any individual by Middlebury, a student, or an employee or other person authorized by Middlebury to provide aid, benefit, or service under Middlebury's education program or activity, for the purpose of interfering with any right or privilege secured by this Policy, or because the individual has reported information, made a complaint, testified, assisted, or participated or refused to participate in any manner in an investigation or proceeding regarding potential violations of this Policy.^[2] Retaliation also means taking an adverse action against a person because of their report of prohibited conduct or participation in any procedure(s) under this Policy, including intimidation, threats, coercion, harassment or negative employment or educational actions that would discourage a reasonable person from engaging in activity protected by this Policy. Middlebury will not engage in retaliation and will investigate and address reports of retaliatory conduct. Retaliation under this policy may be found whether or not the underlying complaint is ultimately found to have merit. Complaints of retaliation should be reported to the Civil Rights & Title IX Coordinator ("CRTIX Coordinator") in accordance with the applicable investigation and adjudication procedures.

9. Sexual Assault can be committed by any person against any other person, regardless of gender, gender identity, sexual orientation, or past or current relationship status, and with or without physical resistance or violence. In accordance with federal law and regulations, the definition of Sexual Assault in this Policy incorporates the definitions of the FBI's Uniform Crime Reporting (NIBRS) program, and includes:

1. rape (defined below),
2. fondling without consent (defined below),
3. incest (defined below), or
4. statutory rape (defined below)

10. Rape means

- The carnal knowledge of a person (i.e., penile-vaginal penetration), without the consent of that person;
- Oral or anal sexual intercourse (i.e., penile penetration) with another person, without the consent of that person; and/or
- To use an object or instrument to penetrate, however slightly, the genital or anal opening of the body of another person, without the consent of that person. An "object" or "instrument" is anything other than a penis.

11. Fondling is the touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the Reporting Individual, including instances where the Reporting Individual is incapable of giving consent (as defined below) because of their age or because of their temporary or permanent mental incapacity; for purposes of this definition, "private body parts" is defined as a person's breast(s), buttock(s), groin or genitals, and prohibited touching may be over or under clothing.

12. Incest is sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by the law of the state where the conduct occurred.

13. Statutory Rape is sexual intercourse with a person who is under the statutory age of consent in the state where the conduct occurred.

14. Stalking means engaging in two or more acts directed at a specific person that would cause a reasonable person to either (i) fear for the person's safety or the safety of others; OR (ii) suffer substantial emotional distress. For purposes of this definition:

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

15. Consent means words or actions, affirmatively, unambiguously and voluntarily spoken or engaged in by each party, which a reasonable person would interpret as a willingness to participate in agreed-upon sexual conduct.

Consent is not present or valid when a person is incapable of consenting, as defined below; when intimidation, use of force, threat of force, or other actions that a reasonable person in that person's circumstances would consider coercive are applied; when that person is placed in fear that any person will suffer imminent bodily injury; when a physical or mental condition is present such that the person cannot knowingly or voluntarily give consent; or when a person is under the age of 16. Silence, non-communication, or a lack of resistance does not necessarily imply consent. Previous relationships or consent do not imply consent to future sexual conduct. Consent to one form of sexual activity does not imply consent to other forms of sexual activity. Consent can be revoked at any time.

A person is "incapable of consenting" for purposes of this Policy if they:

- are incapable of understanding the nature of the conduct at issue;
- are physically incapable of resisting, declining participation in, or communicating unwillingness to engage in the conduct at issue; or
- are asleep, unconscious, or otherwise unaware that the conduct is occurring; or
- lack the mental ability to make or communicate a decision about whether to engage in the conduct at issue.

A person may be incapable of consenting due to the effects of alcohol, drugs or other intoxicants, or due to a physical, mental or other condition.

The use of alcohol or drugs does not minimize or excuse a person's responsibility for committing sexual misconduct, or that person's responsibility for determining whether another is capable of giving consent, as described above.

Determinations regarding whether a person is responsible for violating this Policy will be made by considering whether the person knew, or a reasonable, unimpaired person in their circumstances should have known, that the other person was incapable of consenting to the sexual conduct at issue.

16. Coercion means the use of unreasonable pressure to gain sexual access. Coercion is more than a momentary effort to persuade, entice, or attract another person to engage in sexual activity. When a person makes clear a decision not to engage in sexual activity, or makes a decision to stop sexual activity,

or a decision not to go beyond a certain sexual activity, continued pressure to engage can be coercive. In evaluating whether coercion was used, the College will consider: (i) the frequency of the application of pressure; (ii) the intensity of the pressure; (iii) the degree of isolation of the person being pressured; (iv) the duration of the pressure; and (v) any other similar or related conduct.

17. Reporting Individual means

1. A student or employee who is alleged to have been subjected to conduct that could constitute a violation of the Non-Discrimination Policy; or
2. A person other than a student or employee who is alleged to have been subjected to conduct that could constitute a violation of the Non-Discrimination Policy and who was participating or attempting to participate in Middlebury's education or employment program or activity at the time of the alleged prohibited conduct.

Reporting Individual also includes "complainant" as that term is used in Federal law (including the Title IX regulations issued in May 2020).

18. Complaint means an oral or written request for Middlebury to investigate and make a determination about alleged violations of the Non-Discrimination Policy.

19. CRTIX means Middlebury's Civil Rights & Title IX office.

20. Reasonable Person means a reasonable person under similar circumstances and with similar identities to the Reporting Individual.

21. Respondent means a person who is alleged to have violated Middlebury's Non-Discrimination Policy.

22. Party means a Reporting Individual or Respondent.

23. Prohibited Conduct means conduct that is prohibited by this Non-Discrimination Policy.

24. Supportive Measures are non-punitive, non-disciplinary individualized services offered as appropriate, as reasonably available, and without fee or charge that are calculated to restore or preserve access to Middlebury educational or employment programs, activities, and resources, and/or to provide support during a resolution process.

25. Preponderance of the Evidence is an evidentiary standard (e.g., the level of evidence that is sufficient to persuade a decision maker that there was a policy violation) that means "more likely than not," or, greater than 50%.

[1] The exception is that, under applicable provisions of Vermont law, an additional standard for prohibited hostile environment harassment applies in the specific context of an employee Reporting Individual who is working in a Middlebury program or activity in Vermont. Under this standard: to "harass" means to engage in unwelcome conduct based on an employee Reporting Individual's protected characteristic(s) that interferes with the employee's work or creates a work environment that is intimidating, hostile or offensive. In determining whether conduct constitutes harassment: (A) The determination will be made on the basis of the information gathered in an investigation as a whole, according to the totality of the circumstances, and a single incident may constitute unlawful harassment; (B) Incidents that may be harassment will be considered in the aggregate with varying types of conduct and conduct based on multiple characteristics viewed in totality rather than in isolation; (C) Conduct may constitute harassment, regardless of whether: (i) the complaining employee is the individual being harassed; (ii) the complaining employee acquiesced or otherwise submitted to or participated in the

conduct; (iii) the conduct is also experienced by others outside the protected class involved in the conduct; (iv) the complaining employee was able to continue carrying out the employee’s job duties and responsibilities despite the conduct; (v) the conduct resulted in a physical or psychological injury; or (vi) the conduct occurred outside the workplace. Harassment need not be severe or pervasive to constitute prohibited harassment under this standard, but behavior that a reasonable employee with the same protected characteristic(s) would consider to be a petty slight or trivial inconvenience will not constitute harassment in violation of this Policy.

[2] However, Middlebury may, without violating this prohibition on Retaliation, require an employee or other person authorized by Middlebury to provide aid, benefit or service under Middlebury’s program or activity to participate as a witness in, or otherwise assist with, an investigation or proceeding under this Policy.

B.1.b. Non-Discrimination Investigations & Resolutions Procedure

NOTE: This Procedure is effective August 1, 2024, and does not apply retroactively. For Prohibited Conduct allegedly occurring before August 1, 2024, the College will apply the definition of Prohibited Conduct and procedures in place at the time of the alleged conduct. [a] For Prohibited Conduct allegedly occurring on or after August 1, 2024, the definition of Prohibited Conduct and procedures set forth in this Procedure will apply, to the fullest extent permitted by applicable law. Middlebury retains discretion to make appropriate adjustments to promote fairness and consistency. The Parties will be notified in advance of any proceedings which definition(s) and procedures apply.

[a] The policies and procedures that were in effect immediately prior to the effective date of the current policies and procedures can be found [here](#).

A. General Provisions

I. PURPOSE

Middlebury strictly prohibits conduct that constitutes unlawful protected personal characteristic-based discrimination and harassment, as well as related retaliation, through its [Non-Discrimination Policy](#). This Non-Discrimination Investigations and Resolutions Procedure (“Procedure”), administered by the [Middlebury Civil Rights and Title IX office](#) (“CRTIX”), is intended to address instances of prohibited discrimination and harassment that are not required by the Department of Education to be handled under Middlebury’s Title IX Investigations & Resolutions Procedure. CRTIX may, depending upon the circumstances, vary from this Procedure. So long as such a variation is consistent with relevant law and allows for fundamental fairness in the processes followed, variations from this Procedure under those circumstances will not invalidate an outcome or constitute a basis for appeal.

II. WHAT THIS PROCEDURE COVERS

This Procedure applies to all alleged violations of the Non-Discrimination Policy not meeting the definition of Title IX sexual harassment, and to allegations of related retaliation, in both employment and access to educational opportunities. [1] Where a complaint alleges other Middlebury policy violations arising out of the same facts and circumstances as allegations that must be addressed utilizing this Procedure, Middlebury may, in its discretion, address those other alleged violations through this Procedure.

Except as otherwise specified herein, this Procedure applies to all Middlebury students,^[2] faculty, and staff, as well as to others who were participating or attempting to participate in Middlebury’s educational or employment programs and activities at the time the alleged misconduct occurred. This includes the undergraduate college, the Language Schools, the School of the Environment, Bread Loaf School of English, Bread Loaf Writers’ Conference, the Middlebury Institute of International Studies at Monterey (“the Institute”), and the Schools Abroad. Faculty and staff are, together, referred to as “Employee” or “Employees” in this Procedure.

B. Reporting Violations of the Non-Discrimination Policy

Middlebury encourages individuals to report potential violations of the Non-Discrimination Policy so that they can obtain support and information and so that Middlebury can respond appropriately.

In addition, as will be described below, Middlebury employees who learn of potential violations of the Non-Discrimination Policy are required to report that information to the Civil Rights and Title IX Coordinator (“CRTIX Coordinator”^[3]) unless they are deemed Confidential Resources (see below subsections B.II and B.III).

I. MAKING A REPORT

Any person who believes that they have been impacted by a violation of the Non-Discrimination Policy, or who has reason to believe that one has occurred or is occurring, should report this information to the immediate attention of the CRTIX Coordinator or to the Deputy Civil Rights and Title IX Coordinator (“Deputy CRTIX Coordinator”) at:

Butterfly Blaise Boire

Civil Rights and Title IX Coordinator

Middlebury College

Service Building, Room 213

84 S Service Rd

Middlebury, VT 05753

802.443.2147

bboire@middlebury.edu

Taryn Moran

Deputy Civil Rights and Title IX Coordinator

Middlebury College

Service Building, Room 218

84 S Service Rd

Middlebury, VT 05753

802.443.5840

tarynm@middlebury.edu

You may also report to knowyourrights@middlebury.edu, by using the online reporting tool at *go/report*, or by visiting this [link to the official reporting form](#).

Middlebury’s CRTIX office staff also includes Human Relations Officers (“HROs”)^[4] who are able to receive reports of violations of the Non-Discrimination Policy in the event that the CRTIX Coordinator or Deputy CRTIX Coordinator are not available. For more information about the CRTIX office staff (including contact information), please visit <https://www.middlebury.edu/title-IX/about>. Concerns about discrimination, harassment, or related retaliation engaged in by any member of the CRTIX office should be directed to Middlebury’s Deputy General Counsel & Risk Officer, Sue Ritter at 802.443.3289 or sritter@middlebury.edu.

II. CONFIDENTIAL REPORTING

Some members of the Middlebury community have legal obligations or privileges not to disclose information that is shared with them in their professional capacities. These individuals are “Confidential Resources” who can be told about potential Non-Discrimination Policy violations in a confidential manner—meaning, they will not share with anyone else (including CRTIX) the information that has been disclosed to them in a way that identifies a reporting Party or the individuals involved in an incident of Prohibited Conduct (unless they are requested to by the reporting Party or a legal obligation requires it).

Confidential Resources^[5] include:

- Medical and support staff at the Middlebury Center for Health & Wellness (including SANE nurses)
- Counseling Services
- MiddCare
- Chaplains within the Scott Center

In addition, an employee of Middlebury who is conducting an Institutional Review Board-approved human-subjects research study designed to gather information about protected characteristic based discrimination and harassment is a Confidential Resource. The employee’s confidential status, however, is only with respect to information received while conducting the study.

Confidential Resources must explain to any reporting Party who describes conduct that reasonably may constitute Prohibited Conduct:

- The Confidential Resource’s status as confidential for purposes of this Procedure, and that they will not report information about conduct that reasonably may constitute Prohibited Conduct to CRTIX without the reporting Party’s permission;
- How to contact CRTIX and how to make a complaint of Prohibited Conduct; and
- That CRTIX may be able to offer and coordinate supportive measures, as well as initiate an informal resolution process or an investigation under Middlebury policy and procedures.

Individuals who report incidents of discrimination and harassment to Confidential Resources should be aware that in certain limited circumstances, confidentiality may not be absolute.^[6]

III. MANDATORY REPORTING

All Middlebury faculty and employees, other than those designated as Confidential Resources under the circumstances described above, are required to promptly report all known information about conduct that reasonably may constitute actual or suspected violations of the Non-Discrimination Policy to the CRTIX Coordinator or Deputy CRTIX Coordinator. This requirement applies to student-employees who receive such information in the context of their employment. Failure of an employee to report as required is a violation of Middlebury Policy and can subject an employee to disciplinary action.

IV. PROHIBITION ON MAKING FALSE REPORTS

Middlebury prohibits intentionally making a false report or providing false or misleading information in the reporting of a complaint. Reporting Individuals will not be deemed to have provided false or misleading information under this Procedure 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.

C. Supportive Measures and Non-Adjudicative Response Options

In many instances when CRTIX receives a report of alleged violations of the Non-Discrimination Policy, an investigative and adjudicative process (see Section D) will follow. If investigation and adjudication is not possible or is not the most appropriate means of addressing the allegations, CRTIX may take other actions depending on the circumstances, as described below. (These actions may also be taken in conjunction with an investigation).

I. Supportive Measures

Once CRTIX has received a report of an alleged Non-Discrimination Policy violation, a CRTIX staff member will engage in outreach to each known impacted Party to engage in a conversation about supportive measures.^[7] Supportive measures are non-punitive, non-disciplinary individualized services offered as appropriate, as reasonably available, and without fee or charge that are calculated to restore or preserve access to Middlebury educational or employment programs, activities, and resources, or to provide support during an informal resolution process or an investigative resolution process. It is not necessary to participate in an investigation process in order to request supportive measures from Middlebury. Common supportive measures include: counseling; extensions of deadlines and other course-related adjustments; campus escort services; increased security and monitoring of certain areas of the campus; mutual restrictions on contact applied to one or more individuals; leaves of absence; changes in class, work, housing, or extracurricular activity, regardless of whether there is or is not a comparable alternative; and training and education programs related to protected personal characteristic-based harm.

A Party seeking a supportive measure should request the measure by communicating with CRTIX, which will determine which supportive measures are reasonably necessary and appropriate. CRTIX will notify both Parties, as appropriate, of approved, individualized supportive measures, and may deny, modify, or terminate any supportive measure based on all available information. Parties may also seek additional supportive measures or modification or termination of a supportive measure applicable to them if circumstances change materially. An impartial Middlebury employee, within CRTIX or otherwise, will determine whether or not to modify or reverse any initial decision to provide, deny, modify, or terminate supportive measures applicable to the Party requesting review. The question for consideration in such reviews will be whether the supportive measure under review is consistent or inconsistent with the definition of supportive measure stated above.

Middlebury will maintain as confidential any supportive measures provided to the Reporting Individual or Respondent, to the extent that maintaining such confidentiality would not impair the ability of Middlebury to provide the supportive measures.

All individuals are encouraged to report concerns about the failure of another individual to abide by any restrictions imposed by a supportive measure to Public Safety (802.443.5133 or 802.443.5911) after hours or in an emergency or to CRTIX in circumstances outside of an emergency situation. Middlebury will take prompt and responsive action to enforce supportive measures, which may include additional supportive measures and/or disciplinary penalties under student or employment disciplinary policies, as applicable.

Middlebury may, as appropriate, modify or terminate supportive measures at the conclusion of any informal resolution process or investigative resolution process, or may continue them in the same or modified form beyond that point.

II. Emergency Removal and/or Administrative Leave

If a report indicates a risk of violence or an emergency situation, Middlebury may remove someone from its educational programs or from employment consistent with its [Emergency Removal Policy](#) and/or its Threat Assessment & Management practices. When the Respondent is an employee, or a student employee accused of misconduct in the course of their employment, Middlebury may take action in the form of placing the employee on paid or unpaid Administrative Leave, depending on the circumstances.

III. Informal Resolution (Adaptable Resolution)

Reports to CRTIX that fall under this Procedure may be resolved through informal or “adaptable” resolutions, when appropriate. At all stages of the resolution process (including after an investigation has commenced), the CRTIX Coordinator, when appropriate, may make available to the Parties informal resolution options for resolving complaints. In assessing whether informal resolution is appropriate, the CRTIX Coordinator may consider factors such as, for example, (1) the nature of the allegations, (2) the agreement of the Reporting Individual and the Respondent, (3) other relevant factors such as any disability of the Reporting Individual or the Respondent, (4) any history of misconduct or other policy violations by the Respondent, and (5) whether the alleged conduct would present a future risk of harm to others. A Party will not be required to engage in informal resolution and may end the informal resolution process at any time. If a Party ends the informal resolution process or if the CRTIX Coordinator determines that the process is either not appropriate or is unsuccessful, CRTIX shall continue to respond to the allegations in accordance with this Procedure.

To proceed with informal resolution, the CRTIX Coordinator must obtain the Parties’ voluntary, written consent to the informal resolution process. Middlebury will not require or pressure a Party to participate in informal resolution or to engage in any particular form of informal resolution, and will not require waiver of applicable rights to participate in investigative resolution as a condition of enrollment or continuing enrollment, or employment or continuing employment, or exercise of any other right.

IV. Referral to the Community Bias Response Team (CBRT)

When reports made to the CRTIX office do not fall within the scope of the Non-Discrimination Policy but involve behavior that allegedly has a negative impact based on protected personal characteristics, CRTIX may refer the matter to the Community Bias Response Team ([Middlebury CBRT](#)) to be addressed under CBRT’s procedures.

It is not the purpose of CBRT to investigate, arbitrate, or to take the place of other Middlebury administrative processes; CBRT does not initiate disciplinary action or impose sanctions regarding bias incidents.

D. Investigation and Adjudicative Process

I. INITIAL ASSESSMENT

Upon receipt of any report coming to CRTIX’s attention, the CRTIX Coordinator conducts an initial assessment to determine whether additional steps by CRTIX are necessary. For matters clearly not implicating the Non-Discrimination Policy and for which a person has not requested an investigation by CRTIX, the CRTIX Coordinator may refer the matter to another Middlebury office or unit and may communicate back with the Reporting Individual that no further action will be taken by CRTIX.

Regardless of whether the CRTIX Coordinator determines that additional steps by CRTIX are necessary, the CRTIX Coordinator will engage in outreach to the impacted individual(s) and will offer supportive measures if applicable.

For those matters that require additional steps by CRTIX—i.e., matters where someone is explicitly asking for a CRTIX investigation or matters that are determined by the CRTIX Coordinator to potentially implicate the Non-Discrimination Policy—the CRTIX Coordinator informs an HRO [\[8\]](#) who in turn performs the following evaluation.

II. HRO EVALUATION

The HRO (or designee) conducts an initial evaluation, for the purpose of determining whether an investigation can proceed, in which they assess:

1. Whether the Respondent and the alleged Conduct are under Middlebury's authority; and
2. Whether the alleged conduct, if shown by a preponderance of the evidence to have actually occurred, could be a violation of the Non-Discrimination Policy. [\[9\]](#)

The HRO (or designee) may seek to obtain sufficient additional information to make this evaluation if the information available is insufficient on its own to allow for these assessments to be accurately made.

If the HRO (or designee) determines that both factors have been met and thus that an investigation can proceed, this information will be communicated back to the Reporting Individual by the CRTIX Coordinator, along with information about what the investigative process entails and information about alternative informal processes for resolving the matter (if applicable). The CRTIX Coordinator will also solicit the Reporting Individual's input as to whether the Reporting Individual wishes to proceed with an investigation. This input is given careful consideration but does not control whether an investigation will start.

Middlebury's obligation to respond to reported Prohibited Conduct occurring in its programs and activities may necessitate CRTIX to investigate even in situations where a Reporting Individual has not requested an investigation or has indicated that they do not wish to proceed with an investigation. The CRTIX Coordinator retains the discretion as to whether an investigation is initiated.

The CRTIX Coordinator will consider, at a minimum, the following factors:

1. The severity of the alleged violation, including whether the violation, if established, would require the removal of a Respondent from campus or imposition of another disciplinary sanction to end the violation and prevent its recurrence;
2. The risk that additional violations would occur if an investigation is not initiated;
3. The scope of the alleged violation, including information suggesting a pattern, ongoing violations, or impacts to multiple individuals;
4. The age and relationship of the Parties, including whether the Respondent is an employee;
5. The availability of evidence to assist a decision-maker in determining whether a violation occurred;
6. The Reporting Individual's request not to proceed with initiation of an investigation;
7. The Reporting Individual's reasonable safety concerns regarding initiation of an investigation; and
8. Whether other options exist to end the violation and prevent its recurrence without initiating an investigation.

III. CLOSURE BASED ON HRO EVALUATION

In matters where the HRO determines either (i) that the alleged conduct, if it were established by a preponderance of the evidence, would not constitute a violation of the Non-Discrimination Policy or (ii) that the Respondent and/or the reported conduct are not subject to Middlebury's authority, the matter may be closed by CRTIX. When a matter is closed after the HRO's evaluation, the alleged conduct may be referred by CRTIX to another Middlebury office (including but not limited to Human Resources or Community Standards) or may be addressed under another resolution procedure, if applicable.

The CRTIX Coordinator will communicate back to the Reporting Individual(s) that an investigation is not available, and will offer supportive measures and/or refer the matter to another office or unit as applicable.

IV. INVESTIGATION

A. CRTIX decision re: Scope of the Investigation

Based upon their evaluation of the matter, the HRO will determine which allegations will be investigated, with which Respondent(s). Ordinarily the CRTIX Coordinator or Deputy CRTIX Coordinator will review a written version of the allegations with the Reporting Individual to confirm those assertions. In matters involving more than one Reporting Individual or more than one Respondent, CRTIX may consolidate the matters into a single investigation when the allegations arise out of the same facts or circumstances.

B. Written Notice issued

Once CRTIX has determined the scope of the investigation, the CRTIX Coordinator will ordinarily issue a written notice to the Parties, [\[10\]](#) along with a copy of the Non-Discrimination Policy and this Procedure. The notice will indicate that Middlebury is investigating the possibility that the Respondent has violated the Non-Discrimination Policy using this Procedure and will ordinarily include:

- Specific information about the investigation and adjudication process that is applicable to the matter;
- A statement of the allegations of behavior potentially constituting a violation of the Non-Discrimination Policy, including sufficient details known at the time. Sufficient details include the identities of the Parties involved in the incident, if known, the conduct allegedly constituting a violation of the Non-Discrimination Policy, and the date and location of the alleged incident, if known;
- A statement that retaliation is prohibited;
- The specific policies and offenses implicated by the alleged conduct;
- A statement that Middlebury's Non-Discrimination Policy prohibits knowingly making false statements, including knowingly submitting false information during the investigation and adjudication process; and
- The name of the investigator, along with information about the process to notify the CRTIX Coordinator of any conflict of interest that the investigator may have in advance of the interview process.

The Notice Letter may be amended as appropriate during the course of the investigation.

C. Appointment of an Investigator

The CRTIX Coordinator appoints investigators, either a Middlebury employee [\[11\]](#) or an external investigator, who serves as a neutral, impartial fact-finder. External investigators are supervised by a Middlebury HRO, including tracking the investigation for reasonable progress, assisting with the creation

and maintenance of investigative records, and assisting the external investigator as necessary.^[12] Other Middlebury officials may at times be called upon to assist with an investigation, depending on the circumstances.

In selecting the investigator for a particular matter, the CRTIX Coordinator will take care to select an individual who does not have a conflict of interest or bias against Reporting Individuals or Respondents generally or an individual Reporting Individual or Respondent. The CRTIX Coordinator will notify the Parties of the identity of the investigator before the formal investigation begins and Parties may, within 3 calendar days of such notice, object to the appointment of the investigator by providing a written statement (which may be transmitted electronically) as to why the Party believes that the investigator has a conflict of interest or bias. The CRTIX Coordinator will make decisions regarding such objections and the appointment of an alternate investigator, as necessary. The CRTIX Coordinator's decision about whether there is a conflict is final.

D. Fact Finding

The investigator is authorized to contact and schedule interviews with any and all individuals who may have relevant information. The nature and scope of the investigation is primarily within the discretion of the investigator. The investigator is authorized to access relevant records, except those legally protected as confidential or privileged or otherwise impermissible,^[13] and may collect any additional evidence relevant to the matter.^[14]

The Reporting Individual and Respondent will be asked to identify, preserve and submit all evidence (inculpatory and exculpatory)^[15] pertaining to the matter under investigation, and to identify witnesses they believe may have relevant testimony to share. The investigator is not required to consider particular evidence submitted or to interview any particular witness, even if identified by one of the Parties.

Interviews may be conducted in person, via videoconferencing (e.g., Zoom, Microsoft Teams), or by telephone. Interview participants may not make unauthorized recordings of investigative interviews or any other meetings occurring during the investigation and adjudication process.

All witnesses identified in connection with an investigation under this Procedure are expected to cooperate fully in the investigation by providing complete, accurate, and truthful information.

The investigation will be conducted in a prompt, thorough, fair, equitable, and impartial manner. If a Party or witness chooses not to participate in the investigation or becomes unresponsive, the investigator retains the right to continue it without their participation to ensure a prompt resolution.

The Parties may each have an Advisor present with them for any investigative interviews (or at any other meetings occurring during the investigation and resolution process).^[16] Advisors are precluded from copying, sharing, describing, and/or otherwise disseminating any investigation- or adjudication-related materials to which they are privy, and they shall not disclose the contents of these materials to other Parties or individuals.

The advisor may advise the Party privately, but cannot act as a speaking advocate at any meeting or interview. An investigator or other Middlebury official may terminate meetings and remove or dismiss advisors if an advisor is disruptive or otherwise refuses to comply with the requirements of this Procedure.

E. Preparation of an Investigative Report

A written investigative report is completed by the investigator. The investigative report will impartially summarize the relevant evidence and may include as exhibits all evidence deemed by the investigator to

be relevant and not otherwise impermissible. The investigator will provide the adjudicating HRO access to the investigative report and exhibits.[\[17\]](#)

The investigative report ordinarily will include proposed findings of fact based on the preponderance of the evidence standard (i.e., more likely than not). The investigative report will also ordinarily include the investigator's recommendation, based on a preponderance of the evidence standard, as to whether the Respondent should be found responsible for violating the Policy provisions at issue.[\[18\]](#)

Submission of the investigative report to the adjudicating HRO ordinarily brings the fact-finding phase of the investigation and adjudication process to a close. In some instances an investigator may be asked to perform additional fact finding or make updates to the investigative report depending on the outcome of the adjudicating HRO's review of the report and evidence file or depending on other circumstances warranting additional fact finding to be performed by the investigator.

V. HRO ADJUDICATIVE PROCESS

Submission of the investigative report to the adjudicating HRO starts the adjudication phase.

The adjudicating HRO will review the investigative report and any attached exhibits. The HRO is authorized to request additional relevant information directly from the Parties or witnesses if the HRO believes it is necessary to do so before making a determination, including through requesting individual meetings with any Party or witness as appropriate.[\[19\]](#) Additionally, any Party may request a live meeting with the adjudicating HRO to take place before the determination is made.

The HRO determines whether a policy violation occurred using a preponderance of the evidence standard (i.e., is it more likely than not that the policy violation occurred). In making their determination, the HRO is in no way bound by the investigator's investigative report, which is advisory to the HRO. The HRO may accept or reject the investigator's recommended finding(s) or proposed findings of fact in whole or in part. The HRO will reach their own independent conclusions based on the evidence presented.

The HRO will prepare a written determination explaining the rationale behind the determination. The HRO will provide the Parties with notification of the determination, in writing (by electronic or other means), providing an appropriate level of detail consistent with applicable law, privacy practices, and the purposes of the Non-Discrimination Policy. If a policy violation is found, sanctions and remedial actions, as appropriate, will be assigned pursuant to Sections VII.D and VII.E below.

VI. APPEALS

Appeals of dismissals and of HRO determinations regarding responsibility are permitted.[\[20\]](#) Appeals of closures based on the HRO's evaluation (see Section D.III. above) are permitted but only in those matters where the Reporting Individual had specifically requested CRTIX to open an investigation. Appeal grounds are strictly limited to the following bases:

- Procedural irregularity that affected the outcome of the matter;
- New evidence has become available that could affect the outcome of the matter and that was not reasonably available at the time the determination regarding responsibility, the dismissal, or the closure after initial evaluation was made; and/or
- The CRTIX Coordinator (or designee), investigator, or decision-maker (HRO) had a disqualifying conflict of interest or bias for or against Reporting Individuals or Respondents generally, or the individual Reporting Individual or Respondent, that affected the outcome of the matter.

Appeals must be submitted in writing to the CRTIX Coordinator within 5 business days.^[21] of the applicable CRTIX action, must articulate one of the permissible bases for appeal, and must provide information or evidence to support the appealing Party's argument.

For matters involving student Respondents, appeals will be decided by the Vice President of Student Affairs (or designee). For matters involving staff Respondents, appeals will be decided by the Vice President of Human Resources (or designee). For matters involving faculty Respondents, appeals will be decided by the Vice President of Academic Affairs (or designee) of the appropriate academic program.

Regardless of which Party appeals, both Parties may participate in the appeals process. Once an appeal is submitted, Middlebury's CRTIX office, in addition to forwarding the appeal to the appropriate appellate decision-maker, will notify the other Party and invite their response to the appeal.^[22] The other Party will be given a period of 5 business days to submit a statement in support of the determination and/or in opposition to the appeal.^[23]

The appellate decision-maker may deny the appeal, or if one or more of the appeal grounds have been met, may:

- Return the case to CRTIX for action;
- Return the case to the original HRO for reconsideration; or
- Appoint an alternate HRO to review the case for potential re-adjudication (if the original outcome was materially altered by bias or conflict of interest on the part of the adjudicating HRO).

It is the responsibility of the appellate decision-maker to determine which aspects of the case merit a new review, and to direct the CRTIX office or HRO accordingly.

The appellate decision-maker will issue a written decision on the appeal, including a brief explanation of their reasoning, which will be provided simultaneously to both Parties. A denial by an appellate decision-maker is final. In the event the appeal is accepted and the matter is returned to CRTIX or an HRO for reconsideration, the subsequent CRTIX action or HRO determination is final.

VII. OUTCOMES

After an investigation is started, there are several possible outcomes.

A. Dismissal

1. CRTIX may, at any time, dismiss a complaint under investigation, in whole or as to a particular Respondent, if it has been determined that:

- (i) The complained of conduct is the responsibility of a person who cannot reasonably be identified;
- (ii) The Respondent is not participating in any Middlebury education program or activity and is not employed by Middlebury; or
- (iii) The Reporting Individual voluntarily withdraws any or all of the allegations in the complaint, CRTIX declines to initiate a complaint, and CRTIX determines that, without the Reporting Individual's withdrawn allegations, the conduct that remains alleged in the complaint, if any, would not constitute a violation of the Non-Discrimination Policy even if established by a preponderance of the evidence.

2. CRTIX may elect to continue the investigation after dismissing the complaint as to a particular Respondent if:

- (i) There are one or more remaining named or identifiable Respondents whom the CRTIX Coordinator determines may potentially be responsible for the alleged conduct; or
- (ii) CRTIX determines that the complaint alleges a potential hostile environment based on a protected personal characteristic(s) even in the absence of an identifiable Respondent over which Middlebury retains disciplinary authority.

3. If a complaint is dismissed by Middlebury under the circumstances described above, Middlebury will simultaneously provide to the Parties written notice (by electronic or other means) of the dismissal and the reasons for the dismissal, and notice of the Parties' opportunity to appeal the dismissal through the appeal procedures outlined in Section V above.

An Informal Resolution (Adaptable Resolution) process may include an outcome agreement entered into between the Parties in which it is agreed upon that the charges from the written notice of allegation letter will be dismissed (including waiver of the Parties' right to appeal the dismissal). In such cases, the CRTIX Coordinator will dismiss the complaint, and appeal procedures will not be applicable.

B. Respondent Accepts Responsibility

At any point in the proceedings, if a Respondent elects to admit to the charged violations and waive further process, the adjudicating HRO is authorized to accept that admission, adopt it as their finding or determination, and implement sanctions. The Respondent has no right to appeal findings based on their acceptance of responsibility. If the Respondent admits to some but not to all conduct charged, the investigation and adjudication process continues to its conclusion with respect to the conduct not admitted to. The Reporting Individual retains their right to appeal a determination when a Respondent admits responsibility.

C. Finding of No Violation

If the adjudicating HRO determines that the investigation has produced insufficient evidence to find, by a preponderance of the evidence, that a violation of the Non-Discrimination Policy, or other relevant Middlebury policies, has occurred, the determination will be a finding of no policy violation. Under these circumstances, the full determination, or information obtained during the investigation, may still be shared with appropriate Middlebury officials to address concerns outside the scope of the Non-Discrimination Policy that come to light in the course of the investigation. (In most circumstances, consistent with Middlebury's amnesty policy for Non-Discrimination Policy investigations, concerns related to student substance use or minor rules infractions uncovered during the investigation will not be referred to other Middlebury officials for disciplinary action.)

D. Respondents Found Responsible

1. When the adjudicating HRO finds that the Respondent engaged in conduct that violates Middlebury policy, the CRTIX Coordinator will, in accordance with this Procedure, forward the case to the appropriate supervisory authority for the program at issue ("sanctioning authority"), who will assign a sanction or sanctions, and take other actions as appropriate. The sanctioning authority may collaborate with the adjudicating HRO in determining the appropriate sanction or sanctions.

In determining sanctions or other actions, the sanctioning authority will be guided by a number of considerations, including but not limited to the following:

- The severity, pervasiveness, and objective offensiveness of the behavior;
- The nature of the violation;
- The impact of the violation on the Reporting Individual;

- The impact or implications of the violation within the Middlebury community;
- Any prior misconduct by the Respondent, including the Respondent’s relevant prior conduct history, at Middlebury or elsewhere;
- Whether the Respondent has accepted responsibility for the violation;
- The maintenance of a safe, nondiscriminatory and respectful environment conducive to living, learning, and working, as applicable; and
- Any other mitigating, aggravating, or compelling factors.

2. Sanctions and other actions will go into effect at either the expiration of the deadline for the submission of an appeal where no appeal is submitted, or at the conclusion of the appeal process if applicable. [\[24\]](#) This language does not preclude the possibility of emergency action as needed in accordance with Section C.II.

3. Sanctions are assigned by the appropriate supervisory authority for the Respondent(s). When multiple supervisory authorities are involved in assigning sanctions, they may collaborate with each other as appropriate.

4. For students, the sanctioning authority is the Dean of Students, the Dean of the Language Schools, the VPAA of the Institute, the Dean of the Bread Loaf School of English, etc. (depending on the program the student is associated with).

5. For staff, the sanctioning authority is the appropriate Vice President (or designee) for the area or unit in which the staff member works.

6. If the adjudicating HRO finds that a faculty member has engaged in conduct that violates the Non-Discrimination Policy, or other Middlebury policies under investigation, if applicable (absent or following an appeal of that finding in accordance with this Procedure, if an appeal was granted), CRTIX will provide the case materials to the Provost. The Provost will initiate the appropriate procedures under the applicable Handbook policies and/or contracts. The Provost may also assign a designee—ordinarily the Vice President of Academic Affairs (VPAA)—to initiate the appropriate procedures under the applicable Handbook policies and/or contracts.

7. In any case in which a finding of a violation of the Non-Discrimination Policy has been issued, violation of a plan or directive to address the Prohibited Conduct or related sanction may be grounds for further discipline.

E. Recommendation of Steps to Ensure that Violations do not Continue or Recur

1. In any case where the adjudicating HRO determines that a violation of the Non-Discrimination Policy occurred that cannot be attributed solely to the actions of an identifiable Respondent, the adjudicating HRO will identify appropriate prompt and effective steps to ensure that violations of the Non-Discrimination Policy do not continue or recur within the Middlebury programs or activities reviewed during the investigation.
2. When the adjudicating HRO determines that remedial actions under this section must be implemented, the HRO will notify the Vice President(s) with oversight of the programs or activities reviewed during the investigation that a violation of the Non-Discrimination Policy has been found by providing a copy of the full determination prepared in accordance with Section D.IV, and will also provide a copy of the determination to the General Counsel, Chief Risk Officer and the Vice President of the Office of Institutional Diversity, Equity, and Inclusion.

3. The relevant Vice President(s) will identify relevant employees with knowledge and oversight of the program or activity at issue and direct that they promptly meet with the adjudicating HRO to discuss feasible steps to address the violation of the Non-Discrimination Policy found by the adjudicating HRO.
4. After consulting with the identified employees, the adjudicating HRO will provide the Vice President(s) with a list of remedial actions, which may include policy or practice changes and other steps designed to ensure that violations of the Non-Discrimination Policy do not continue or recur within the Middlebury programs or activities reviewed during the investigation. A copy of the remedial actions will also be provided to the General Counsel, Chief Risk Officer and the Vice President of the Office of Institutional Diversity, Equity, and Inclusion.
5. The recommended steps will include time frames for progress reporting on implementation that must be adhered to by the employees tasked with implementing the recommendations.

[1] In accordance with Federal law, allegations of sexual harassment (and related retaliation) falling under the scope of Title IX are addressed through [Middlebury's Title IX Investigations & Resolutions Procedure](#).

[2] Students at the undergraduate College will be held accountable in accordance the Scope of Oversight provision in section [II.B.2.a.iii.](#) of the Handbook. Students at the Middlebury Institute of International Studies will be held accountable in accordance with the Scope of Oversight provision in section [IV.B.2.b.B.](#) of the Handbook.

[3] The CRTIX Coordinator is ultimately responsible for coordinating Middlebury's compliance with applicable anti-discrimination laws and administering the Non-Discrimination Policy and this Procedure, but may choose to delegate specific duties, obligations and functions described in the Non-Discrimination Policy and this Procedure. Therefore, all references to the CRTIX Coordinator in the Non-Discrimination Policy and this Procedure should be read functionally as "CRTIX Coordinator or designee."

[4] Middlebury's HROs serve as the CRTIX Coordinator's designees for the purposes of overseeing investigations and adjudicating complaints under this Procedure.

[5] When an individual who otherwise would be a Confidential Resource receives information about Prohibited Conduct outside the context of their confidential provision of services to a patient or client, they are required to report such information to CRTIX.

[6] As one example, all individuals including Confidential Resources are typically obligated under state law to report instances of child abuse to the applicable state agency, or to make limited disclosures as necessary to address an imminent risk of physical harm to the reporting Party or another person. Exceptions to confidentiality are governed by the law of the state in which the Confidential Resource is located.

[7] In instances where a matter is being investigated, CRTIX will ordinarily offer supportive measures to the Respondent as well.

[8] The HRO's specific duties and functions described in subsection D.II. may be delegated or may fall to another HRO or another employee or agent of Middlebury as needed or as appropriate.

[9] For an investigation to be able to proceed, both factors must be met.

[10] In cases where there is not a specific Respondent named, CRTIX will ordinarily send written notice to the Middlebury official responsible for the area or unit in which the alleged violation of Policy occurred.

[11] Ordinarily a HRO.

[12] Ordinarily the supervising HRO will also be the adjudicating HRO (who will ultimately render a decision as to whether the Non-Discrimination Policy was violated).

[13] The investigator may need to initially review relevant evidence that may or may not be otherwise impermissible, in order to determine whether an exception applies that would permit its consideration in the investigation.

[14] 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 will not access, consider, disclose or otherwise use a Party's privileged records without the Party's voluntary, written consent to do so, and such information will not be deemed relevant to an investigation or adjudication absent the voluntary, written consent of the Party.

[15] Inculpatory evidence refers to evidence that tends to show a Respondent's responsibility for the alleged Prohibited Conduct, whereas exculpatory evidence refers to evidence that tends to clear a Respondent from responsibility for the alleged Prohibited Conduct.

[16] CRTIX may permit Parties to have more than one Advisor, or an Advisor and a support person, upon special request. The decision to grant this request is at the CRTIX Coordinator's sole discretion and will be granted equitably to all Parties.

[17] Unless unforeseen circumstances arise necessitating otherwise, a Middlebury HRO will be the decision-maker responsible for rendering an official determination on behalf of the institution as to whether there was a violation of the Non-Discrimination Policy.

[18] Or, in the case of a matter that does not involve a particular identifiable Respondent, whether there was otherwise a violation of the Non-Discrimination Policy.

[19] In the event of such meetings taking place, it is standard practice for the HRO to record the meeting. In addition, each Party may have an advisor present with them when attending any meetings with the adjudicating HRO.

[20] Appeals of dismissals following successful completion of an informal resolution process are excepted, as ordinarily in such matters there is an outcome agreement entered into between the Parties in which it is agreed upon that the charges from the written notice of investigation will be dismissed (including waiver of the Parties' right to appeal the dismissal).

[21] CRTIX or the appellate decision-maker may extend this deadline if warranted by the circumstances.

[22] In matters where a Reporting Individual appeals a closure after initial determination, however, CRTIX does not notify the Respondent.

[23] In matters where the HRO's Determination is being appealed, the adjudicating HRO will also ordinarily provide to the applicable appellate decision-maker a response to the appealing Party's appeal request.

[24] In matters where an appeal is not applicable, the sanction(s) and/or other action(s) will go into effect immediately.

B.1.b.(1) TIX Investigation and Resolutions Procedure

- I. What This Procedure Covers
 - II. Reporting Title IX Sexual Harassment
 - III. Formal Complaints/Grievances & Pre-Investigation
 - IV. Investigations
 - V. Hearings and Determinations of Responsibility
 - VI. Sanctioning
 - VII. Appeals
 - VIII. Admission of Responsibility
 - IX. Informal Resolution
 - X. Training of Individuals Conducting Investigations and Adjudications and Facilitating Informal Resolution Processes
 - XI. Record Keeping
- APPENDIX A

I. What This Procedure Covers

This Title IX Formal Grievance Procedure (“Procedure”) applies to instances of Sexual Harassment (as defined by May 2020 U.S. Department of Education Title IX regulation) which occur on or after August 14, 2020. [1] All references to Sexual Harassment within this Procedure are intended to apply to and comply with the definition of Sexual Harassment as defined by Department of Education in its Title IX regulation.

Middlebury may, in exceptional circumstances, vary from this Procedure. So long as such a variation is consistent with Title IX regulations and allows for fundamental fairness in the processes followed, variations from this process under those circumstances will not invalidate an outcome.

Except as otherwise specified herein, this Procedure applies to faculty, staff and students, as well as to others who participate or attempt to participate in Middlebury’s programs and activities. This includes the undergraduate college, the Language Schools, the School of the Environment, MiddCore, Bread Loaf School of English, Bread Loaf Writers’ Conference, and the Middlebury Institute of International Studies at Monterey (“the Institute”). [2] Faculty and staff are, together, referred to as “Employee” or “Employees” in this Procedure.

This Procedure applies to Sexual Harassment as defined by the Department of Education and as set forth in the [Non-Discrimination Policy](#) so long as the following conditions are met:

- (i) The alleged conduct was perpetrated against a person in the United States; and
- (ii) The alleged conduct took place within Middlebury’s programs and activities, meaning that the conduct occurred in a location, at an event, or in a circumstance where Middlebury exercises substantial control over both the Respondent and the context in which the conduct occurs, or in any building owned or controlled by a student organization recognized by Middlebury; **and**, the Reporting Individual [3] is participating in or attempting to participate in Middlebury’s programs or activities.

Conduct that occurs off campus in locations or at events without direction or control by Middlebury does not meet the definition of occurring in “a program or activity of Middlebury.” Such conduct may be prohibited under other Middlebury policies, including the Non-Discrimination Policy provisions addressing forms of discrimination and harassment other than Title IX Sexual Harassment, and is addressed using different procedures. Only behavior meeting the definitional requirements of this section will be addressed utilizing this Procedure. Where a complaint alleges other Middlebury policy violations arising out of the same facts and circumstances as allegations that must be addressed utilizing

this Procedure, Middlebury may, in its discretion, address those other alleged violations through this Procedure.

[1] Conduct that occurred prior to August 14, 2020, will be investigated and adjudicated consistent with the procedures detailed in the [SMDVS Policy](#) and/or the [Anti-Harassment/Discrimination Policy](#) in effect during Academic Year 2019-2020, prior to the August 14, 2020, effective date of the Department of Education’s May 2020 regulations.

[2] Note that alleged Prohibited Conduct occurring within the Schools Abroad is covered under the Non-Discrimination Investigations & Resolutions Procedure.

[3] The terms “Complainant” and “Reporting Individual” have the same meaning for the purposes of this Procedure.

II. Reporting Title IX Sexual Harassment

In order to fulfill its commitment to fostering a safe and inclusive learning environment, Middlebury values reporting of all types of sexual harassment, which includes sexual assault. Any person who believes that they have been subject to Title IX Sexual Harassment, or who has reason to believe that Title IX Sexual Harassment has occurred or is occurring, should report this information to the immediate attention of the Civil Rights and Title IX Coordinator (“CRTIX Coordinator”) or to the Deputy Civil Rights and Title IX Coordinator (“Deputy CRTIX Coordinator”) at:

Butterfly Blaise Boire

Civil Rights and Title IX Coordinator

Middlebury College

Service Building, Room 213

84 S Service Rd

Middlebury, VT 05753

802.443.2147

bboire@middlebury.edu

Taryn Moran

Deputy Civil Rights and Title IX Coordinator

Middlebury College

Service Building, Room 218

84 S Service Rd

Middlebury, VT 05753

802.443.5840

tarynm@middlebury.edu

A report or complaint may be made verbally (in person, by phone, or videoconferencing) during applicable business hours, or in writing (via mail or email) 24 hours per day, 7 days per week. You may also report to knowyourrights@middlebury.edu, by using the online reporting tool at *go/report*, or by visiting this [link to the official reporting form](#). Please note that while a report may be made anonymously, this will limit Middlebury’s ability to take action to provide supportive measures or to address the situation.

Middlebury's CRTIX office staff also includes Human Relations Officers ("HROs") who are able to receive reports of alleged violations of the Non-Discrimination Policy in the event that the CRTIX Coordinator or Deputy CRTIX Coordinator are not available. For more information about the CRTIX office staff (including contact information), please visit <https://www.middlebury.edu/title-IX/about>. Concerns about discrimination, harassment, or related retaliation engaged in by any member of the CRTIX office should be directed to Deputy General Counsel and Risk Officer, Sue Ritter, at sritter@middlebury.edu or calling her at 802.443.3289.

Which Middlebury Employees Must Report Sexual Harassment?

With the exception of certain persons designated as "Confidential Resources," as described below, all Middlebury employees must report any incident that could constitute Sexual Harassment involving a Middlebury student, employee or other covered person, to the CRTIX Coordinator, Deputy CRTIX Coordinator, or an HRO. This requirement applies to student-employees who receive such information in the context of their employment. Failure of an employee to report as required is a violation of Middlebury Policy and can subject an employee to disciplinary action.

The report should include relevant details about the incident of which they are aware, including the names of the parties, any witnesses, and any other relevant facts, including the date, time, and specific location of the alleged incident. To the extent possible, information reported will be shared with others only to the extent necessary to respond to the situation and support the parties and in accordance with state and federal law.

A. WHO ARE CONFIDENTIAL RESOURCES?

Confidential Resources include medical and support staff of the Center for Health and Wellness (including SANE nurses), Chaplains within the Scott Center, and staff within Counseling Services who are required by law to maintain confidentiality.

Middlebury encourages individuals to use confidential services. Individuals who seek those services should understand that confidentiality is not absolute and that those resources may have ethical or legal obligations to report certain information to others. As one example, Confidential Resources are typically obligated under state law to report instances of child abuse, or to make limited disclosures as necessary to address an imminent risk of physical harm to the reporting Party or another person. Exceptions to confidentiality are governed by the law of the state in which the Confidential Resource is located.

B. PARTICIPATION AND COOPERATION

All members of Middlebury's community covered by the Non-Discrimination Policy and identified in connection with an investigation under this Procedure are expected to cooperate and provide complete, accurate, and truthful information. Middlebury prohibits intentionally making a false report or providing false or misleading information in any investigation under this Procedure. Reporting Individuals will not be deemed to have provided false or misleading information under this Procedure 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 asked to keep the substance of the investigation interview confidential to preserve the integrity of the investigation.

C. SUPPORTIVE MEASURES

Supportive measures are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the Reporting Individual or the Respondent before or after the filing of a formal complaint or where no formal complaint has been filed.

Such measures are designed to restore or preserve equal access to the recipient's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the recipient's educational environment, or deter sexual harassment.

Common supportive measures include: counseling; extensions of deadlines and other course-related adjustments; campus escort services; increased security and monitoring of certain areas of the campus; restrictions on contact applied to one or more parties; leaves of absence; changes in class, work, housing, or extracurricular or any other activity, regardless of whether there is or is not a comparable alternative; and training and education programs related to sexual based harassment.

It is not necessary to file a complaint with Middlebury, participate in an adjudication process, or file a criminal complaint in order to request supportive measures from Middlebury.

Where a Reporting Individual reportedly subjected to Sexual Harassment makes a request for supportive measures like those described above, Middlebury will consider the request and provide those supportive measures which are reasonably available and reasonably allow for the preservation or restoration of access to or participation in Middlebury programs.

Students or employees seeking supportive measures should direct their request to the CRTIX Coordinator, Deputy CRTIX Coordinator, Human Resources, dean, or program director, as appropriate. The request will be evaluated and responded to by the CRTIX Coordinator or designee (e.g. Deputy CRTIX Coordinator, Student Life Dean, or program director) after consultation, as needed, with the appropriate authority or authorities for the school or program at issue. The CRTIX Coordinator is ultimately responsible for coordinating the effective implementation of supportive measures. Factors to be considered in determining whether to provide certain supportive measures may include the following:

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

Middlebury will maintain as confidential any supportive measures provided to a party, to the extent that maintaining such confidentiality would not impair the ability of Middlebury to provide the supportive measures. As such, Middlebury may need to disclose some information about the individual to a third party to provide the supportive measures in a timely manner. The following individuals are typically responsible for determining what information should be disclosed and to whom it should be disclosed: CRTIX Coordinator, an HRO, dean, Public Safety officer or program director. The decision to disclose information will be made after careful consideration of possible alternatives to disclosure and/or limiting the information provided to the third party as much as possible without compromising Middlebury's ability to provide the supportive measures.

D. EMERGENCY REMOVAL AND ADMINISTRATIVE LEAVE

Nothing in this Procedure limits Middlebury's rights to terminate or suspend the employment of any staff or faculty member under otherwise-applicable Middlebury policies, practices, contracts, or procedures.

1. Emergency Removal

Where there is an immediate threat to the physical health or safety of any student or other individual arising from the alleged Title IX Sexual Harassment or related conduct, Middlebury can remove a Respondent from its education program or activity (which may include removing an employee Respondent from their employment at Middlebury) and issue any necessary related no-trespass and no-contact orders. Middlebury will make the decision to remove a Respondent from its education program or activity based on an individualized assessment and risk analysis and will do so consistent with its [Emergency Removals Policy](#) and/or its Threat Assessment & Management practices. If Middlebury makes such a decision, the Respondent will be provided with notice and an opportunity to challenge the decision immediately following the removal.

2. Administrative Leave for Employees

When the Respondent is an employee, or a student employee accused of misconduct in the course of their employment, Middlebury may take action in the form of placing the employee on paid or unpaid Administrative Leave, depending on the circumstances.

E. OPTIONS TO PURSUE CRIMINAL OR LEGAL ACTIONS (REPORTING OUTSIDE OF MIDDLEBURY)

1. Criminal Complaints

Any student or employee may pursue criminal charges with local, state, or federal law enforcement agencies. Middlebury will offer and, upon request, provide assistance to individuals covered under this procedure with notifying law enforcement agencies. These options are available regardless of whether an individual chooses to file a complaint with Middlebury. Individuals have the option to notify such agencies with or without assistance from Middlebury and have the option not to personally notify such authorities.

2. Orders of Protection

Middlebury does not have the authority to issue Relief From Abuse Orders, Orders of Protection or Restraining Orders as these are granted by the court system. Individuals who have experienced Title IX Sexual Harassment may be eligible to pursue Orders of Protection, Restraining Orders and/or Relief from Abuse Orders from courts in the United States or courts outside of the United States as applicable. Middlebury will offer its support to individuals if they request Middlebury's assistance with making contact with law enforcement authorities and other external resources to seek such orders. Middlebury will respect such orders to the extent applicable.

3. Assistance by Middlebury

Requests for assistance with contacting law enforcement authorities or obtaining an Order of Protection, a Relief from Abuse Order, a Restraining Order or other lawful order may be made in person, via email, phone or teleconference to the CRTIX Coordinator, Deputy CRTIX Coordinator, an HRO, or Public Safety.

III. Formal Complaints/Grievances & Pre-Investigation

In addition to the reporting options and access to supportive measures addressed above, a Reporting Individual may file a formal written complaint alleging Title IX Sexual Harassment against a Respondent and requesting that Middlebury investigate the allegation. At the time of filing a formal complaint, a Reporting Individual must be participating in or attempting to participate in Middlebury's programs or activities. A formal complaint may be filed with the CRTIX Coordinator or Deputy CRTIX Coordinator in person, by mail, or by electronic mail, by using the contact information contained in Section II, above.

A. PRE-INVESTIGATION: DETERMINATIONS OF APPLICABLE PROCEDURES, DISMISSALS, TRANSFERS AND APPEALS OF SUCH DETERMINATIONS

1. Middlebury will investigate alleged Title IX Sexual Harassment where a Reporting Individual submits a signed or electronically submitted formal complaint to the CRTIX Coordinator (or designee), requests an investigation, and the signed written complaint meets the requirements of this section. In cases where the Reporting Individual does not wish to submit a formal complaint, but the CRTIX Coordinator decides in their discretion to sign a complaint and initiate an investigation and resolution process, the CRTIX Coordinator will not be a complainant or otherwise a party to the matter. Middlebury may terminate the Title IX Sexual Harassment Investigation if a Reporting Individual notifies the CRTIX Coordinator in writing that the Reporting Individual would like to withdraw the formal complaint.

2. When a Reporting Individual requests an investigation,

- a. the CRTIX Coordinator will, promptly upon receipt of a report, determine whether:
 - i. the conduct alleged would, if proved, constitute Title IX Sexual Harassment (i.e., *Quid Pro Quo* Sexual Harassment, Severe, Pervasive and Objectively Offensive Sexual Harassment, Sexual Assault, or sex-based Domestic Violence, Dating Violence or Stalking) as defined in the Non-Discrimination Policy as Title IX Sexual Harassment;
 - ii. the conduct allegedly occurred in Middlebury's education program or activity; and
 - iii. the conduct allegedly occurred in the United States.
- b. the CRTIX Coordinator/HRO or designee may gather additional information as appropriate before making the determinations required by part (a) of this subsection. During any such initial inquiry, all individuals are expected to cooperate.

3. If some but not all of the conduct alleged in the complaint satisfies all 3 of these elements and a formal complaint is received from a Reporting Individual or signed by the CRTIX Coordinator, Middlebury may choose to address the entire matter through this Title IX Sexual Harassment Procedure (that is, it will as required by federal regulations follow Title IX Sexual Harassment procedures to address the alleged Title IX Sexual Harassment, and it may, to promote efficiency or for other compelling reasons, choose to follow this Title IX Sexual Harassment Procedure to address other prohibited conduct in such mixed cases, so that all related misconduct may be addressed through one investigation and resolution process).

4. If it appears based upon initial review or upon information gathered during an investigation that the matter does not satisfy and/or no longer satisfies all 3 of these elements, Middlebury will, as required by Title IX regulations, dismiss the matter from the Title IX Sexual Harassment Procedure, and may transfer it for handling under the Non-Discrimination Investigation & Resolutions Procedure or other Middlebury procedures, as deemed appropriate by Middlebury.

5. Even if the allegations of a matter fall within the definition of Title IX Sexual Harassment, Middlebury may (but is not required to) dismiss a formal complaint or any allegations therein if at any time during the investigation or resolution process:

- A Reporting Individual notifies the Title IX Coordinator in writing that the Reporting Individual would like to withdraw the formal complaint or any allegations therein;
- The Respondent is no longer enrolled or employed by Middlebury; or
- Specific circumstances prevent Middlebury from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.

6. If a formal complaint is dismissed by Middlebury under the circumstances described above, Middlebury will simultaneously provide to the parties written notice (by electronic or other means) of the dismissal and the reasons for the dismissal, and notice of the parties' opportunity to appeal such dismissal through the Title IX Sexual Harassment appeal procedures outlined below.

7. If the Respondent is a Student and an Employee, the CRTIX Coordinator will determine which procedures apply based upon the facts and circumstances, such as whether the Respondent's status as a Student or an Employee predominates in the context of the Prohibited Conduct. If a Student-Employee is found to have engaged in Prohibited Conduct, the Student-Employee may be subject to sanctions both in connection with their employment and in connection with their student status, as appropriate under these and other applicable procedures.

Additional Policy Violations

1. If the Civil Rights & Title IX office ("CRTIX") becomes aware, at any point prior to or during the investigation and adjudication process, of additional allegations against the Respondent that, if proven, could constitute violations of other non-academic policies, including harassment or discrimination investigated under Middlebury's Non-Discrimination Investigations & Resolutions Procedure, these allegations may, at Middlebury's discretion, be investigated and adjudicated in accordance with the procedures set forth herein. In matters involving Employees, where CRTIX becomes aware of additional allegations of violations of Middlebury Policy, those concerns will be reported to the Employee's appropriate supervisory authority (e.g., VPAA, Dean of the Faculty, VPAA/Dean of the Institute, Dean of the Language Schools, Executive Vice President/Provost), who, in consultation with Human Resources, will consider whether and how to proceed under the relevant Faculty Handbook or Employee Handbook procedures and/or applicable contracts or policies.

2. If one party alleges that another party violated a No Contact Order (NCO) or No Trespass Notice (NTN) and makes the allegations at a time when they can be evaluated during an ongoing Title IX Sexual Harassment investigation/adjudication or after the Title IX Sexual Harassment investigation/adjudication process has been completed, the CRTIX will determine how to proceed.

3. If CRTIX does not assume jurisdiction, the allegations may be addressed through Middlebury's conduct process for the appropriate school or program, or through the appropriate employment process. Alternatively, CRTIX may designate an appropriate Middlebury official(s) to oversee and/or conduct an investigation and adjudicate the matter. If a violation of a NCO or NTN is found, the matter will be referred to the appropriate supervisory authority for discipline and/or other appropriate action in accordance with existing handbook policies.

4. If CRTIX assumes jurisdiction over the allegations and deems an investigation to be necessary, the HRO will determine the scope, process, and timeline of the NCO/NTN investigation and adjudication, which may not necessarily follow the procedures outlined in this Title IX Investigation & Resolutions Procedure, if CRTIX determines that using other procedures is more appropriate. CRTIX has the discretion to determine whether an advisor of choice may be present at any processes or meetings related to an NCO/NTN investigation, depending on the circumstances. Both parties will have an opportunity to review and respond to all evidence relevant to the NCO/NTN investigation according to a timeline established by the HRO. The HRO will make a finding and will refer the matter to the appropriate sanctioning authority if a violation is found. Should the HRO determine that an NCO/NTN violation may also constitute retaliation, the parties will be notified in writing that retaliation will be added to the policies under consideration in the Title IX Sexual Harassment investigation or be part of a subsequent investigation, as applicable.

5. In all cases the parties will receive written notification if CRTIX determines that additional possible policy violations will be investigated and adjudicated in accordance with the Title IX procedures set forth herein or through a different set of procedures.

B. BIAS

If either party is concerned that an official involved in the investigation or adjudication (such as, for example, an investigator, CRTIX Coordinator, or HRO) may be biased or have a conflict of interest, the party should share their concerns immediately. Concerns of this nature about the investigator should be shared with the CRTIX Coordinator; concerns about the CRTIX Coordinator or an HRO should be shared with the Deputy General Counsel/Risk Officer. The official with whom the concern is shared will consider the concern and inform the parties of a decision as to whether any related action is appropriate and whether an alternate will be appointed. If an alternate investigator, HRO, or CRTIX Coordinator is appointed, the alternate shall have the same authority as the originally designated official.

C. ADDITIONAL PROCEDURES FOR DISMISSED COMPLAINTS

If the CRTIX Coordinator dismisses a complaint under subsections (A)(1) or (A)(6) of this Part III, the CRTIX must promptly:

1. inform the parties that the dismissal is appealable in accordance with the appeal provisions described in this Procedure, below; and
2. consider whether the conduct alleged, if proved, would constitute a violation of Middlebury policy that should be investigated and adjudicated in accordance with another Middlebury policy, and initiate applicable procedures accordingly.

IV. Investigations

A. INVESTIGATIONS PROCEDURE

1. General Investigation Provisions

As required by the 2020 Title IX regulations, in investigations conducted under this Procedure, the following provisions will apply:

- The burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rest on Middlebury and not on the parties;
- Parties will have an equal opportunity to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence;
- Parties are not restricted in their ability to discuss the allegations under investigation or to gather and present relevant evidence; and
- When a party is invited or expected to attend a hearing, investigative interview, or other meeting, they will receive written notice of the date, time location, participants, and purpose of such a hearing, investigative interview or meeting, with sufficient time for the party to prepare to participate.

2. Initial Notice of Investigation

Once the CRTIX Coordinator has initiated an investigation under this Procedure and determined the scope of the investigation based on information obtained during the pre-investigation stage, the CRTIX Coordinator or designee will issue a written notice to the parties, along with a copy of the Non-Discrimination Policy and this Procedure. The notice will indicate that Middlebury is investigating the

possibility that the Respondent has violated the Non-Discrimination Policy using this Procedure and will include at a minimum:

- Information about Middlebury’s formal and informal resolution processes;
- A statement of the allegations of behavior potentially constituting Title IX Sexual Harassment, including sufficient details known at the time and with sufficient time to prepare a response before any initial post-intake interview. Sufficient details include the identities of the parties involved in the incident, if known, the conduct allegedly constituting Title IX Sexual Harassment, and the date and location of the alleged incident, if known;
- A statement that the Respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process;
- Information regarding Middlebury’s presumption of good faith reporting and a summary of false complaint information outlined below;
- Notification that the parties may have an advisor of their choice, who may be, but is not required to be, an attorney; and
- Notification that the parties may inspect and review evidence during the investigation and resolution process, as provided below.

If, in the course of an investigation, Middlebury decides to investigate allegations about any party that are not included in the notice described above, it will provide notice of the additional allegations to the parties whose identities are known; Notice letters may be amended as appropriate during the course of the investigation, with parties being apprised of such by CRTIX when that occurs.

3. Consolidation of Formal Complaints

Middlebury may consolidate formal complaints of Title IX Sexual Harassment against more than one Respondent, or by more than one Reporting Individual against one or more Respondents, or by one party against the other party, where the allegations of such Title IX Sexual Harassment arise out of the same facts or circumstances. Where a grievance process involves more than one Reporting Individual or more than one Respondent, references in this section to the singular “party,” “Reporting Individual,” or “Respondent” include the plural, as applicable.

4. Disabilities

Individuals needing disability accommodations to fully participate in the investigation process may work with the CRTIX Coordinator to receive appropriate assistance. Accommodation requests may be made directly to the CRTIX Coordinator. Accommodations are determined on an individual basis in consultation with the ADA Coordinators within the Disability Resource Center and/or HR (in the case of employees).

B. CONDUCT OF THE INVESTIGATION

1. The CRTIX Coordinator will appoint an investigator, either a Middlebury employee or an external investigator, who serves as a neutral, impartial fact-finder. External investigators are supervised by a Middlebury HRO, including tracking the investigation for timely progress, communicating with parties about the progress, assisting with the creation and maintenance of investigative records, and assisting the external investigator as necessary. Other Middlebury officials may at times be called upon to assist with an investigation, depending on the circumstances. In selecting the investigator for a particular matter, the CRTIX Coordinator will take care to select

an individual who does not have a conflict of interest or bias against Reporting Individuals or Respondents generally or an individual Reporting Individual or Respondent. The CRTIX Coordinator will notify the parties of the identity of the investigator and parties may, within three calendar days of such notice, object to the appointment of the investigator by providing a written statement (which may be transmitted electronically) as to why the party believes that the investigator has a conflict of interest or bias. The CRTIX Coordinator will make decisions regarding such objections and the appointment of an alternate investigator, as necessary. The CRTIX Coordinator's decision about whether there is a conflict is final.

2. The investigator is authorized to contact any and all individuals who may have relevant information. The nature and scope of the investigation is within the discretion of the investigator. 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. 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 will not access, consider, disclose or otherwise use a party's privileged records without the party's voluntary, written consent to do so, and such information will not be deemed relevant to an investigation or adjudication absent the voluntary, written consent of the party.
3. The Reporting Individual and Respondent will be asked to identify, preserve and submit all evidence pertaining to the matter under investigation, and to identify witnesses they believe may have relevant testimony to share. The investigator is not required to consider particular evidence submitted or interview any particular witness, even if identified by one of the parties.
4. All participants in the investigation are expected to provide complete, accurate, and truthful information.
5. Interviews may be conducted in person, via videoconferencing (e.g., Zoom, Microsoft Teams), or by telephone. Interview participants may not make unauthorized recordings of investigative interviews or any other meetings occurring during the investigation and adjudication process.
6. The Parties may each have an Advisor of choice present with them for any investigative interviews (or at any other meetings occurring during the investigation and resolution process).
7. Advisors are precluded from copying, sharing, describing, and/or otherwise disseminating any investigation- or adjudication-related materials to which they are privy, and they shall not disclose the contents of these materials to other Parties or individuals.
8. The advisor may advise the Party privately but cannot act as a speaking advocate at any investigatory meeting or interview. An investigator or other Middlebury official may terminate meetings and remove or dismiss advisors if an advisor is disruptive or otherwise refuses to comply with the requirements of this Procedure.

C. PRELIMINARY REPORT

1. After the Reporting Individual and the Respondent have had the opportunity to make their own statement and to identify witnesses and other potential information, and the investigator has completed witness interviews and the gathering of evidence, the investigator will prepare a preliminary report.
2. The preliminary investigative report may include proposed findings of fact based on the preponderance of the evidence standard (i.e., more likely than not), and may analyze how those findings relate to the Prohibited Conduct definitions at issue, but it will not include a

recommendation regarding whether the Respondent should be found responsible for violating Middlebury policy.

3. Middlebury will provide each party with an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised, including the evidence upon which Middlebury does not intend to rely in reaching a determination regarding responsibility and/or which the investigator does not deem relevant, and inculpatory or exculpatory evidence whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to conclusion of the investigation. Such evidence will not include privileged records or information that may have been gathered or received during the investigation, absent written consent from the party holding the privilege.
4. Middlebury will make available to each party and the party's advisor, if any, the evidence subject to inspection and review.
5. Parties and advisors are not permitted to download, print or copy such evidence subject to inspection and review, and are not permitted to re-disclose such evidence without Middlebury's permission. Parties and advisors may be required to sign an acknowledgment form indicating that they understand these prohibitions. Violations of these prohibitions may subject parties to Middlebury discipline under applicable conduct codes.
6. The Reporting Individual and the Respondent will have an opportunity to review the preliminary report within the same time period and provide written responses to the report. The Reporting Individual and the Respondent must submit any comments, feedback, additional documents, evidence, suggested questions for individuals interviewed, requests for additional investigation, names of additional witnesses, or any other information they deem relevant to the investigator, including additional documents or other evidence, within 10 calendar days after the preliminary report is sent to them for review. The parties' written responses will be considered by the investigator prior to completion of the final investigative report, and some or all of the responses may be attached or otherwise incorporated into the final investigative report.
7. To the extent that an investigator takes additional investigative steps based on the parties' review/comment on the preliminary report, the additional fact finding may extend the timeframe of the investigation.
8. In the event that new, relevant information is provided or identified at this stage, the information will be incorporated into the preliminary report as deemed appropriate by the investigator, and the Reporting Individual and the Respondent will be provided a second opportunity to review and provide a written response regarding the new information, which the investigator will consider prior to completion of the final investigation report. Identification of new and relevant information after the parties' review of the preliminary report is likely to extend the time frame of the investigation.

D. FINAL INVESTIGATIVE REPORT

1. After considering any written response submitted by either party, or after the 10-calendar day comment period has lapsed without receiving a written response or responses, the investigator will address any relevant issues identified by the Reporting Individual and/or the Respondent, and as appropriate, pursue any additional investigative steps as needed. The final investigative report will be reviewed for completeness by the CRTIX Coordinator or one HRO (not the hearing officer) before it is issued;

2. The final investigative report created by the investigator will fairly summarize relevant evidence and include as exhibits evidentiary materials as deemed appropriate by the investigator;
3. The final investigative report includes factual findings and analysis of the relevant evidence, as well as the investigator's recommendation, based on a preponderance of the evidence standard, as to whether the Respondent should be found responsible for violating the policy provisions at issue;
4. At least 10 days prior to the hearing referenced below, Middlebury will make available to each party and the party's advisor, if any, the final investigative report and exhibits for their review and written response; and
5. The final investigative report and the parties' written responses, if any, will be provided to the hearing officer in advance of the hearing.

V. Hearings and Determinations of Responsibility

A. IN GENERAL

Live hearings will be provided as required by the 2020 Title IX regulations. Middlebury will provide for the hearing to occur with the parties located in separate rooms with technology enabling the hearing officer and parties to simultaneously see and hear the party or the witness answering questions. Any or all parties, witnesses, and other participants may appear at the live hearing virtually, with technology enabling participants simultaneously to see and hear each other.

B. HEARING OFFICERS

Hearings will be presided over by a hearing officer, who will make the decision by a preponderance of the evidence as to whether or not the Respondent violated the policy provisions at issue. The hearing officer has broad authority to determine the process, timing and conduct of a hearing. For example, the hearing officer will determine the order of presentation, timing and overall duration of the hearing, what information and evidence will be heard, what information and questions are relevant to the determination of the matter, and what cross-examination questions will or will not be permitted.

Hearing officers, ordinarily one of Middlebury's HROs, will be appointed by the CRTIX Coordinator. In selecting a hearing officer for a particular matter, the CRTIX Coordinator will take care to select an individual who does not have a conflict of interest or bias against Reporting Individuals or Respondents generally or an individual Reporting Individual or Respondent. Middlebury will notify the parties of the identity of the hearing officer in advance of the hearing, and parties may, within 3 calendar days of such notice, object to the service of the hearing officer by providing a written statement (which may be transmitted electronically) as to why the party believes that the hearing officer has a conflict of interest or bias. The CRTIX Coordinator or designee will make decisions regarding such objections and the appointment of an alternate hearing officer, as necessary.

Hearing officers may schedule a "pre-hearing conference" with each party (and each party's advisor, if applicable) in advance of the hearing. The purpose of this pre-hearing conference is for the hearing officer to share with each party the purpose and scope of the hearing, the role of advisors during the hearing, hearing rules of decorum, and similar topics. It is not an opportunity to develop the factual record or discuss substantive aspects of the matter.

C. ADVISORS

Each party may have an advisor of their choice present at a hearing for the limited purpose of conducting cross-examination on behalf of that party. Advisors are not required to be attorneys, but attorneys are

permitted to serve as advisors. If a party does not have an advisor of their choice present at a hearing, Middlebury will without fee or charge to the party provide an advisor of Middlebury's choice, for the limited purpose of conducting cross-examination on behalf of that party. No later than 10 calendar days before the hearing, parties should inform the CRTIX Coordinator of the identity of any advisor of choice who will accompany them to the hearing, so that Middlebury will know whether or not it needs to arrange for the presence of a Middlebury-provided advisor, even if the party declines to attend the hearing.

At a time and manner deemed appropriate by the hearing officer, the advisor for each party will be permitted to ask the other party and any witnesses all relevant cross-examination questions and follow-up questions, including those challenging credibility. Advisors must comply with the conduct expectations for hearings. Except for the limited role of asking cross-examination questions, advisors may not participate actively in the hearing and may not speak or otherwise communicate on the part of the party that the advisor is advising. However, the advisor may consult privately in a non-disruptive manner with their advisee during and/or at a recess in the hearing. Scheduling accommodations generally will not be made for advisors if they unduly delay the process. Middlebury reserves the right to take appropriate action regarding any advisor who disrupts the process, or who does not abide by the restrictions on their participation as determined in the sole discretion of the hearing officer, which may include exclusion of the advisor from the hearing and the appointment of an alternate Middlebury-provided advisor.

D. MIDDLEBURY FACULTY AND STAFF AS ADVISORS

A Middlebury faculty or staff member who agrees to serve as an advisor to a Reporting Individual or Respondent is not an agent of Middlebury when acting in that capacity and does not speak or act on Middlebury's behalf while serving as an advisor. The relationship between a party and their advisor for the TIX Sexual Harassment hearing is not confidential (or privileged), and the faculty or staff member's duties to Middlebury—including all reporting obligations—remain intact. Before agreeing to serve as an advisor, faculty and staff members should evaluate whether any conflict or potential conflict of interest may warrant their declining the invitation to serve as an advisor. In addition, only licensed attorneys can provide legal advice. Parties seeking legal advice should consult their attorney.

E. REQUESTS FOR APPEARANCE OF WITNESSES

If a Party wishes to have an individual appear at the hearing as a witness, they must provide notice of the identity of the proposed witness and a brief description of the subject matter of the witnesses' testimony to the CRTIX Coordinator or designee at least 10 calendar days before the date of the hearing. The CRTIX Coordinator or designee, in consultation with the hearing officer as necessary, will determine whether the witness is likely to have information that is relevant to the hearing, and if it is determined that the witness is likely to have relevant information, the CRTIX Coordinator or designee will inform the witness that their presence at the hearing is expected. These provisions apply equally to both fact and expert witnesses.

F. CONDUCT OF HEARINGS AND RELEVANCE

A) Report to be provided to Hearing Officer

At or before the hearing, the hearing officer will receive a copy of the final investigative report, any attachments thereto, and copies of the parties' written responses to the investigative report, if any, which will be part of the information of record to be considered by the hearing officer to the extent appropriate in light of the rules regarding evidence to be considered that are outlined below.

B) General Order of the Hearing

- (i) Subject to the discretion of the hearing officer, hearings will ordinarily begin with introductory remarks by the hearing officer to explain the process, followed by a brief opening statement from any party who wishes to provide one, followed by the hearing officer's asking relevant initial questions of the parties as deemed appropriate by the hearing officer. During this portion of the hearing, advisors may confer privately and in a non-disruptive manner with their advisee, but they are not allowed to make opening statements or otherwise address the hearing officer or anyone else present at the hearing.
- (ii) After the hearing officer has asked their initial questions of the parties, the hearing officer will permit each party's advisor to ask the other party all relevant questions and follow-up questions, including those challenging credibility. Subject to the discretion of the hearing officer, questioning of witnesses will generally follow a similar process, whereby the hearing officer will pose relevant questions to each witness, then the parties' advisors will be permitted to ask relevant questions of witnesses. In accordance with the 2020 Title IX regulations, such cross-examination by advisors will be conducted orally, and in real time by the party's advisor of choice and never by a party personally.
- (iii) Only relevant cross-examination and other questions may be asked of a party or witness. Before a Reporting Individual, Respondent, or witness answers a cross-examination or other question, the hearing officer will first determine whether the question is relevant and explain any decision to exclude a question as not relevant. Advisors are not permitted to object to hearing officer decisions regarding relevance during a hearing.
- (iv) The evidence gathered throughout the investigation will be made available during the hearing, and each party and/or their advisor (as applicable) will have an equal opportunity to refer to such evidence during the hearing, including for purposes of cross-examination.
- (v) At the discretion of the hearing officer, parties (but not their advisors) will usually be given an opportunity to make a closing statement at the conclusion of the hearing.

C) Evidence

- (i) Questions and evidence about the Reporting Individual's sexual predisposition or prior sexual behavior are not relevant and will not be permitted, except for the limited circumstance where such questions and evidence about the Reporting Individual's prior sexual behavior are offered to prove that someone other than the Respondent committed the conduct alleged by the Reporting Individual, or if the questions and evidence concern specific incidents of the Reporting Individual's prior sexual behavior with respect to the Respondent and are offered to prove consent.
- (ii) Information protected under a legally recognized privilege (such as, for example, privileged communications between a party and their physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in a treatment capacity, or privileged communications between a party and their attorney), are not relevant unless the person holding the privilege has waived the privilege in writing and the hearing officer determines it is relevant.
- (iii) If a party or witness does not submit to cross-examination at the live hearing, the hearing officer will only consider any statement of that party or witness in reaching a determination regarding responsibility to the extent permitted by the law, Title IX regulations and/or U.S. Department of Education guidance that apply or applies as of the time of the hearing. The hearing officer will not draw an inference about the determination regarding responsibility based solely on a party's or witness's absence from the live hearing or refusal to answer cross-examination or other questions.

G. RECORD OF HEARING

Middlebury will create an audio or audiovisual recording, or transcript, of any live hearing and make it available to the parties for inspection and review.

H. DETERMINATIONS REGARDING RESPONSIBILITY

Within a reasonable time, the hearing officer (and if necessary, the sanctioning authority, as provided below) will prepare and issue a written determination regarding responsibility and a recommendation on sanctions. In determining responsibility, the hearing officer will apply the preponderance of the evidence standard. The written determination will include:

- Identification of the section(s) of Middlebury’s Non-Discrimination Policy alleged to have been violated;
- A description of the procedural steps taken from the receipt of the complaint through the determination, including but not limited to, as applicable, any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held;
- Findings of fact supporting the determination;
- Conclusions regarding the application of definitions of Title IX Sexual Harassment in Middlebury’s Non-Discrimination Policy to the facts;
- A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility; and
- Identification of Middlebury’s procedures and permissible bases for the Reporting Individual and Respondent to appeal (as outlined below).

In making the determination, the HRO is in no way bound by the investigator’s final investigative report, which is advisory to the HRO. The HRO may accept or reject the investigator’s recommended finding(s) or proposed findings of fact in whole or in part. The HRO will reach their own independent conclusions based on the evidence of record and information obtained as a result of the hearing.

There will be no review and comment period following the issuance of the HRO’s Determination. The determination regarding responsibility becomes final either on the date that Middlebury provides the parties with the written determination of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which the appeal would no longer be considered timely.

If sanctions are necessary, they will be assigned in accordance with the Sanctions section below. The parties will receive notice simultaneously of the written determination and, if necessary, any sanctions as determined through the procedures outlined below.

VI. Sanctioning

1. If the hearing officer finds that the Respondent engaged in behavior that violates Middlebury policy, the CRTIX Coordinator will, in accordance with this Procedure, forward the case to the appropriate supervisory authority for the program at issue (“sanctioning authority”), who will assign a sanction or sanctions, and other actions as appropriate. The hearing officer and the sanctioning authority will collaborate on the creation of a single written determination that will include the hearing officer’s statement and rationale regarding responsibility as described in more detail above, a statement of and rationale for any disciplinary action Middlebury is imposing on the Respondent, and whether remedies

designed to restore or preserve equal access to the educational program or activity of Middlebury will be provided by Middlebury to the Reporting Individual.

In determining the sanction or sanctions and/or other actions, the sanctioning authority will be guided by a number of considerations, including but not limited to the following:

- The severity, pervasiveness and/or objective offensiveness of the behavior;
- The nature of the Title IX Sexual Harassment;
- The impact of the Title IX Sexual Harassment on the Reporting Individual;
- The impact or implications of the Title IX Sexual Harassment within the Middlebury community;
- Any prior misconduct by the Respondent, including the Respondent's relevant prior conduct history, at Middlebury or elsewhere;
- Whether the Respondent has accepted responsibility for the Title IX Sexual Harassment;
- The maintenance of a safe, nondiscriminatory and respectful environment conducive to living, learning, and/or working, as applicable; and
- Any other mitigating, aggravating, or compelling factors.

When a student Respondent is found responsible for sexual assault, suspension or expulsion are the likely outcomes.

2. Sanctions and other actions will go into effect at either the expiration of the deadline for the submission of an appeal where no appeal is submitted, or at the conclusion of the appeal process if applicable. This language does not preclude the possibility of emergency action as needed; please see Section II.D, Emergency Removals and Non-Student Administrative Leave.

3. If the hearing officer finds conduct that violates the Non-Discrimination Policy (or other Middlebury policies under investigation), the CRTIX Coordinator will provide the case materials to the appropriate supervisory authority or authorities. When multiple supervisory authorities are involved in assigning sanctions, they may collaborate with each other as appropriate.

For students, the sanctioning authority is the Dean of Students, the Dean of the Language Schools, the VPAA of the Institute, the Dean of the Bread Loaf School of English, or the Dean of International Programs (depending on the program the student is associated with).

For staff, the sanctioning authority is the appropriate Vice President (or designee) for the area or unit in which the staff member works.

If the adjudicating HRO finds that a faculty member has engaged in conduct that violates the Non-Discrimination Policy, or other Middlebury policies under investigation, if applicable (absent or following an appeal of that finding in accordance with this Procedure, if an appeal was granted), CRTIX will provide the case materials to the Provost. The Provost will initiate the appropriate procedures under the applicable Handbook policies and/or contracts. The Provost may also assign a designee—ordinarily the Vice President of Academic Affairs (VPAA)—to initiate the appropriate procedures under the applicable Handbook policies and/or contracts.

After a review of the case materials and the hearing officer's recommendation regarding sanctions, the supervisory authority may impose disciplinary sanctions.

Sanctions for Prohibited Conduct could include written reprimands, probationary status, letters of official discipline, and/or suspension, expulsion, reassignment of duties, referral to other disciplinary processes, or termination from employment from any or all Middlebury program(s). Students should note that although sanctions for violation(s) of this policy can include any form of discipline as stated in this section, those found to have committed sexual assault will most likely receive a sanction of suspension or expulsion. Middlebury may also take other non-disciplinary action as deemed appropriate under the circumstances (e.g., remedies applied to the Respondent to address the needs of the Reporting Individual, including but not limited to room changes, class changes, building restrictions, extracurricular activity restrictions, modification of No Contact Orders to favor the Reporting Individual, and other actions designed to restore or preserve the Reporting Individual's equal access to Middlebury's educational program or activity). Middlebury may also provide notice of the matter to the appropriate supervisory authority of any Middlebury program in which the Respondent intends to participate, who may consider this information in determining the Respondent's admission to the program and/or other program participation parameters, as appropriate. Notification of a finding of responsibility, sanction, or other action under this policy may also be provided to the home institution of non-Middlebury undergraduate and graduate students or any other program in which the student is enrolled or to which the student is pursuing enrollment.

4. In any case in which a finding of sexual misconduct, domestic or dating violence or misconduct, stalking or related retaliation has been issued, violation of a plan or directive to address the prohibited conduct or related sanction may be grounds for further discipline.

VII. Appeals

Either party may file an appeal from: 1) a determination regarding responsibility; and/or 2) the CRTIX Coordinator's dismissal of a formal complaint or any allegations therein from the Title IX Sexual Harassment process, solely on the basis of one or more of the following circumstances:

- Procedural irregularity that affected the outcome of the matter;
- New evidence that could affect the outcome of the matter and that was not reasonably available at the time the determination regarding responsibility or dismissal was made has become available; and/or
- The CRTIX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against Reporting Individuals or Respondents generally, or the individual Reporting Individual or Respondent, that affected the outcome of the matter.

Regardless of which party appeals, both parties may participate in the appeals process. Middlebury will provide written notification to the Reporting Individual and the Respondent of any applicable appeal procedures at the time they receive the written determination regarding responsibility and any sanctions.

An appeal must be made in writing to the appropriate appellate officer. For matters involving student Respondents, appeals will be decided by the Vice President of Student Affairs (or designee). For matters involving staff Respondents, appeals will be decided by the Vice President of Human Resources (or designee). For matters involving College faculty Respondents, appeals will be decided by the Vice President of Academic Affairs (or designee) of the appropriate academic program.

An appeal must articulate one of the three bases above and provide information to support the appealing party's argument. Appeals must be filed no later than 5 business days after the date on which Middlebury transmitted the hearing officer's written determination to the parties. The CRTIX Coordinator or appellate officer may extend this deadline if warranted by the circumstances. Middlebury reserves the right to assign an alternate appellate officer to avoid a conflict of interest or bias. The appellate officer will not be the same person as the hearing officer, the investigator, the CRTIX Coordinator, or a person who made a decision to dismiss a formal complaint.

Middlebury will notify the other party in writing when an appeal is filed and implement appeal procedures equally for both parties. The other party may then have a period of 5 business days to submit a statement in support of the written determination and/or in opposition to the appeal. Any such statement will be shared with the party who filed the appeal and their advisor.

CRTIX will also notify the Parties of the decision-maker for the appeal and permit the Parties a period of 2 business days to submit any written objection to the appellate decision-maker if they have evidence that the decision-maker has a bias or disqualifying conflict of interest. The CRTIX Coordinator will determine whether to sustain the objection and, if so, will assign an alternate appellate decision-maker.

The appellate officer will issue a written decision describing the result of the appeal and the rationale for the result; and Middlebury will provide the written decision simultaneously to both parties. The appellate officer's decision on any appeal is the final step in the adjudication process, unless the appellate officer provides otherwise as discussed below.

The appellate officer may uphold the determination by the sanctioning authority, or modify the determination by the sanctioning authority or return the case to the original hearing officer (or an alternate, if warranted) in the event that the appellate officer concludes that either (1) a procedural irregularity affected the outcome of the matter; (2) new evidence that could affect the outcome, and which was not available at the time of the determination, has become available; or (3) a conflict of interest or bias for or against Reporting Individuals or Respondents generally or the individual Reporting Individual or Respondent that affected the outcome of the matter.

It is the responsibility of the appellate officer to determine which if any aspects of the case merit a new review, and to direct the CRTIX Coordinator accordingly.

Absent extenuating circumstances, the appellate officer will notify the Reporting Individual and Respondent of the appeal decision simultaneously in writing within twenty business days of the appeal receipt deadline and will notify the CRTIX Coordinator in writing of any instructions for further action. This deadline may be extended if warranted by the circumstances. If this deadline is extended, the parties will be notified in writing at the time the extension is determined.

The decision to uphold or modify the determination by the appellate officer is final. If a case is returned for an additional hearing, the subsequent determination and/or sanction from that hearing are ordinarily final.

Pending Discipline (Students)

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 Middlebury. 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 appropriate consultation, a review of the case, and consideration of Middlebury's best interests, grant permission for a Respondent to withdraw from Middlebury when a disciplinary matter is pending. If the student is readmitted to Middlebury, the disciplinary matter must be resolved either before the student's return, or immediately upon the student's return (as determined by Middlebury).

VIII. Admission of Responsibility

If at any point a Respondent chooses to accept responsibility for violating all policies under investigation, an official designated by the CRTIX Coordinator will issue a determination and refer the matter to the appropriate supervisory authority or authorities for the program at issue in accordance with this Procedure. The appropriate supervisory authority or authorities will issue a sanction and/or take other action that is designed to restore or preserve the Reporting Individual's equal access to Middlebury's education program or activity.

IX. Informal Resolution

A. GENERAL INFORMATION

Informal resolution is a voluntary option that does not involve a hearing process. Informal resolution may be used in Title IX Sexual Harassment matters in which a formal complaint has been filed by a Reporting Individual or signed by the CRTIX Coordinator.

The CRTIX Coordinator will assess the request for informal resolution in light of factors such as, but not limited to, the severity of the alleged violation and the potential risks to campus community members posed by the reported misconduct. Middlebury will only proceed with an informal resolution process if both parties provide their voluntary, written consent to initiate the informal resolution process. Middlebury will not offer or facilitate an informal resolution process in matters that involve allegations that an employee committed Title IX Sexual Harassment against a student.

At any time prior to reaching a determination regarding responsibility, Middlebury may facilitate an informal resolution process (e.g., mediation or restorative justice) where requested by one party and agreed to by the other party. If a party requests the initiation of an informal resolution process and the CRTIX Coordinator agrees that the matter is appropriate for informal resolution, Middlebury will provide to each party a written notice that discloses:

- The allegations;
- The requirements of the informal resolution process, including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations;
- As noted below, Middlebury generally permits parties to withdraw from the informal resolution process and initiate or re-initiate a formal investigation and hearing process at any time before the informal resolution process is completed and any informal resolution is agreed to in writing by the parties); and
- Any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared.

The matter will be deemed resolved if and when the parties expressly agree in writing to an outcome that is acceptable to them, and which is approved by the CRTIX Coordinator (in consultation with other Middlebury administrators as deemed necessary). A party may withdraw from the informal resolution process at any time prior to their execution of a written informal resolution agreement.

After an informal resolution is agreed to in writing between the parties, neither party may initiate a formal resolution process regarding substantially the same factual allegations.

At any time before a matter is resolved through informal resolution, the CRTIX Coordinator may terminate an informal resolution process and initiate or re-initiate a formal investigation and hearing process at any time, as they deem appropriate in their discretion.

X. Training of Individuals Conducting Investigations and Adjudications and Facilitating Informal Resolution Processes

The CRTIX Coordinator, investigators, decision-makers, sanctioning authorities, appellate authorities, and individuals facilitating informal resolution processes (collectively, “Middlebury Officials”) receive training on the definition of Title IX Sexual Harassment in this policy, the scope of Middlebury’s education programs or activities, how to serve impartially (including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias), and on issues of relevance of evidence as well as questions, including when questions and evidence about the Reporting Individual’s sexual predisposition or prior sexual behavior are not relevant. Any materials used to train Middlebury Officials will not rely on sex stereotypes and will promote impartial adjudications of formal complaints. Middlebury will ensure that all Middlebury Officials comply with the standards on serving impartially that are outlined in this paragraph.

XI. Record Keeping

The HROs and the CRTIX Coordinator will maintain as required by the May 2020 Title IX regulations any records related to Title IX Title IX Sexual Harassment cases and will keep confidential records and/or reports under this policy and the actions taken in response to those reports.

APPENDIX A

A. Definitions

1. REPORTING INDIVIDUAL

Reporting Individual means an individual who is reported to have experienced conduct that could constitute Prohibited Conduct, regardless of whether the individual makes a report or seeks disciplinary action. “Reporting Individual” has the same meaning as “Complainant” as that term is used in the 2020 regulations; the terms “Complainant” and “Reporting Individual” may be used interchangeably for the purposes of this Procedure.

2. RESPONDENT

A Respondent is an individual who has been reported to have engaged in conduct that could constitute Prohibited Conduct and whose alleged conduct is being investigated to determine if it is in violation of Middlebury’s policies.

3. REPORT

A Report is any information received by Middlebury College that a Reporting Individual has allegedly been subjected to conduct which could constitute Title IX Sexual Harassment. A Report is not a Formal Complaint and does not trigger a formal investigation or adjudication. Instead, reports serve as a basis for statistical reporting under the Jeanne Clery Act, and allow Middlebury to provide Supportive Measures to those who have experienced Title IX Sexual Harassment. Any Reporting Individual who reports Title IX Sexual Harassment will receive information about the Formal Complaint and Investigation Process.

4. FORMAL COMPLAINT

Formal complaint means a document filed by a Reporting Individual or signed by the Civil Rights and Title IX Coordinator alleging Title IX Sexual Harassment against a Respondent and requesting that the recipient investigate the allegation of Title IX Sexual Harassment. At the time of filing a formal complaint, a Reporting Individual must be participating in or attempting to participate in the education program or activity of the recipient with which the formal complaint is filed. A formal complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail, by using the contact information required to be listed for the Title IX Coordinator under § 106.8(a), and by any additional method designated by the recipient.

5. HUMAN RELATIONS OFFICER

A Human Relations Officer (“HRO”) is an administrator responsible for overseeing investigations and adjudicating complaints under this Procedure. HROs are also the Civil Rights and Title IX Coordinator’s designees responsible for overseeing investigations and adjudicating sexual misconduct complaints in accordance with this Procedure.

6. CIVIL RIGHTS AND TITLE IX COORDINATOR

The Civil Rights and Title IX Coordinator (“CRTIX Coordinator”) is the administrator designated and authorized to coordinate Middlebury’s efforts to comply with and carry out its responsibilities under Title IX. The CRTIX Coordinator’s responsibilities include overseeing the process for handling and responding to all complaints of possible sex discrimination and identifying and addressing any patterns or systemic problems that arise during the review of such complaints.

Middlebury’s CRTIX Coordinator also participates in Middlebury’s handling and responding to complaints of sexual misconduct, domestic and dating violence and misconduct, and stalking, as defined in this policy.

References throughout this Procedure to the CRTIX Coordinator should be read as including individuals to whom the CRTIX Coordinator has designated certain duties either in general or in the context of a particular case or situation.

7. 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. In computing any period of time referenced in this Procedure, the day of the act or event (e.g., provision of evidence for review and response, issuance of a determination or sanction) from which the designated time period begins to run shall not be included. The last day of the period so computed shall be included if it is a business day; when not a business day, the period will conclude at the end of the next business day.

8. PARTIES

Only the Reporting Individual and Respondent are considered a “party” or “parties” as that term is used within this policy.

Published: August 14, 2020

Amended: September 10, 2021

Amended: May 9, 2025

Student Notification of Disciplinary Outcomes Regarding a Crime of Violence or Non-Forcible Sex Offense

Middlebury College will, upon written request, disclose to the alleged victim of a crime of violence or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by the College against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of this paragraph.

Sex Offender Registry

Campus Sex Crime Prevention Act

The federal Campus Sex Crimes Prevention Act requires higher education institutions to issue statements advising campus communities about where they can obtain law enforcement-agency-based, state-provided information concerning registered sex offenders.

In Vermont convicted sex offenders must register with the Vermont Crime Information Center (VCIC), which is maintained by the [Vermont Department of Public Safety](#). Any person requesting, in accordance with the law, information on specific offenders may obtain that information. See [Sex Offender Registry](#). You may also contact the [Vermont Crime Information Center](#)'s website or 802.244.8727.

According to the State of Vermont's Department of Public Safety Crime Information Center, local law-enforcement agencies and the Vermont Crime Information Center are authorized to release relevant registry information to the public when requesters can articulate a specific concern about their safety or the safety of another. State statute requires that the requester provide the subject's name as the basis for the query. Queries made to law enforcement agencies or Vermont Crime Information Center may not be done by street address, town or county.

The registry information may also be disclosed to the following agencies, organizations, or persons:

- Local, state, and federal law-enforcement agencies exclusively for law-enforcement purposes;
- State and federal governmental agencies for the exclusive purpose of conducting confidential background checks;
- Any employer, including a school district, who is authorized by law to request records and information from the Vermont Crime Information Center where such disclosure is necessary to protect the public concerning persons required to register under this subchapter;
- A person identified as a sex offender in the registry for the purpose of reviewing the accuracy of any record relating to them.

The registry is prohibited from releasing lists of offenders in response to general questions regarding sex offenders' whereabouts in particular communities. Victims' identities shall not be released.

The registered sex offender policy statement information is being disclosed in compliance with the Adam Walsh Child Protection Safety Act of 2006.

Contact Information

Vermont Sex Offender Registry

45 State Drive

Waterbury, VT 05671-1300

Tel: 802.244.8727

Fax: 802.241.5552

Alcohol, Tobacco, and Other Drugs

Introduction

Middlebury is committed to promoting individual and community health, safety, and responsibility, and ensuring a productive learning and work environment for all individuals. We require all students and employees to observe local, state, and federal laws governing the possession, use, and furnishing of alcoholic beverages, tobacco and controlled substances, also referred to as illegal drugs, and failure to do so is prohibited. We are also committed to ensuring that, in accordance with the Drug-Free Schools and Community Act of 1989 and the Drug-Free Schools and Campuses Regulations, our policies concerning alcohol, tobacco and drugs contain clear statements about: (1) the standards of conduct prohibiting the unlawful possession, use, or distribution of tobacco, illegal drugs and alcohol by students and employees; (2) that Middlebury will impose disciplinary sanctions on students and employees who violate these policies (consistent with local, state, and federal law) which may include demotion, suspension, expulsion, and dismissal; (3) the applicable legal sanctions under local, state, or federal law for the unlawful possession or distribution of tobacco, illegal drugs and alcohol; and (4) health risks and information regarding tobacco, drug or alcohol counseling, treatment or rehabilitation, or reentry programs that are available to students and employees. When tobacco, drug, or alcohol violations occur, disciplinary sanctions will be imposed in accordance with this policy. Serious incidents that put a student, employee, or others at risk of harm, as well as repeated offenses, may require a more vigorous response, including referral to counseling or a treatment facility, a leave of absence, and/or disciplinary outcomes as appropriate.

Therefore, Middlebury will:

- a. Inform students and employees of federal, state, and local laws, and Middlebury policies, to which they are accountable, and hold them accountable to those policies under Middlebury's governance;
- b. Encourage an environment of enriching extracurricular and social opportunities that includes substance-free events and appropriate venues for students of legal age who choose to drink;
- c. Educate members of the community through academic and student life programs and policies, and employee benefits and policies, about the health risks associated with tobacco, alcohol and drug abuse, and refer students and employees to resources and health services such as tobacco, drug or alcohol counseling, treatment or rehabilitation, or re-entry programs that are available to students and employees, as applicable.

Middlebury Policies and Local, State, and Federal Law

All students, employees, and visitors are subject to local, state, and federal laws, as well as Middlebury tobacco, drug and alcohol policy rules and regulations, while on Middlebury-owned or -leased properties or involved with off-campus activities sponsored by Middlebury or a registered Middlebury organization. For employees, the workplace is defined as any time when one's capacity as an employee starts and stops. Middlebury policies must be followed regardless of location or format when acting in your capacity as an employee. Middlebury does not protect students or employees from prosecution for tobacco, drug or alcohol offenses under local, state, or federal laws, and does not interfere with legitimate law enforcement activities. Law enforcement officers may have a legal right to search individuals, and with consent or proper documentation may search property—including residences owned or leased by Middlebury—without prior notice. Middlebury also reserves the right to furnish the police with information regarding illegal activities.

Middlebury College Specific to Students: In order to preserve the safety of our residents, the state of Vermont and the College both adhere to policies that limit disciplinary consequences under certain circumstances when appropriate care is sought for individuals in drug- or alcohol-related distress. Please see the Medical Amnesty Policy below for more information. Additionally, if student health and safety concerns resulting from a student's use of alcohol and/or drugs arise, parents or guardians may be notified. See Health and Community Responsibility below for more information.

Alcohol

The following actions are prohibited:

- a. Underage drinking. Only persons of legal age (21 or older in the United States, and as defined by the laws of a foreign host country) may possess or consume alcoholic beverages. Legal proof of age, such as a valid driver's license, state-issued liquor identification card, or passport may be required.
- b. Purchasing, serving, or furnishing alcohol for/to a minor.
- c. Selling, manufacturing, or distributing alcohol illegally.
- d. Possession, production, or provision of false ID.
- e. Operating a motor vehicle while under the influence of alcohol or other drugs. Driving on or off campus under the influence of drugs or alcohol is prohibited. Fines are assessed, and driving privileges on campus will be suspended. Students who are charged by law enforcement officers with Driving Under the Influence (DUI) and are awaiting the court outcome shall have their campus driving privileges suspended pending the court disposition. In those incidents where the DUI involves an accident with injuries to others, or other exceptional factors, immediate disciplinary action may take place.
- f. Bringing alcohol to a Middlebury event, or leaving a Middlebury event with alcoholic beverages provided at the event without approval.
- g. Possessing alcoholic beverages in unauthorized spaces. Open containers of alcohol are prohibited in public spaces, or outside on the campus grounds, unless the area has been designated for a registered or catered event.
- h. Engaging in drinking games and other behaviors designed for the purpose of becoming intoxicated through the abusive use of alcohol (e.g., funnels, keg stands, "around-the-world" parties, and other alcohol consumption based on speed and/or volume, etc.).

- i. Possessing drinking game paraphernalia (e.g., funnels, pong tables, etc.)
- j. Administering alcohol to individuals against their will and/or without their knowledge.
- k. Unsafe intoxication. Students who are deemed by College officials to be intoxicated at an unsafe level, regardless of age, will be charged with unsafe intoxication when appropriate.
- l. *Middlebury College Specific to Students:* The following actions are specifically prohibited at Middlebury College:
 1. No possession of alcohol in first-year residence halls.
 2. No possession of kegs or common containers. Possession by students of kegs or common containers (e.g., punch bowls) without advance party registration through Student Activities Office is prohibited. Unauthorized kegs or common containers will be confiscated, along with taps, and the Department of Public Safety will return confiscated kegs and taps to the vendor.
 3. Multiple instances involving unsafe intoxication, and single or multiple instances involving alcohol/drug-related transport to the hospital and/or to detoxification facilities may also result in disciplinary action, consistent with the Medical Amnesty Policy.
 4. Violating party regulations. Party regulations can be accessed through the Student Activities office. Small, informal gatherings held in individual rooms, suites, and small houses occupied by students of legal age, at which alcoholic beverages are consumed, do not have to be registered. Residents of the living space will be treated as "party hosts," and held responsible for the actions of individuals in attendance. Students are responsible for unregistered gatherings and related activities that occur in their rooms, whether or not they are present.
 5. The use of hallways for parties is prohibited.

Drugs

The following actions are prohibited:

- a. Using or possessing illegal drugs or controlled substances, including but not limited to prescription medication without a properly issued prescription, psychedelic substances such as mushrooms, LSD, etc. This also includes cannabis (marijuana) and medical cannabis prescriptions because it is still considered an illegal drug under federal law.
- b. Misuse of legal substances to cause impairment/hallucination.
- c. Possession of drug paraphernalia.
- d. Growing, manufacturing, distributing, or selling illegal drugs or controlled substances, including prescription drugs, with or without the intent to distribute.
- e. Administering drugs to individuals against their will and/or without their knowledge.
- f. Unsafe consumption and/or impairment.

Tobacco

The State of Vermont, [Act 27](#) and [7 V.S.A. § 1001\(7\)](#) identifies which products persons under 21 will no longer be able to purchase or possess. Effective September 1, 2019, the legal age for possessing and purchasing tobacco products, tobacco substitutes (which includes e-cigarettes), and tobacco paraphernalia in the State of Vermont increased from 18 to 21.

Under Vermont law, “tobacco paraphernalia” means “any device used, intended for use, or designed for use in smoking, inhaling, ingesting, or otherwise introducing tobacco products into the human body, or for preparing tobacco for smoking, inhaling, ingesting, or otherwise introducing into the human body, including devices for holding tobacco, rolling paper, wraps, cigarette rolling machines, pipes, water pipes, carburetion devices, bongs, and hookahs”. See [7 V.S.A. § 1001\(7\)](#).

“Tobacco substitute” means products including electronic cigarettes or other electronic or battery powered devices that contain and are designed to deliver nicotine or other substances into the body through inhaling vapor and that have not been approved by the United States Food and Drug Administration for tobacco cessation or other medical purposes.

The following actions are prohibited:

- a. Underage use of tobacco. Only persons of legal age (21 or older in Vermont, and as defined by the laws of a foreign host country) may possess or consume tobacco, tobacco products, tobacco substitutes, or tobacco paraphernalia including e-cigarettes. Legal proof of age, such as a valid driver's license, state-issued liquor identification card, or passport may be required.
- b. Purchasing, serving, or furnishing tobacco, tobacco substitutes, or tobacco paraphernalia for/to a minor.
- c. Selling, manufacturing, or distributing tobacco, tobacco substitutes, or tobacco paraphernalia illegally.
- d. Possession, production, or provision of false ID.
- e. Administering tobacco, tobacco substitutes, or tobacco paraphernalia to individuals against their will and/or without their knowledge.
- f. Unsafe consumption and/or impairment.

See also Middlebury's [“No Smoking Policy”](#).

Local Law (Town of Bennington Ordinance)

It shall be unlawful for any person to drink malt, vinous or spirituous liquors upon any public street, alley, sidewalk, parking space, or publicly-owned land nor in or upon any motor vehicle while moving or stationary in said places. These acts are also unlawful on any privately owned land which is provided for use by the public. Possession upon one's person of any open container of any such liquor in any such place shall be prima facie evidence of a violation thereof.

For information specific to state and federal laws governing the use, possession, and distribution of drugs and alcohol, as well as additional counseling and treatment resources and information related to health risks associated with the use of tobacco, illegal drugs and the abuse of alcohol, see [Middlebury's Annual Drug-Free Schools and Communities Act Notice](#) and [Middlebury Institute's Annual Drug-Free Schools and Communities Act Notice](#).

Disciplinary Sanctions: Students

Responses to Alcohol, Tobacco and Other Drugs Policy Violations

Student wellness and overall health inform the College's responses to the use of alcohol, tobacco and other drugs. As such, the primary goal of the conduct system is to educate and engage students by providing information, tools, and space for facilitated reflection. The College utilizes evidence-based educational opportunities to support informed decision making regarding students' personal and academic success, as informed by Middlebury's Community Standards, listed below.

- Cultivating respect and responsibility for self, others, and our shared environment;
- Encouraging personal and intellectual courage and growth;
- Manifesting integrity and honesty in all decisions and actions;
- Promoting healthy, safe, and balanced lifestyles; and
- Fostering a diverse and inclusive community committed to civility, open-mindedness and finding common ground.

To address concerning behaviors, students will complete an educational sanction designed to help them understand the effects of alcohol, tobacco and other drugs on their mind, body and community, and to reflect on their individual goals and values. Failure to complete educational sanctions will result in an additional charge of failure to engage and may affect the student's current or future standing at Middlebury. Repeated documented incidents will result in a probationary period for students. Once a student has exhausted the educational interventions available to them through Middlebury, or refuses to engage in educational intervention methods, the student will, in effect, jeopardize their ability to remain a student at Middlebury and will likely face discipline up to and including suspension or expulsion.

Sanctions for Students in the Undergraduate Program at Middlebury's Vermont Campus

Educational and/or preventative responses such as a group class, online course, individual meeting, substance use assessment, referral to support resources, or other appropriate course of action will be required of students found responsible for violating the Alcohol, Tobacco and Other Drugs Policy.

Educational sanctions are assigned with the following important caveats:

1. Where more than one policy has been violated in an incident, or the student has a prior history of conduct violations, students may expect more severe outcomes.
2. Outcomes may vary depending on the nature, severity, and impact, actual or potential, of the policy violation(s) and the student's conduct and health history.
3. The range of possible disciplinary sanctions, in addition to educational sanctions, is set forth and defined in the General Disciplinary Processes under "[Sanctions](#)" and, depending on the severity of the conduct, may also include referral for prosecution (as determined by the state's attorney or other appropriate officials) and/or the completion of an appropriate rehabilitation program. Disciplinary sanctions may be assigned to students in addition to educational sanctions.

Sanctions for Students at Middlebury's Language Schools, Schools Abroad, Bread Loaf, School of the Environment and MiddCORE Summer Programs

Disciplinary sanctions for students enrolled in Middlebury programs other than the undergraduate program (e.g., Language Schools, Schools Abroad, Bread Loaf School of English, MiddCORE Summer program) will be issued in accordance with the disciplinary procedures applicable to the program in which the student is enrolled at the time of the incident. Sanctions may include warnings, reprimands, probationary status, a letter of official college discipline, suspension or expulsion (see also [Sanctions](#)). The disciplinary officials in those programs may, in their discretion, issue sanctions in accordance with the general outline of expected outcomes in the Sanctions chart referenced above (including educational outcomes).

Sanctions for Students at the Middlebury Institute of International Studies at Monterey

Disciplinary sanctions for students who violate this policy will be imposed in accordance with the procedures set forth in the [Student Conduct Disciplinary Process](#). While discipline is cumulative at the Institute, which may mean the assignment of greater sanctions for repeated or accumulated violations, it is not progressive. That is, depending on the severity of the violation, a student may receive any sanction, even for a first offense. Outcomes may vary depending on the nature, severity, and impact, actual or potential, of any of the violations and the student's conduct and health history. Sanctions could also include referral to an educational or rehabilitation program.

The range of possible sanctions is set forth and defined in the “[Sanctions](#)” section of the [Student Conduct Disciplinary Process](#) and, depending on the severity of the conduct, may also include referral for prosecution (as determined by the state's attorney or other appropriate officials) and/or the completion of an appropriate rehabilitation program. These sanctions are defined in the Student Conduct Disciplinary process and include a warning, reprimand, probation, loss of privileges, fines, restitution, discretionary sanctions, suspension, expulsion, and revocation of admission and/or degree. The Institute may also temporarily withhold awarding a degree otherwise earned until the completion of the process set forth in the Student Conduct Disciplinary Process, including the completion of all sanctions imposed, if any. More than one of the sanctions listed above may be imposed for any single violation. For more information regarding sanctions, please see the Student Conduct Disciplinary Process.

Medical Amnesty Policy

Middlebury's Medical Amnesty Policy is intended to encourage students to seek swift medical assistance for themselves and others without fear of penalty. Our primary concern is the health and safety of our students. We urge students not only to take care of their own well-being, but to behave in an equally responsible way with their peers.

There may be times when safety concerns arise from a student's excessive drinking or drug use, and in these situations, students should not hesitate to seek help from the Student Life/Services staff, Public Safety/Campus Security, medical or counseling professionals, and/or local or state police out of fear of disciplinary action. Under this Medical Amnesty Policy, neither the student in distress nor the student or organization seeking assistance will ordinarily be subject to disciplinary action for the possession, provision, or consumption of drugs or alcohol. Educational and/or preventative responses such as a group class, online course, individual meeting, substance use assessment, referral to support resources, or other appropriate course of action may be required.

This policy refers to isolated incidents only, and does not excuse or protect those who flagrantly or repeatedly violate the Alcohol, Tobacco and Other Drugs Policy, nor does it preclude disciplinary action arising from violations of other Middlebury policies. However, in cases involving additional policy violations, Middlebury will consider the positive impact of reporting an incident as well as the health and safety needs of the involved student(s) when determining the appropriate course of action.

This policy cannot protect students from action by law enforcement personnel, but it is consistent with laws enacted by Vermont and California that provide limited immunity from prosecution to a witness or victim of a drug or alcohol overdose who seeks medical assistance to save the life of an overdose victim. For more information about the Vermont statute, please see [18 V.S.A. § 4254](#). For more information about the California law, please see [HSC §11376.5](#).

Disciplinary Sanctions: Faculty and Staff

Disciplinary sanctions for faculty and staff will be imposed under Middlebury's and the Institute's established disciplinary practices and procedures for members of the faculty and staff, as applicable. Disciplinary sanctions may include written warnings, written reprimands, completion of an appropriate rehabilitation program, termination of employment, and/or referral for prosecution (depending on the severity of the conduct). See also the following:

[Employee Code of Conduct](#)

[Progressive Discipline](#)

[Discharge](#)

[Faculty Misconduct](#)

[Middlebury Institute Employee Handbook](#)

[Middlebury Institute Faculty Handbook](#)

Health and Community Responsibility

Middlebury believes that alcohol and other drug-related problems affect our entire community and that each of us has a responsibility to help safeguard the community health by respecting policy and intervening in situations of abuse. Any member of the Middlebury community having knowledge of an individual on campus who is abusing alcohol or in possession of or using illegal drugs, or misusing legal substances to cause impairment/hallucination, is urged to encourage the individual to seek counseling and/or medical assistance. All members of the community are also expected to help protect the community health by informing appropriate staff members of instances of alcohol and/or drug misuse, distribution, and/or sales.

Involvement with or dependency upon drugs or excessive or illegal use of alcohol is viewed by Middlebury as a health concern as well as a disciplinary matter. Any time a dean, staff member, faculty member or appropriate supervisory authority has reasonable concerns that a student's health is being compromised by alcohol or other drug use (even in cases where no concrete evidence or direct witness is involved), an educational and/or preventative response, such as a group class, online course, substance use assessment, referral to support resources, or other appropriate course of action may be required.

Middlebury College Specific: In addition, the dean or appropriate supervisory authority may notify the student's parents or guardian of concerns about the student's drug or alcohol use.

Information and Resources

The use of illicit drugs and the unlawful possession and use of alcohol is wrong and potentially harmful. Abuse of alcohol and drugs can have a dramatic impact on professional, academic, and family life. We therefore encourage staff, faculty, and students experiencing difficulty with drugs or alcohol to contact one of the many resources available on or off campus. It is important that all members of our community know where help is available for those who need it. Resources and information regarding health risks and resources are available below.

Health Risks Associated with Alcohol

According to the CDC (Center for Disease Control):

“Drinking too much can harm your health. Excessive alcohol use led to approximately 178,000 deaths and 4 million years of potential life lost (YPLL) each year in the United States from 2020-2021, shortening the lives of those who died by an average of 24 years. The economic costs of excessive alcohol consumption in 2010 were estimated at \$249 billion, or \$2.05 a drink.”

The Standard Measure of Alcohol

In the United States, a standard drink is any drink that contains 0.6 ounces (14.0 grams or 1.2 tablespoons) of pure alcohol. Generally, this amount of pure alcohol is found in

- 12-ounces of beer (5% alcohol content).
- 8-ounces of malt liquor (7% alcohol content).
- 5-ounces of wine (12% alcohol content).
- 1.5-ounces of 80-proof (40% alcohol content) distilled spirits or liquor (e.g., gin, rum, vodka, whiskey).

What is Excessive Drinking?

Excessive drinking includes binge drinking, heavy drinking, and any drinking by pregnant women or people younger than 21.

- Binge drinking
 - For women, 4 or more drinks during a single occasion
 - For men, 5 or more drinks during a single occasion
- Heavy drinking
 - For women, 8 or more drinks per week
 - For men, 15 or more drinks per week

The Dietary Guidelines for Americans recommends that adults of legal drinking age can choose not to drink, or to drink in moderation by limiting intake to 2 drinks or less in a day for men or 1 drink or less in a day for women, on days when alcohol is consumed. The Guidelines also do not recommend that individuals who do not drink alcohol start drinking for any reason and that if adults of legal drinking age choose to drink alcoholic beverages, drinking less is better for health than drinking more. There are some people who should not drink any alcohol, including those who are:

- Pregnant or may be pregnant.
- Taking certain prescription or over-the-counter medications that can interact with alcohol.
- Younger than age 21.
- Recovering from alcohol use disorder or if they are unable to control the amount they drink.

By adhering to the Dietary Guidelines, people can reduce the risk of harm to themselves and others.

Short-Term Health Risks

Drinking excessively on an occasion can lead to these harmful health effects:

- Injuries, such as motor vehicle crashes, falls, drownings, and burns.
- Violence, including homicide, suicide, sexual violence, and intimate partner violence.
- Overdose from alcohol use with other drugs, like opioids.
- Alcohol poisoning, high blood alcohol levels that affect body functions like breathing and heart rate.
- Sexually transmitted infections or unplanned pregnancy—alcohol use can lead to sex without protection, which can cause these conditions.
- Miscarriage and stillbirth or fetal alcohol spectrum disorders (FASDs) among pregnant women.

Long-Term Health Risks

Over time, drinking alcohol can have these effects:

- High blood pressure, heart disease, stroke, liver disease, and digestive problems.
- Drinking any alcoholic beverages, including red and white wine, beer, and liquor, is linked with cancer. The risk of some cancers increases with any amount of alcohol use. This includes breast cancer (in women). More than 20,000 people die from alcohol-related cancers each year in the United States.
- Weakening of the immune system, increasing the chances of getting sick.
- Learning and memory problems, including dementia and poor school performance.
- Mental health problems, including depression and anxiety.
- Social problems, including family problems, job-related problems, and unemployment.
- Alcohol use disorders, this affects both physical and mental health.

Source: [CDC Fact Sheets: Alcohol Use and Your Health](#)

See also:

[CDC: Alcohol and Public Health Rethinking Drinking](#)

Blood Alcohol Concentration

Determining how, when, and how much alcohol to drink can be difficult for many individuals who are faced with social pressure, limited information about alcohol use, and often a lack of prior experience. It is important to know that there a point at which what are often considered some of the desirable effects of alcohol (e.g. a sense of euphoria, increased social confidence, lowered inhibitions) diminish and undesirable effects (e.g. nausea, loss of motor control, depressed feelings) increase.

Understanding blood alcohol content (BAC) is helpful in determining where the plateau of desirable effects might be for individuals. BAC is estimated using a person's weight, sex, the number of standard drinks consumed (see the guide below for measuring standard drinks), and the time during which those drinks were consumed. BAC estimations do not account for an individual's metabolic rate or tolerance for alcohol. Remember that a standard drink for BAC calculation purposes may be different than what individuals may consider a typical amount of alcohol to consume.

Risks of Using Drugs

Drug use—including marijuana, cocaine, methamphetamine, as well as prescription drug misuse and illicit opioids—among adults is on the rise. The COVID-19 pandemic has increased drug use.

Different drugs pose different dangers. Drug use can lead to dependence and addiction, injury and accidents, health problems, sleep issues, and more. Drug use affects you and those close to you. Know there is help.

The Rise of Drug Use for Adults Ages 26-49

While young adults ages 18-25 have the highest rates of drug use across the board, drug use among adults ages 26-49 is on the rise:

- Cocaine: Highly addictive, cocaine is involved in nearly one in five overdose deaths; its health effects include asthma, bowel decay, and increased risk of HIV.
- Methamphetamine (Meth): Meth causes devastating health effects, and sometimes death, even on the first try. Meth speeds up the body's systems to dangerous levels. Chronic users experience anxiety, confusion, insomnia, paranoia, aggression, and more.
- Prescription and illicit opioids: Highly addictive, the substances are the top cause of overdose deaths; health effects include confusion, nausea, constipation, coma, and brain damage.
- Marijuana: Even though it is legal in many states, studies link marijuana use to various negative outcomes.
- The percentage of adults age 26 and older using marijuana daily or almost daily has nearly doubled since 2015.
- Cocaine use and death rates have risen; cocaine-involved overdose rates in the U.S. have risen annually since 2012.
- Meth use is on the rise and overdose death rates climbed more than five-fold for those ages 25 to 54 between 2011 and 2018.

The nation remains in a prescription and illicit opioids crisis, as 81,230 drug overdose deaths occurred in the U.S.—the highest single year ever reported—in the 12 months ending in May 2020; most of the overdose deaths involved a prescription or illicit opioid.

Source: [SAMSHA Know the Risks of Using Drugs](#)

BAC Concentration

Resources

For more information about drugs and alcohol, please visit Middlebury's Health and Wellness Education site on [Drugs and Alcohol](#).

Find out as much as you can about illegal and legal drugs and their effects on your body and brain. The more informed you are, the more confidently you can make the right decision about drugs. Read [Campus Drug Prevention's Drug Fact Sheets](#) for the latest information.

National resources and references on drugs and alcohol include:

[National Institute on Alcohol Abuse and Alcoholism](#)

[College Drinking - Changing the Culture](#)

[National Institute on Drug Abuse](#)

[Higher Education Center for Alcohol and Other Drug Abuse and Violence Prevention](#)

[The Partnership to End Addiction](#)

[Substance Abuse and Mental Health Services Administration](#)

[Centers for Disease Control and Prevention](#)

[Drug Enforcement Administration](#)

Care and Treatment

What can I do if I or someone I know has a drinking or drug abuse problem?

Per the Centers for Disease Control and Prevention, consult your personal health care provider if you feel you or someone you know has a drinking problem. Other resources include the National Drug and Alcohol Treatment Referral Routing Service, available at 1-800-662-HELP. This service can provide you with information about treatment programs in your local community and allow you to speak with someone about alcohol problems.

Middlebury's Vermont-Based Programs

Middlebury College Center for Health and Wellness (students)

- Health Services: 802.443.5135
- Counseling: 802.443.5141
- Educational resources available to students through the Center for Health and Wellness can be found [here](#)

[Employee and Family Assistance Program](#): 866.660.9533 (Faculty and Staff)

[Alcoholics Anonymous/Local AA Meetings](#)

[Turning Point Recovery Center of Bennington](#)

[Foundations Recovery Network](#)

[Vermont Department of Health](#)

Annual Drug-Free Schools and Communities Act Notice

The Drug-Free Schools and Communities Act of 1989 requires that Middlebury College (“Middlebury”) annually notify all students, faculty, and staff of the following:

- Middlebury's standards of conduct, which prohibit the unlawful possession, use, or distribution of illegal drugs and alcohol by students and employees on Middlebury property or in connection with any activities or programs sponsored by Middlebury.
- A description of Middlebury's disciplinary sanctions that will be imposed on students and employees for the unlawful possession, use, or distribution of illegal drugs and alcohol, up to and including expulsion or termination of employment.
- A description of applicable sanctions under federal, state, and local law for the unlawful possession, use, or distribution of illegal drugs and alcohol.
- A description of the health risks associated with the use of illegal drugs and the abuse of alcohol.
- A description of any drug or alcohol counseling, treatment, rehabilitation, or re-entry programs that are available to employees or students.

Middlebury College Drug-Free Schools and Communities Act AOD Program Biennial Review

In addition, under the Drug Free Schools and Communities Act and regulations Middlebury conducts a biennial review that:

1. determines the effectiveness of Middlebury's AOD program and implements changes, if needed; and
2. ensures consistent sanction enforcement for violations of Middlebury's Alcohol and Other Drugs Policy. The Biennial Review and accompanying materials are maintained in the office of General Counsel & Risk Management and available upon request.

Weapons Policies

Bennington College Weapons Policy

Possession of dangerous, potentially dangerous, or unauthorized materials such as explosives, firearms, or other weapons (whether or not loaded with ammunition) on College property is strictly prohibited. This includes, but is not limited to: guns, paintball guns, bb guns, ammunition, knives, fireworks, and combustible or hazardous material. Employees may not carry such materials on to College property in their vehicles or by other means. The Director of Campus Safety may authorize in writing specific exceptions for job-related activities for other personnel. Students using such material for academic purposes must arrange with their faculty members or departmental coordinators to store the said material away from College houses in an approved and properly secured space. Campus Safety must be notified of any such material. Campus Safety needs to be notified in advance if replicas and lookalikes are going to be used for educational purposes.

Middlebury College Weapons Policy

The use and possession of weapons, including ammunition (“ammo”), are prohibited on Middlebury property and at Middlebury sponsored events, including in motor vehicles. Antique, imitation, and replicas of weapons and ammo are also prohibited unless they are possessed or stored in accordance to

the Exceptions section below. Discovery of a weapon or ammo on Middlebury property or carried by a person (openly or concealed) on Middlebury property, or at Middlebury sponsored events, or any other violation of the weapons policy, shall result in confiscation of the weapon or ammo. Disciplinary action against the owner and/or person in possession may be taken, which may include but not be limited to removal from Middlebury property, arrest, expulsion, suspension, probation, discipline, dismissal or termination.

This policy applies to all faculty, staff, students, employees, and visitors at all Middlebury property, including those who have a valid permit to carry a concealed weapon. This policy shall not apply to a law enforcement officer while engaged in law enforcement duties, or an active duty member of the armed forces.

Definitions of key terms are provided below.

Exceptions

1. Matriculated students and students enrolled in a Middlebury program and living on a Vermont campus are permitted, in accordance with Vermont law, to possess weapons for hunting and sporting related activities only, such as target practice. Assault weapons and semi-automatic weapons with rapid-fire capability are expressly prohibited. A handgun is only allowed to be on campus if it is a duty weapon issued or authorized by the student-owner's employer.
2. All permitted weapons and ammo must be registered with and stored at the Department of Public Safety located at 125 South Main Street, Middlebury, Vermont. Requirements for storage in Vermont can be found on the Department of Public Safety website. The Institute of International Studies at Monterey does not allow or provide for weapons storage.
3. Due to their realistic likeness to weapons and potential for causing community alarm, possession or use of toy or replica weapons in a Middlebury-sanctioned activity or academic program must be approved in advance by the Associate Vice President of Safety, or designee, in Middlebury, or Campus Security in Monterey.

Definitions

"Ammunition" means ammunition or cartridge cases, primers, bullets, or propellant powder designed for use in any firearm.

"Explosive" is defined as any material, liquid, or substance that causes a sudden, instantaneous release of air, pressure, gas, and heat, including bombs, grenades, rockets and fireworks.

"Firearm" is defined as any weapon, whether loaded or unloaded, which will expel a projectile by the action of an explosive such as but not limited to a pistol, revolver, handgun, rifle (bolt action, lever action, pump action, semi-automatic, and single-shot), gun, machine gun or shotgun.

"Knife" is defined as a blade six inches or longer in length or with blades less than six inches that, by design, can be used as weapons, such as switchblades or double-edged blades.

"Middlebury property" is defined as any property, facility, or grounds owned, leased, controlled or subcontracted by Middlebury. This includes the campuses of Middlebury College, Bread Loaf, and the Institute of International Studies at Monterey, as well as the Middlebury C.V. Starr Schools Abroad.

"Weapon" is defined as any firearm, explosive, knife, sword, club, bow or other object that has been designed with the intent to inflict bodily harm or physical damage to property.

Fire Safety Report

All life threatening emergencies should be called into 911. Additionally, all fires and/or suspected past fires need to be reported to Campus Safety.

Residential Fire-Systems Descriptions at Bennington College Campus

All on-campus residence halls are equipped with automatic fire sprinkler systems and automatic fire and carbon monoxide alarm systems that notify occupants and initiate a Campus Safety or local fire department response, and portable fire extinguishers. Cooking equipment, including kitchens designated for student use, are protected by automatic fire heat detection devices. All fire protection systems are inspected regularly by Bennington College staff and qualified contractors.

Name of Building	911 Address	Fire Alarm Monitoring Done On-Site and by (PPM)	Full Sprinkler System	Smoke/CO Detection	Fire Extinguishers	Evacuation Plans & Placards
Bingham	109 Second Street N. Bennington, VT 05257	X	X	X	X	X
Booth	60 Second Street N. Bennington, VT 05257	X	X	X	X	X
Canfield	97 First Street N. Bennington, VT 05257	X	X	X	X	X
Dewey	59 First Street N. Bennington, VT 05257	X	X	X	X	X
Fels	42 Third Street N. Bennington, VT 05257	X	X	X	X	X
Franklin	116 First Street N. Bennington, VT 05257	X	X	X	X	X
Kilpatrick	92 Second Street N. Bennington, VT 05257	X	X	X	X	X
Leigh	71 Second Street N. Bennington, VT 05257	X	X	X	X	X
McCullough	81 Second Street N. Bennington, VT 05257	X	X	X	X	X
Merck	40 Larch Lane N. Bennington, VT 05257	X	X	X	X	X
Noyes	96 Third Street N. Bennington, VT 05257	X	X	X	X	X
Paris-Borden	60 Larch Lane N. Bennington, VT 05257	X	X	X	X	X
Perkins	20 Larch Lane N. Bennington, VT 05257	X	X	X	X	X
Sawtell	60 Third Street N. Bennington, VT 05257	X	X	X	X	X
Stokes	110 First Street N. Bennington, VT 05257	X	X	X	X	X

Name of Building	911 Address	Fire Alarm Monitoring Done On-Site and by (PPM)	Full Sprinkler System	Smoke/CO Detection	Fire Extinguishers	Evacuation Plans & Placards
Swan	70 First Street N. Bennington, VT 05257	X	X	X	X	X
Welling	119 Second Street N. Bennington, VT 05257	X	X	X	X	X
Woolley	84 First Street N. Bennington, VT 05257	X	X	X	X	X

Fire Evacuation Drills

Upon request by Middlebury College administration, Bennington Campus Safety will conduct one fire drill in each residential building during the Middlebury Summer Program.

Fire Safety Education and Training Programs

Middlebury College

All students, faculty, and staff receive annual training on emergency response procedures including fire safety and evacuation.

Bennington College

Each school year the residential house chairs complete a fire safety training program, including alarms, detectors and fire extinguisher understanding and use. In addition, every student room is individually inspected by members of Campus Safety for any fire and safety related concerns. Issues are corrected and educational information is disseminated and fines may be issued.

To help prevent fires on campus, please observe the following:

- Keep room entries, exits, and hallways free of potential obstructions, such as boxes, bicycles, and mattresses.
- Don't overload outlets.
- Avoid using extension cords whenever possible.
- Don't build or place anything over the room's radiator that will disrupt the free flow of air around it.
- Always leave magnifying mirrors face down so they won't magnify sunlight.
- You may not use candles, halogen lamps, heat lamps, or portable heaters.
- Avoid hanging lights and paper together. Don't hang lights or streamers on the side of doors facing corridors.
- No smoking.

Fire Evacuation Procedure for Students and Employees

In addition to the evacuation procedures found in the General Emergency and Evacuation Procedures section, below is fire evacuation information specific to Bennington Campus.

- Familiarize yourself with your building's evacuation procedures. Locate the nearest exit and fire extinguisher.
- Report to your emergency muster point and check in with program staff. Report anyone who might be missing.
- A Campus Safety officer will direct you to another safe location to shelter in inclement weather.
- Do not re-enter the building until Campus Safety advises that the Bennington Fire Department or the local fire department has indicated that it is safe to re-enter.

Fire Safety Residential Policies

Middlebury's policies on fire safety, prohibited items such as portable electronic devices, open flames, etc., are all contained in the College Handbook under Residential Policies.

Any violation of fire safety regulations will result in a fine. Students found responsible will have to pay the additional cost(s) of repair or replacement of damaged equipment or property. Students will be subject to disciplinary actions as well.

- Room entries, exits and hallways must be kept clear and free of potential obstructions.
- Gaming tables, including but not limited to ping pong, foosball, and pool tables are prohibited in residential spaces unless provided by the college in designated residence hall lounges.
- Tables, including sheets of plywood or other large boards (decorated or undecorated, set up or stored) and bars/counters, are never allowed in rooms, suites, or lounges of residential buildings. Tables and plywood found in unauthorized areas will be considered in violation of fire safety regulations and will be confiscated and disposed of by Middlebury officials, and fines will be assessed.
- Nothing may be hung from a sprinkler apparatus or sprinkler piping.
- Only two walls of any room may be draped.
- Ceilings may not be covered with tapestries or other materials. Other wall hangings and posters may be prohibited if a fire or egress hazard is created.
- Nothing may be built or placed over or around a room radiator that will interfere with the free flow of air around the radiator or prevent easy access to service it.
- The following items are prohibited: halogen lamps, portable heaters, fuel, wood pellets, dangerous chemicals, flammable liquids, and fuel such as lighter fluid, propane, gasoline, kerosene, and isobutane, fireworks, hazardous materials, new or burned candles, incense, oil lamps, oil/wax diffusers that sit on lightbulbs or other items with the capability of an open flame or burning embers.
- String lights are prohibited, with the exception of LED lights in good working condition (no frayed or bare wires, cracked sockets, loose connections or damaged insulation). LED lights are acceptable ONLY if they are labeled with Underwriters Laboratory (UL) approval. Tags

with this information are required to be on each string of lights. LED string lights may not be placed over doorways, on ceilings or wrapped around any sprinkler piping, furniture or other cloth items such as curtains or wall hangings. LED lights may not be attached with nails or staples. LED lights must be plugged directly into an outlet or surge protector and may not be strung together. If it cannot be verified that the lights are LED, the College has the right to remove them.

- Storage of large modes of personal transportation including but not limited to bicycles, scooters, canoes, and kayaks in the students' rooms or other locations within the residence hall including halls, stairwells, landings, and lounges, is prohibited. Students must utilize the bicycle racks located outside of their residence hall or designated bicycle rooms on campus to store bicycles and scooters. Kayaks and canoes may not be stored in residence halls.
- Smoking is prohibited in all campus buildings, including the small residential houses. This includes porches, balconies, decks, or within 25 feet of any part of the building structure. E-cigarette smoking is also prohibited in campus buildings.
- The use of portable fire pits is prohibited.
- Use of fire, or lighting a fire without an authorized fire permit, inside or outside of buildings, other than smoking in authorized outdoor spaces, is prohibited. The use of outdoor grills is limited to authorized locations at small houses and must be approved before use.
- Possession and/or use of grills, electric grills, camp stoves, and portable fire pits are prohibited on campus unless utilizing approved, college-provided grills or fireplaces with prior approval from Residential Life and the office of Environmental Health, Safety, and Compliance. Grills used by approved caterers are exempted from this policy.
- On the Middlebury, VT campus, lighting a fire without an authorized fire permit, inside or outside of buildings, other than smoking in authorized outdoor spaces, is prohibited. Outdoor fires may be approved for the Atwater Dining outdoor fireplace and The Knoll (Organic Farm) in Cornwall. Outside burning in other locations requires advance review and approval from Middlebury College and the Town of Middlebury. The location must be reserved and Middlebury College Burn Permit approvals must be obtained in advance of the event.
- Several College residence halls and lounges on the Middlebury, VT campus have working fireplaces which are inspected annually. Fireplaces deemed safe for use can be confirmed by emailing facmanage@middlebury.edu. Fires in fireplaces should never be unattended and there should always be a fire extinguisher present in the vicinity when there is any fire in the fireplace. The use of chemical fire starters is prohibited.
- Tampering with fire- or life-safety equipment is prohibited and subject to fines. These charges will be borne collectively by the residence hall if the responsible individual(s) cannot be identified. "Fire- and life-safety equipment" includes fire alarms, fire doors, pull stations, extinguishers, hydrants, smoke detectors, smoke detector batteries, carbon monoxide detectors, and sprinklers.
- Students must exit a building when a fire alarm sounds; fines may be assessed for failure to do so. Fire escapes may only be accessed during fire drills or a fire emergency.
- Appliances that have exposed heating elements, including but not limited to toasters, toaster ovens, hot plates, sandwich makers, electric frying pans or grills, electric woks, deep fryers, popcorn poppers (other than hot air poppers) and irons without automatic shutoffs may not be used in student rooms. Only small, dorm-sized, Energy Star-rated refrigerators and

microwaves are permitted and need to be plugged directly into an outlet and not a powerstrip/surge protector. Small cooking appliances without exposed heating elements, such as rice cookers, steamers, and crockpots may be used in residential kitchen spaces. These items must be attended while in use. Such appliances may not be used in student rooms. Please also see a list of allowable items on the Residential Life webpage.

- The use of fog and smoke machines in campus residential buildings is prohibited.
- Possession of flammable decorations including but not limited to combustible vegetation such as wreaths, sawn trees, tree branches, dried out plants, corn stalks and shucks, dry leaves, hay straw, as well as other flammable decorations such as paper streamers, sawdust or wood shavings are prohibited.
- Possession of large appliances such as refrigerators in excess of 3.8 cubic feet, freezers, washers, or dryers is prohibited.
- Construction of partitions, subdividing rooms, construction of additions, installation or modification of electrical wiring or plumbing, or altering means of egress is prohibited.
- Covering windows with items such as plywood, mattresses, paper, or anything other than college-provided window shades/treatments is prohibited due to fire safety and egress concerns.

Fire Log

Campus Safety maintains the fire log at the Campus Safety building.

Residential Buildings

Bingham House	Merck
Booth House	Noyes
Canfield House	Paris-Borden
Dewey House	Perkins
Fels	Sawtell
Franklin	Stokes
Kilpatrick	Swan
Leigh	Welling
McCullough	Woolley

Fire Safety Statistics

Table 4. Statistics and Related Information Regarding Fires in Residential Facilities 2022

Residential Facilities	911 Address	Total Fires in Each Building	Fire Number	Cause of Fire	No. of Injuries Requiring Treatment at a Medical Facility	No. of Deaths Related to Fire	Value of Property Damage Caused by Fire
Bingham	109 Second Street N. Bennington, VT 05257	0	0	0	0	0	0
Booth	60 Second Street N. Bennington, VT 05257	0	0	0	0	0	0
Canfield	97 First Street N. Bennington, VT 05257	0	0	0	0	0	0
Dewey	59 First Street N. Bennington, VT 05257	0	0	0	0	0	0
Fels	42 Third Street N. Bennington, VT 05257	0	0	0	0	0	0
Franklin	116 First Street N. Bennington, VT 05257	0	0	0	0	0	0
Kilpatrick	92 Second Street N. Bennington, VT 05257	0	0	0	0	0	0
Leigh	71 Second Street N. Bennington, VT 05257	0	0	0	0	0	0
McCullough	81 Second Street N. Bennington, VT 05257	0	0	0	0	0	0
Merck	40 Larch Lane N. Bennington, VT 05257	0	0	0	0	0	0
Noyes	96 Third Street N. Bennington, VT 05257	0	0	0	0	0	0
Paris-Borden	60 Larch Lane N. Bennington, VT 05257	0	0	0	0	0	0
Perkins	20 Larch Lane N. Bennington, VT 05257	0	0	0	0	0	0
Sawtell	60 Third Street N. Bennington, VT 05257	0	0	0	0	0	0
Stokes	110 First Street N. Bennington, VT 05257	0	0	0	0	0	0
Swan	70 First Street N. Bennington, VT 05257	0	0	0	0	0	0
Welling	119 Second Street N. Bennington, VT 05257	0	0	0	0	0	0
Woolley	84 First Street N. Bennington, VT 05257	0	0	0	0	0	0

Table 5. Statistics and Related Information Regarding Fires in Residential Facilities 2023

Residential Facilities	911 Address	Total Fires in Each Building	Fire Number	Cause of Fire	No. of Injuries Requiring Treatment at a Medical Facility	No. of Deaths Related to Fire	Value of Property Damage Caused by Fire
Bingham	109 Second Street N. Bennington, VT 05257	0	0	0	0	0	0
Booth	60 Second Street N. Bennington, VT 05257	0	0	0	0	0	0
Canfield	97 First Street N. Bennington, VT 05257	0	0	0	0	0	0
Dewey	59 First Street N. Bennington, VT 05257	0	0	0	0	0	0
Fels	42 Third Street N. Bennington, VT 05257	0	0	0	0	0	0
Franklin	116 First Street N. Bennington, VT 05257	0	0	0	0	0	0
Kilpatrick	92 Second Street N. Bennington, VT 05257	0	0	0	0	0	0
Leigh	71 Second Street N. Bennington, VT 05257	0	0	0	0	0	0
McCullough	81 Second Street N. Bennington, VT 05257	0	0	0	0	0	0
Merck	40 Larch Lane N. Bennington, VT 05257	0	0	0	0	0	0
Noyes	96 Third Street N. Bennington, VT 05257	0	0	0	0	0	0
Paris-Borden	60 Larch Lane N. Bennington, VT 05257	0	0	0	0	0	0
Perkins	20 Larch Lane N. Bennington, VT 05257	0	0	0	0	0	0
Sawtell	60 Third Street N. Bennington, VT 05257	0	0	0	0	0	0
Stokes	110 First Street N. Bennington, VT 05257	0	0	0	0	0	0
Swan	70 First Street N. Bennington, VT 05257	0	0	0	0	0	0
Welling	119 Second Street N. Bennington, VT 05257	0	0	0	0	0	0
Woolley	84 First Street N. Bennington, VT 05257	0	0	0	0	0	0

Table 6. Statistics and Related Information Regarding Fires in Residential Facilities 2024

Residential Facilities	911 Address	Total Fires in Each Building	Fire Number	Cause of Fire	No. of Injuries Requiring Treatment at a Medical Facility	No. of Deaths Related to Fire	Value of Property Damage Caused by Fire
Bingham	109 Second Street N. Bennington, VT 05257	0	0	0	0	0	0
Booth	60 Second Street N. Bennington, VT 05257	0	0	0	0	0	0
Canfield	97 First Street N. Bennington, VT 05257	0	0	0	0	0	0
Dewey	59 First Street N. Bennington, VT 05257	0	0	0	0	0	0
Fels	42 Third Street N. Bennington, VT 05257	0	0	0	0	0	0
Franklin	116 First Street N. Bennington, VT 05257	0	0	0	0	0	0
Kilpatrick	92 Second Street N. Bennington, VT 05257	0	0	0	0	0	0
Leigh	71 Second Street N. Bennington, VT 05257	0	0	0	0	0	0
McCullough	81 Second Street N. Bennington, VT 05257	0	0	0	0	0	0
Merck	40 Larch Lane N. Bennington, VT 05257	0	0	0	0	0	0
Noyes	96 Third Street N. Bennington, VT 05257	0	0	0	0	0	0
Paris-Borden	60 Larch Lane N. Bennington, VT 05257	0	0	0	0	0	0
Perkins	20 Larch Lane N. Bennington, VT 05257	0	0	0	0	0	0
Sawtell	60 Third Street N. Bennington, VT 05257	0	0	0	0	0	0
Stokes	110 First Street N. Bennington, VT 05257	0	0	0	0	0	0
Swan	70 First Street N. Bennington, VT 05257	0	0	0	0	0	0
Welling	119 Second Street N. Bennington, VT 05257	0	0	0	0	0	0
Woolley	84 First Street N. Bennington, VT 05257	0	0	0	0	0	0