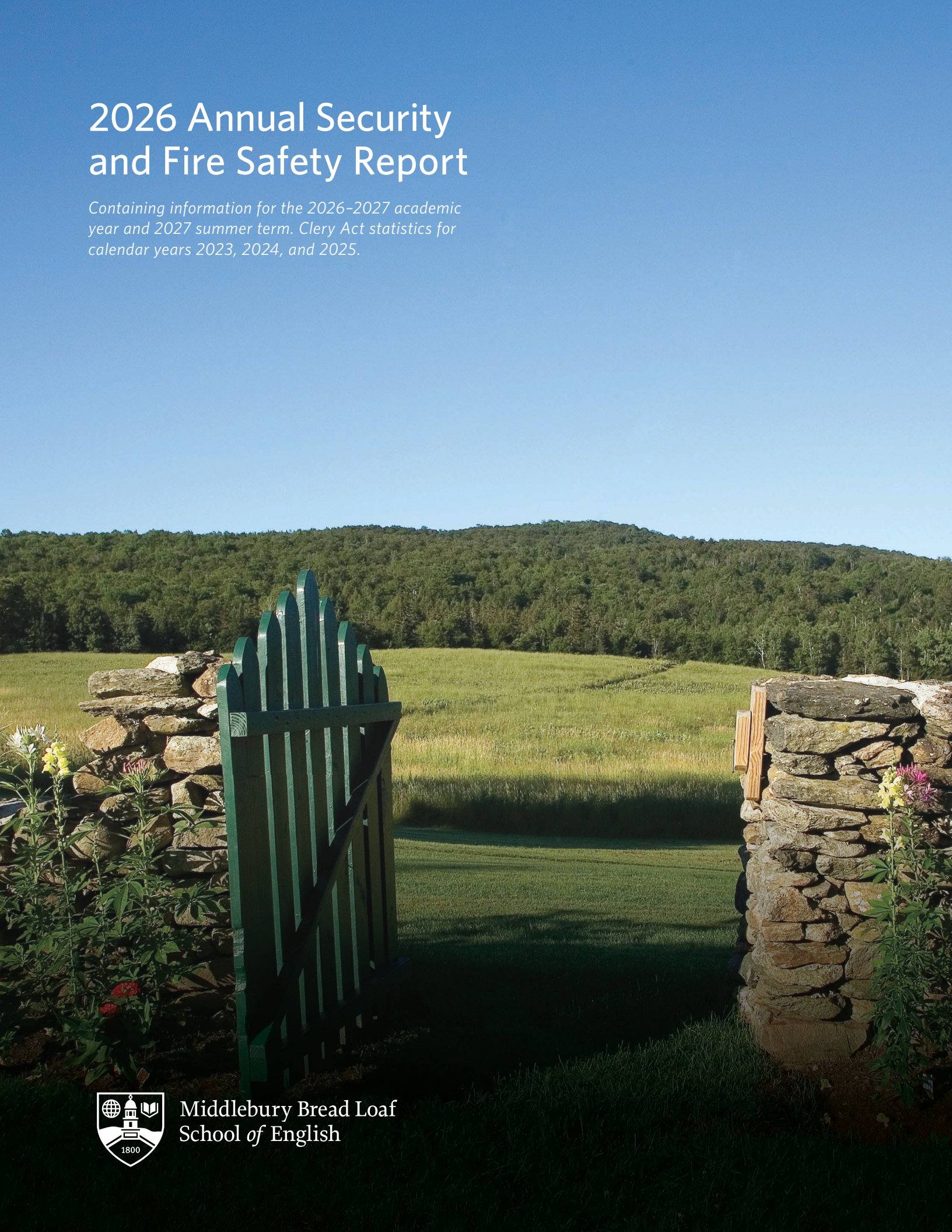
2026 Annual Security and Fire Safety Report

Containing information for the 2026–2027 academic year and 2027 summer term. Clery Act statistics for calendar years 2023, 2024, and 2025.



Middlebury Bread Loaf School *of* English

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BLSE	Bread Loaf School of English
BLWC	Bread Loaf Writers Conference
CBRT	Community Bias Response Team
CFTC	Commodity Futures Trading Commission
CISA	Cybersecurity and Infrastructure Security Agency
CMT	Crisis Management Team
CRTIX or CRT9	Civil Rights and Title IX
CSA	Campus Security Authority
CSAC	Counseling Service of Addison County
DAAPP	Drug And Alcohol Abuse Prevention Program
DCF	Department for Children and Families
DOC	Department of Corrections
DUI	Driving Under the Influence
EAP	Employee Assistance Program
EMT	Emergency Management Team
ENS	Emergency Notification System
EVP	Executive Vice President
FBI	Federal Bureau of Investigation
HIV	Human Immunodeficiency Virus
HRO	Human Relations Officer
ID	Identification
LGBTQ	Lesbian, Gay, Bisexual, Transgender, Questioning
MIIS	Middlebury Institute of International Studies at Monterey
NCO	No Contract Orders
NIBRS	National Incident-Based Reporting System
NTN	No Trespass Notice
PIO	Public Information Officer
SANE	Sexual Assault Nurse Examiner
SCHA	Stop Campus Hazing Act
SEC	Securities and Exchange Commission
SMDVS	Sexual Misconduct, Domestic and Dating Violence and Misconduct, and Stalking
TAM	Threat Assessment and Management Team
UL	Underwriters Laboratory
VAWA	Violence Against Women Act
VCIC	Vermont Crime Information Center
VINE	Victim Information & Notification Everyday
VPAA	Vice President of Academic Affairs
VPSA	Vice President for Student Affairs

Important Numbers

Bread Loaf, Ripton, Vermont

Dial 911	**Emergencies**
802.443.2911	Bread Loaf Maintenance Emergency Line
802.388.0409	Emergency Notification System alerts (MiddAlert) (This number will show up on your cell phone when an emergency notification message is issued)
800.489.RAPE	Domestic Violence/Sexual Assault State Wide Emergency number
	Public Safety and Local Law Enforcement
802.443.5133	Public Safety Business Line
802.443.5911	Public Safety Emergency Line
802.388.4919	Vermont State Police New Haven Barracks
802.388.7931	Addison County State's Attorney's Office
	Health Services and Resources
802.443.5141	Counseling Number
833.484.6359	Timely Care, go/timelycare, Customer Service Line
802.388.7641	CSAC (Counseling Service of Addison County)
802.443.5135	Center for Health and Wellness
802.388.4701	University of Vermont Health Network, Porter Medical Center
802.847.0000	University of Vermont Medical Center
802.775.7111	Rutland Regional Medical Center
802.443.5135 (business hours)	SANE (Sexual Assault Nurse Examiner)
802.443.3020	Environmental Health and Safety
800.889.2047	Vermont Legal Aid
800.388.4205	Atria Collective (formerly WomenSafe)
866.660.9533	Invest EAP
800.799.7233	National Domestic Violence Hotline
800.656.HOPE	RAINN (Rape, Abuse, and Incest National Network)
802.863.0003	SafeSpace
	Additional Resources
802.443.5472	Facilities Services
802.443.5465	Human Resources
802.443.2147	Civil Rights and Title IX Coordinator
	Bread Loaf On Campus Resources
802.443.5418	Bread Loaf School of English Campus Office
802.443.5286	Bread Loaf Writers' Conference Office, August
802.443.2700	Bread Loaf Inn Front Desk
802.443.2911	Bread Loaf Maintenance

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 Bread Loaf campus in Ripton, Vermont. It also includes statistics for the previous three years concerning reported crimes that occurred on Bread Loaf 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 Bread Loaf campus in Ripton, Vermont.

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 the Bread Loaf School of English's educational purposes, are frequently used by students, and are not within the same reasonably contiguous geographic area of the Bread Loaf, Ripton, Vermont campus. The report collects information on any reports of fires in student residential buildings at the Ripton campus.

This report also contains additional information regarding the Bread Loaf School of English program in Oxford, England.

Bread Loaf School of English also has a summer program at the Middlebury Institute of International Studies at Monterey (MIIS). For all of the security and safety information for MIIS, please review the MIIS Annual Safety Report.

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 (VAWA), and is produced by the Department of Public Safety. Statistics for Middlebury College programs are also submitted to the Department of Education by Middlebury College's Department of Public Safety. Electronic copies of the Annual Security and Fire Safety Report are distributed via email to all students, faculty, and staff at Middlebury and at the Bread Loaf School of English. 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 the 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

Safety and Security – General Information for the Bread Loaf, Ripton, Vermont Campus

There is no security office on the Bread Loaf campus.

However, during the Bread Loaf School of English (BLSE) and Bread Loaf Writers Conference (BLWC) academic programs in the summer, and at other times when programs are hosted at the Bread Loaf, Ripton campus, there is a night watch patrol from 10:00 p.m. to 6:00 a.m. The night watch report to the Assistant Director of Bread Loaf campus, and are available to respond to emergencies occurring on the campus during their shift. They do not have the authority to make arrests, and their enforcement is limited to the Bread Loaf Campus and nearby Middlebury College Snow Bowl properties.

The Bread Loaf campus has a caretaker living on the property year-round, and the Bread Loaf School of English administrators live on the campus during the Bread Loaf School of English program in the summer. The Bread Loaf Maintenance Emergency Line is x 2911 from a Bread Loaf phone, or 802.443.2911 from an outside line. The Bread Loaf Front Desk or the Bread Loaf maintenance offices will answer the line during the day or evening, and after hours the line will roll over and ring at the Middlebury College Public Safety Department in Middlebury, which is staffed at all times.

Given the distance between the main campus in Middlebury, VT and Bread Loaf, Middlebury College Department of Public Safety does not respond to the Bread Loaf campus in the same way they would for an incident on the main campus. If a crime or emergency is happening in the moment, members of the Bread Loaf community are encouraged to call 911. Officials at the Bread Loaf campus and Middlebury College Department of Public Safety will then confer on the next steps as appropriate. Others who may be involved in follow up include the Assistant Director of Bread Loaf campus, Civil Rights and Title IX Coordinator, Human Resources, and Conduct.

For additional information about Middlebury's Department of Public Safety please see their webpage.

Agreements with Law Enforcement

The Vermont State Police provide law enforcement for Ripton, VT and the Bread Loaf campus. They will respond to the Bread Loaf campus for any police emergency and can be reached by calling 911 from any phone. The Department of Public Safety has a good working relationship with the Vermont State Police, but the two do not have a memorandum of understanding for the Bread Loaf campus, including for the investigation of alleged criminal incidents. Additionally, local law enforcement and/or first responders are invited to campus at least once annually to participate in emergency response tabletops and exercises.

Reporting Procedures

In addition to 911, all crimes should be reported to Middlebury College Department of Public Safety, the Middlebury Civil Rights and Title IX Coordinator, when appropriate, Bread Loaf Administration, Human Resources, Dean of Students, and/or Middlebury officials responsible for conduct and/or investigations, to ensure inclusion in the annual crime statistics and to aid Public Safety and/or Bread Loaf officials in providing timely warning notices to the College community as appropriate.

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

Reporting an Emergency

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.

- Dial 911.
- Stay on the line with the dispatcher until first responders arrive.
- Provide the address, the location, and a description of the emergency.
- Provide the phone number at your location or the cell phone number.
- Describe the incident thoroughly so the dispatcher can send you the appropriate resources.
- If you accidentally misdial, do not hang up. Stay on the line and tell the dispatcher you misdialed. Hanging up may cause emergency personnel to respond and investigate to ensure there is not an emergency.

Accurate and Prompt Reporting

We encourage community members, students, faculty, staff, and guests to immediately report all crimes, suspicious activity, and public safety–related incidents and hazards to the Department of Public Safety or other designated security department and/or officials 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.

If sexual assault (including rape, fondling, incest, and statutory rape), domestic violence, dating violence, stalking or other crimes occur, staff on the scene will offer the victim services and options for filing a report. As stated above, crimes should be reported to the Department of Public Safety, Civil Rights & Title IX Coordinator, program director or other designated department or official to ensure inclusion in the annual crime statistics and to aid the Department of Public Safety and/or Bread Loaf officials in providing timely warning notices to the community as appropriate.

Non-Campus Buildings or Property

If a Middlebury or Bread Loaf 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 Public Safety officials responsible for the building or location (see contact on the following pages).

Examples of non-campus buildings or property are those that meet the definition of "non-campus" as described above, such as the Bread Loaf School of English in Oxford, England. 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 Associate Vice President of Safety, the Civil Rights & Title IX Coordinator, the Department of Public Safety or BLSE Dean or Associate Director (see contact information below) for inclusion in the Clery Act crime statistics and so Public Safety and/or Bread Loaf officials can determine whether or not a timely warning is needed (See Timely Warning, below).

Clery crime reports can also be made by using the online Crime Report Form.

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

Contact Information

For emergencies, including medical, fire, smoke, crime, or the carbon monoxide alarm, first call 911 and then the Bread Loaf front desk. After hours, all calls to the front desk will be routed to the Department of Public Safety on the Middlebury College campus in Middlebury, VT.

Please note:

* On the Bread Loaf, Ripton campus, all telephones have emergency instructions and numbers posted near them.
* Evacuation procedures are posted on the back of dormitory doors.
* Automated external defibrillators are located in the Inn Lobby and the Bread Loaf Barn social space.

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

Department of Public Safety
Middlebury College
125 Main Street
Middlebury, VT 05753
802.443.5133 (Business Line)
802.443.5911 (Emergency Line)
publicsafety@middlebury.edu

Front Desk, Bread Loaf Inn
Ext. 2700 or 802.443.2700

Bread Loaf School of English
Emily Bartels, Dean
75 Franklin Street
Middlebury, VT 05753
802.443.5418
ebartels@middlebury.edu

Lyndon Dominique, Director
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011.44.1865.279608
Jeri.johnson@exeter.ox.ac.uk

831.647.4153

Director of Facilities
831.239.2207

Bread Loaf School of English
Middlebury Institute of International Studies
Campus Safety

Telephones on the Bread Loaf, Ripton, Vermont, campus

Incoming calls will be routed through the front desk—802.443.2700—when completed before 11 p.m. Calls after 11:00 p.m. are routed to the Department of Public Safety on the Middlebury College campus in Middlebury, VT.

On the Bread Loaf, Ripton-campus, all telephones have emergency instructions and numbers posted near them.

Emergency Phones

There are two exterior emergency phones on the Bread Loaf campus and their locations are listed below:

- at the laundry building near the Barn parking lot,
- at the intersection of Route 125 and College Cross Road near the Annex building.

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 webpage.

Confidential Reporting

Per the Clery Act, 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. The Act defines counselors 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.

Counselors who serve in administrative and/or supervisory roles may be designated Campus Security Authorities and/or responsible employees as these roles relate to portions of their assigned work and job descriptions.

In addition to the confidential resources defined above, Middlebury College has designated additional roles as confidential. Those can be found in the "Confidential and Confidential Resources" section of this document.

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 Civil Rights and Title IX Coordinator, when appropriate (802.443.2147), Dean of Students, Human Resources, or other Middlebury officials responsible for conduct and/or investigations so that the crime report can be included in annual crime statistics, and in order for the College 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, Bread Loaf Administration, and officials responsible for investigations and/or conduct to ensure we are collecting statistics from all appropriate sources. Additionally, we work closely with 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. Additionally, Public Safety sends CSAs reminders throughout the year to remind them of their reporting obligations.

All members of the Bread Loaf community, including visitors and guests, are encouraged to dial 911 in case of an emergency.

In case of an emergency, please dial 911.

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

Definitions of these crimes can be found in this report in 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

B.2.c. Policy Against Hazing

Middlebury is committed to promoting healthy, safe, and balanced lifestyles. Student organizations and athletic teams can play a vital role in this process, and can provide transformative opportunities for friendship, leadership, and personal growth and discovery. Hazing of any kind is antithetical to these goals; therefore, Middlebury prohibits hazing activities, whether by an individual or an organization. In keeping with Middlebury's prohibition of any kind of hazing, training and educational activities are periodically conducted with appropriate staff who support students and campus life.

1. POLICY STATEMENT

Middlebury prohibits hazing activities of any kind, whether by an individual or an organization, and including passive participation in hazing activities. Because of the socially coercive nature of hazing, implied or express consent is not a defense under this policy (or under state law in Vermont or California). Passive participation in hazing may include 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. Retaliating against an individual for reporting or protesting hazing activities is also prohibited by this policy. Hazing activities violate this policy whether or not they involve alcohol, and whether or not they occur on a Middlebury campus. Hazing activity may lead to disciplinary proceedings against individuals and/or organizations, including but not limited to disciplinary consequences for individuals, and/or the probation, suspension, or termination of a student organization or athletic team. Culpability for any violations of this policy may be attributed to active and passive participants, the student group and/or its members, and/or its elected or appointed officers.

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; see also *Referral to Law Enforcement*, below. For anti-hazing laws in California, see Matt's Law SEC. 3. Section 245.6 and Part 40 of Division 5 of Title 3 of the Education Code**.**

The student leaders of all registered student organizations and athletics programs are required to acknowledge annually that they will comply with the terms of Middlebury's *Policy Against Hazing*. Retaliation against any individual, directly or indirectly, for making or participating in a complaint about hazing is prohibited under Middlebury's general Retaliation policy.

2. DEFINITIONS

For the purposes of this policy, the term "hazing" means; 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 or holding office in, a student organization; and causes or creates a risk, above the reasonable risk encountered in the course of participation in any Middlebury team, program or 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 or simulate 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
- 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
- any activity that is intended to have the effect of, or should reasonably be expected to have the effect of, humiliating, intimidating or demeaning the student
- planning, soliciting, directing, aiding, or otherwise participating actively or passively in the above acts.

Middlebury prohibits hazing as defined by the Stop Campus Hazing Act (SCHA) through this Policy.

Middlebury also prohibits hazing as defined by applicable Vermont hazing statutes, which definition is stated in the Vermont Hazing Statutes section of this Policy, below, as well as applicable California statutes.

Activity or conduct that furthers legitimate curricular, extracurricular, or military training program goals is not considered to be hazing, provided that:

(i) the goals are approved by a Middlebury official who oversees the activities of the organization or team (e.g., coach or Office of Student Engagement); and

(ii) the activity or conduct furthers the goals in a manner that is appropriate, contemplated by Middlebury, and normal and customary for similar programs at other educational institutions.

"Student Organization," for purposes of this policy, is an organization at Middlebury (such as an athletic team, association, corporation, order, society, corps, cooperative, club, band, student government, or other similar group, in which two or more of the members are enrolled students at Middlebury, whether or not the organization is established or recognized by Middlebury.

“Initiation” (or pledging) means any action or activity related to becoming a member of an organization.

"Student" includes but is not limited to any person who is enrolled in or pursuing a degree or credit in any Middlebury program.

a. Examples

Middlebury policies include the prohibition of many activities that have traditionally been associated with hazing, such as illegal substance use and abuse, vandalism, theft, verbal or physical abuse or threat of harm, sexual harassment, and other forms of harassment. In addition to those activities and conduct expressly prohibited elsewhere in this Handbook, examples of prohibited individual/group activities that may constitute hazing when otherwise falling within the definition above include but are not limited to the following:

I. Encouraging the use of alcohol or illegal drugs

II. Shaving, tattooing, piercing or branding

III. Threatening or causing physical restraint

IV. Nudity

V. Throwing substances or objects at individuals

VI. Assigning unreasonable chores or acts of servitude

VII. Forcing or coercing consumption or use of any substance

VIII. Interfering with adequate time for study

IX. Requiring the wearing of apparel or acting in a way that is conspicuous and not within community norms

X. Blindfolding

XI. Subjecting someone to abusive or demeaning conduct

3. POLICY VIOLATION REVIEW PROCESS

a. Authority

The Vice President for Student Affairs or an appropriate designee (hereinafter referred to as “VPSA”) monitors the implementation of this policy and imposes sanctions for violations. Any questions concerning the interpretation or application of this policy should be referred to the VPSA.

b. Reporting

All Middlebury community members are expected to report activities believed to be hazing to the Director of Athletics, Office of Student Engagement, Dean of Students, the AVP of Student Affairs for the Institute and the Schools, or the VPSA. See contact information below.

c. Process

I. When an allegation of hazing or related retaliation is made, the VPSA or appropriate designee will determine initially whether the report or complaint alleges conduct that is prohibited by this policy and whether an investigation should be initiated. The VPSA may also suspend the activities of the organization or the activities of individual members thereof pending the outcome of the investigation.

II. If the VPSA determines that an investigation should proceed, an investigator(s) will be appointed to conduct an investigation. The investigator is authorized to contact any and all individuals with potentially relevant information, and to access relevant records and documents. The nature and scope of the investigation is within the discretion of the investigator and/or the VPSA.

III. All participants in the investigation are expected to cooperate fully by providing complete, accurate, and truthful information, including documents, evidence, statements, etc. Participants may be asked to keep the substance of their interview with the investigator confidential.

IV. After the investigation is completed, the investigator shall issue a report to the VPSA that includes recommended findings, based on a preponderance of the evidence standard, i.e., whether it was more likely than not that this policy was violated. The report may be issued in a form appropriate to the nature of the investigation, including oral reporting, and will be accompanied by all evidentiary material considered in the investigation.

V. Prior to the VPSA's determination, the VPSA will provide a summary of allegations to the student leaders of the organization under investigation, and the organization will have an opportunity to provide a responsive statement by a deadline established by the VPSA.

VI. After review of the investigator's report, the evidentiary material and the responsive statement, if submitted, the VPSA shall issue a determination as to whether hazing occurred, based on a preponderance of the evidence standard. The complaining party, if identified, and the responding party under investigation will ordinarily be notified of the VPSA's determination as to whether there was a policy violation.

d. Additional Information

Information about reports of hazing will also be provided to Middlebury's Public Safety Department to enable compliance with Middlebury's obligations under the Clery Act.

Middlebury will publish a Campus Hazing Transparency Report as required by the SCHA.

4. SANCTIONS

a. Sanctions for organizations may range from permanent suspension of recognition or authorization to operate, through cancellation, termination or restriction of activities and events, and other sanctions tailored to the particular circumstances.

b. Sanctions for individuals may include all of the usual sanctions under Middlebury's undergraduate disciplinary policies, the disciplinary policies of the Middlebury Institute, or the disciplinary policies of other Middlebury programs, as appropriate, fines and restitution, and other sanctions tailored to the particular circumstances. The VPSA may refer hazing allegations concerning individual students to a judicial affairs officer from the appropriate Middlebury program for review, adjudication and sanctioning.

5. ADDITIONAL POLICY VIOLATIONS

Reported incidents may be referred to Community Standards, CR/TIX, or other Middlebury officials, as appropriate to the circumstances, to address alleged violations of other Middlebury policies, including but not limited to Middlebury's General Conduct Standards and Non-Discrimination Policy.

6. REFERRAL TO LAW ENFORCEMENT

Middlebury will ordinarily report allegations of hazing to law enforcement authorities when, in the judgment of the VPSA, the nature of the allegations suggests that the hazing activity, if it occurred or is occurring, presents a risk of serious harm to students or other persons, or involves a potentially serious violation of law.

7. CONTACT INFORMATION

Department of Public Safety
Emergency: 802.443.5911
Non-emergency: 802.443.5133

Vice President for Student Affairs
Smita Ruzicka
802.443.5382
sruzicka@middlebury.edu

Director of Athletics
Todd Phelps
802.443.6886
tphelps@middlebury.edu

Dean of Students
Joe Russell
802.443.3417
Joer@middlebury.edu

Institute and Schools Contacts

Middlebury Institute Security Department
831-647-4153

Associate Vice President of Student Affairs for the Institute and Schools
Derek Doucet
802.443.3108
ddoucet@middlebury.edu

Middlebury Institute Associate Dean of Student Services
Ashley Arrocha
831.647.4654
aarrocha@middlebury.edu

8. VERMONT HAZING STATUTES

Title 16 V.S.A. § 178 provides in pertinent part that the Board of Trustees or other governing body of each postsecondary school operating in Vermont shall adopt and ensure enforcement of a policy prohibiting hazing, which shall define hazing in a manner that is at least as stringent as the definition contained in 16 V.S.A. § 11(a)(30).

Title 16 V.S.A. § 11(a)(30) defines hazing as:

any act committed by a person, whether individually or in concert with others, against a student in connection with pledging, being initiated into, affiliating with, holding office in, or maintaining membership in any organization that is affiliated with an educational institution; and that is intended to have the effect of, or should reasonably be expected to have the effect of, humiliating, intimidating, or demeaning the student or endangering the mental or physical health of a student. Hazing also includes soliciting, directing, aiding, or otherwise participating actively or passively in these acts. Hazing may occur on or off the campus of an educational institution.

Hazing under Vermont law shall not include any activity or conduct that furthers legitimate curricular, extracurricular, or military training program goals, provided that:

(i) the goals are approved by the educational institution; and

(ii) the activity or conduct furthers the goals in a manner that is appropriate, contemplated by the educational institution, and normal and customary for similar programs at other educational institutions.

“Organization” under Vermont law means a fraternity, sorority, athletic team, association, corporation, order, society, corps, cooperative, club, or other similar group, whose members primarily are students at an educational institution, and that is affiliated with the educational institution.

“Pledging” under Vermont law means any action or activity related to becoming a member of an organization.

9. CALIFORNIA HAZING STATUTES

California Penal Code section 245.6 states it shall be unlawful to engage in hazing and defines “hazing” as “any method of initiation or pre-initiation into a student organization or student body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause physical harm, to any former, current, or prospective student of any school, community college, college, university or other educational institution in this state. “Hazing” does not include customary and ordinary athletic events or school sanctioned events.”

Supporting California Education Code anti-hazing laws: Stop Campus Hazing Act

10. STATEMENT OF POLICY REGARDING HAZING PREVENTION AND AWARENESS PROGRAMS

Through the publication of this Policy Against Hazing and its awareness and prevention programs related to hazing, Middlebury seeks to promote understanding and intolerance of prohibited hazing behaviors in the Middlebury community.

Middlebury is committed to proactive, research-informed efforts to prevent hazing in its community. Middlebury will offer campus-wide prevention and awareness programs that are designed to reach students, faculty, and staff. These efforts will include, but are not limited to, the following:

- Primary prevention strategies, such as training on the negative consequences of hazing, the importance of mutual respect, the promotion of healthy group dynamics and how to build group cohesion without hazing, skill building for bystander intervention, information about ethical leadership, and how to identify and stop hazing before it occurs.
- Focused interventions for high-risk groups.
- Publication of findings of responsibility, consistent with the Campus Hazing Transparency Report requirements of the SCHA.
- Ongoing assessment and adaptation of anti-hazing awareness and prevention programs based on evidence and emerging best practices.

Middlebury's awareness and prevention programs are adopted and led by the Vice President of Student Affairs.

Please note, this Annual Security Report will contain statistics concerning any reports of Clery-reportable hazing. The Campus Hazing Transparency Report, however, will only provide information on incidents in which a formal finding of responsibility for a hazing violation was made.

Timely Warning

The Department of Public Safety, or on site-specific designee at Bread Loaf in Ripton (e.g., Director/Dean, Associate Director and/or Assistant Director), or at a non-campus building, will issue timely warnings as soon as pertinent information is available regarding Clery crimes that are reported to Middlebury or Bread Loaf administrators by CSAs, local law enforcement, or others and that are considered by Middlebury to represent a serious or ongoing threat to students and/or employees, and/or guests at the Bread Loaf campus. The content of the message will typically be developed by Public Safety, in collaboration with Communications and/or appropriate members of Senior Leadership, when appropriate and as time allows. Any member of the Bread Loaf community who knows of a crime or reported crime should report that information as soon as possible to the Middlebury College Department of Public Safety and on-site Bread Loaf Dean or designee so that, if warranted, a timely warning can be issued. Public Safety or designees will not distribute warnings that could compromise criminal investigations. Note, institutions are not required to provide a timely warning with respect to crimes exclusively reported to a pastoral or professional counselor.

Criminal incidents that might prompt a timely warning include the Clery Act crimes: aggravated assault, arson, burglary, manslaughter by negligence, motor vehicle theft, murder/non-negligent manslaughter, robbery, rape, fondling, incest, statutory rape, domestic violence, dating violence, stalking, hazing, and hate crimes, as defined in the Crime Statistics section.Other criminal incidents may prompt a community notification depending on the circumstances. If there is an immediate threat to the health or safety of the campus community, Middlebury will follow its emergency notification procedures. Middlebury is not required to issue a timely warning based on the same circumstances. However, Middlebury must provide adequate follow up information to the community as needed.

Whether to issue a timely warning will be determined on a case-by-case basis in light of all the facts surrounding the reported crime. The determination will be made by the Associate Vice President of Safety or designee. The Associate Vice President of Safety or designee may, at their discretion, consult with others as deemed appropriate (e.g., the Vice President for Student Affairs, Dean of Students, Vice President for Human Resources and Chief People Officer, Chief Risk Officer, the Civil Rights and Title IX Coordinator, Vice President for Communications and Chief Marketing Officer, Executive Vice President

and Provost, Vice President for Academic Affairs, Dean of the Faculty, and Vice President for Academic Affairs and Dean of the Language Schools). The following criteria will determine whether timely warnings will be issued:

- The nature of the crime
- The continuing danger to the campus community
- The possible risk of compromising law enforcement efforts

The warning will include information that would promote safety and aid in the prevention of similar crimes. Middlebury will withhold as confidential the names and other identifying information of victims.

The warning will typically be issued to the entire campus community via email by the Department of Public Safety and posted on the Department of Public Safety's website. Timely warnings will remain posted on the Public Safety website at the discretion of the Department of Public Safety in collaboration with the Chief Risk Officer and Vice President for Communications and Chief Marketing Officer or designee.

Depending on the circumstances of the crime or threat, the Public Safety department may also post the notices in the residence hall(s) or academic building(s) and/or may issue the timely warning by text message.

The Dean of the Bread Loaf School of English or designee may issue the timely warning by text message when cell service is available. Middlebury or the BLSE dean or designee may also issue warnings to the campus community when other situations pose safety concerns (see this report's Emergency Response section, below), or otherwise as deemed appropriate.

In its annual letter to local law enforcement agencies, Middlebury requests that local law enforcement inform the institution on an immediate basis of crimes that may require timely warnings.

Daily Crime Log

The Bread Loaf campus in Ripton, VT does not have an on-site security office. Therefore, they do not maintain a crime log. Any crime reported at the Bread Loaf campus or at a non-campus building will be included in the Middlebury Department of Public Safety crime log and can be located at 125 South Main Street, Middlebury, Vermont, 05753.

Public Safety updates the crime log entry, an addition to an entry, or a change in the disposition of the complaint within 2 business days of receipt of the crime report and maintains a printed copy at the office, 125 South Main St., Middlebury, Vermont. This log identifies the nature of the crime, the general location of the crime, the date and time the crime occurred, the date the crime was reported to Public Safety, and the disposition of the complaint, if known. Middlebury is not required to update the disposition of a crime log entry if the disposition changes 60 days after the entry was made in the log.

Exceptions to the crime log entry procedure described above may be made if such disclosure is prohibited by law or would jeopardize the confidentiality of the victim. In addition, Middlebury may temporarily withhold information if there is clear and convincing evidence that the release of information would jeopardize an ongoing investigation, jeopardize the safety of an individual, cause a suspect to flee or evade detection, or result in the destruction of evidence.

Emergency Notification

This section describes the procedures that Bread Loaf campus will use to immediately notify the campus 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 the Bread Loaf campus, as well as the process that Bread Loaf 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. In all cases, Middlebury officials will, immediately, 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 a victim or otherwise mitigate the emergency.

Emergency Notification Procedures

In the event of a confirmed emergency or dangerous situation occurring on or approaching the Bread Loaf campus, the Bread Loaf Dean (or designee), Director, or designee will, in consultation with Public Safety and/or other senior Middlebury College officials, as appropriate under the circumstances and as time allows, confirm the emergency or dangerous situation, identify the area or appropriate segment or segments of the campus community potentially impacted by the emergency, determine the content of the notification and, without delay, use and/or authorize the use of the emergency notification system (ENS) to alert the affected area or campus population. "Confirmation" of the emergency or dangerous situation means that the official(s) identified above have verified that a legitimate emergency or dangerous situation exists. The process for confirming an emergency and determining the appropriate information for the emergency notification will include direct observation of conditions or incidents, inquiry into the incidents being handled by the police or other authorities in the area, web or news alerts, or reports directly from law enforcement, emergency management agencies, the state of Vermont, the National Weather Service, or other authorities.

Notification will be made using some or all of the following methods:

- MiddAlert (RAVE) and MiddAlert.net
- Middlebury College website
- Email to faculty, staff and students
- Phone Trees

If any of these systems fail or the College deems appropriate, in-person communication and/or posted signage may be used to communicate an emergency.

The notification will usually be sent to all Bread Loaf students, faculty, and staff (or to an appropriate segment of the community if the event is limited to a defined part of the Bread Loaf campus) using the MiddAlert system or email. The entire campus community will be notified when there is at least the potential that a very large segment of the community will be affected by a situation or event, or when there is a threat to the operation of the campus as a whole. There will be a continuing assessment of the situation to determine which segments of the campus community should be notified.

Middlebury will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the notification system unless issuing the notification will, in the professional judgment of the Vermont State Police, Ripton Fire Department, the Vermont Department of Health, or other emergency response authorities or federal or state agencies, compromise efforts to assist victims, or to contain, respond to, or otherwise mitigate the emergency.

The Bread Loaf Dean (or designee) and/or Director will work with the Department of Public Safety and/or other Middlebury officials, as appropriate, to determine how much information is appropriate to disseminate at different points in time. Typically, the notification will include the incident time, location, type, and recommended actions for safety. The notice will contain safety information for the particular segment of the population taking into account such factors as, for example, whether some people are residents and others are commuting or traveling to the campus.

In addition to the Associate Vice President of Safety or designee, individuals authorized to initiate the Emergency Notification System include members of the Crisis Management Team or designees.

Disseminating Emergency Information

The Emergency Notification System will be activated on a case-by-case basis. If a major emergency affects the campus, a warning message will be issued using any of the systems available for emergency notification.

- Messages sent to middlebury.edu emails will have the following sender information: MiddAlert emails can come from the following addresses: middlebury@getrave.com, middlebury@email.getrave.com, noreply@ravemobilesafety.com, or no-reply@ravewireless.com.
- Messages sent to cell phones will come from 802.388.0409. Please note, messages and phone calls may not be received if your phone is in Do Not Disturb mode. Many phones allow you to make exceptions for specific numbers. Please program your phone accordingly so that you can receive emergency notifications at all times.
- Text messages from RAVE will display short, hyphenated numbers (such as 672-83). The text will begin “MiddAlert.”
- Public Safety might also send notifications from publicsafety@middlebury.edu.
- Emergency notification may also be completed with the use of phone trees, runners, and posted messages.
- The Associate Vice President for Public Affairs, or designee, will function as the official public information officer (PIO) during forecasted emergencies, emergencies, or disasters. As the PIO, this individual is responsible for gathering information and communicating that information as appropriate to the public, the media, and other applicable stakeholders.

Adding or Changing Cell Phone Emergency Contact Information

To alert the college community of emergencies or potential emergencies, Public 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. They are also notified that the cell phone numbers must be in BannerWeb 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 "Student Profile," then select "Personal Information". There, click the pencil icon next to "Cell Phone."

Only enter numbers for the cell phone; do not use parentheses or dashes to separate numbers. The system will reconfigure the numbers into United States area codes and the phone number. If there is a college phone in your room or office, you should add this number in the Office or Landline number box.

Faculty/Staff, to add your cell phone number, log into Oracle, and then 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.

Middlebury College’s Emergency Web Alert System

The Emergency Web Alert System can rapidly disseminate emergency information to the college community and general public. Two distinct parts comprise the system.

1. During an emergency, authorized administrators can activate emergency notifications on the College's primary website: www.middlebury.edu. These notifications may display information or redirect people to MiddAlert.net
2. MiddAlert.net is a special website used to post the latest information about emergency situations at the College at times when web traffic may be high. MiddAlert.net is a public-facing, external site that is not dependent on the College’s Information Technology Systems infrastructure in any way. In the event of an emergency, updates will be posted here.

External Emergency Notifications

Subscribe to VT-Alert to receive emergency notifications from local and state responders on topics such as: severe weather advisories, evacuation information, shelter in place alerts, and roadway interruptions.

More information can be found here.

General Emergency and Evacuation Procedures

In case of an immediate emergency, call 911.

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.

Building specific evacuation plans are found in each room.

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.

General information about emergency response and evacuation procedures for Middlebury College is available by clicking “Emergency” on the bottom toolbar of Middlebury’s homepage or by typing “go/er” in the search box of the homepage.

General Evacuation Procedures

Everyone must evacuate a building when (a) a fire alarm is sounded, (b) the College’s Department of Public Safety orders an evacuation, or (c) the College’s emergency notification systems broadcast a mass alert to evacuate.

- Remain calm.
- Leave the lights on.
- DO NOT hesitate to try and save valuables.

- Before opening any door, use the back of your hand to see if it is hot. Also check to see if the doorknob is hot. If either is hot, leave the door closed and stuff towels or clothes in the cracks. Try another exit if one is available.
- If the door is not hot, open it slowly and be prepared to close it quickly if necessary.
- In a smoke-filled area, keep low to the floor to escape the smoke.
- If you encounter smoke in a hall or stairway, consider another exit.
- If all exits are blocked, return to your room, close the door, and call 911 for help.
- DO NOT use elevators. Elevators will automatically be recalled to the lobby floor or first floor with doors locked open for use at the discretion of the fire department.
- Once out of the building, move to the designated muster points and wait for further instructions.
- When it is safe, Public Safety, the fire department, or the police will notify you that it is safe to re-enter the building. No one can re-enter an evacuated building until it is determined to be safe by the emergency service personnel. If the building remains closed and/or unsafe to enter, emergency service personnel will give instructions on how and where to relocate.
- Community members who are familiar with the evacuation procedures should alert others in the building to follow the same procedures. Swift safe evacuation is your first concern. If others do not heed the warning do not hesitate. Note their location and relay location information to first responders.
- Community members may need to assist others in exiting the building if this can be done in a safe and timely manner. Notify the Department of Public Safety, the police, or the fire department of any occupants remaining inside who need assistance exiting because of limited mobility, injury, or incapacitation.

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 the door's 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.
- DO NOT use elevators. Elevators will automatically be recalled to the lobby floor or first floor with doors locked open for use at the discretion of the fire department.
- Report to your emergency evacuation point and check in with Bread Loaf facilities staff. Report anyone who might be missing.

- There are two emergency evacuation points on the Bread Loaf campus. The Inn and the Barn.
- Once you've safely evacuated, please call 911.
- Bread Loaf staff will direct you to another safe location in order to find shelter in inclement weather.
- Do not re-enter the building until Bread Loaf staff 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 someone on campus know that you have left/are leaving campus when it is safe to do so, ensuring 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 persons
    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 cell 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 and call the Middlebury College Department of Public Safety, 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 (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.

Testing Emergency Response and Evacuation Procedures

Middlebury will test the institution's emergency response and evacuation procedures while the BLSE summer program is in session, including tests that may be announced or unannounced. As per the Clery Act, on an annual basis, at least one test will feature a drill, an exercise, and follow through activities. Following the test, an email will be sent to the community sharing the College's emergency response and evacuation procedures, a description of the exercise, the date, time, and whether it was announced or unannounced.

Additionally, the College's emergency response teams participate in various drills and exercises throughout the year, as described in the following section regarding the Emergency Operations Plan.

Emergency Operations Plan

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 Emergency Operations Plan is reviewed annually by the College's emergency management coordinator, the associate vice president of safety, and others as appropriate.

Members of facilities services working at Bread Loaf, when appropriate, will respond to incidents, attempt to mitigate them, and assess if they pose an immediate threat to the health or safety of the Bread Loaf campus community or to any segment of the campus. Public Safety will assist Facilities Services in summoning additional resources as necessary, including the EMT, CMT, police, fire department, emergency medical services, and other members of facilities services.

In the event of a public health emergency that may pose a threat to the campus community, Middlebury College's Associate Vice President of Student Health & Wellbeing will facilitate response in collaboration with Center for Health and Wellness for students, Human Resources for faculty and staff, and state health officials.

Team Training

Members of both the CMT and EMT must complete the online course Introduction to the Incident Command System, ICS-100 for Higher Education https://training.fema.gov/is/courseoverview. 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. Tabletop exercises conducted, thus far, throughout 2025-2026 are described below.

On July 20, 2026, members of EMT participated in a tabletop related to a fire approaching the Bread Loaf campus that was also creating a health concern due to poor air quality. Also in attendance were Bread Loaf School of English officials, Bread Loaf Writer's Conference officials, and representatives from the Ripton Fire Department.

On May 29 2026, local law enforcement and the College's EMT held a simulation in a College building in which law enforcement practiced their response to an active threat on campus, including conducting a building sweep. This was followed by a meeting of the College's EMT and Middlebury Police Department to review the College's response plans and ensure they align with the police department's.

On November 19, 2025, the College's Emergency Management Team and select members of the Crisis Management Team met for a tabletop on a long term power outage. Middlebury Police Department was also in attendance.

During the summer of 2025, Bennington College hosted several Middlebury College summer language schools on their campus. On August 12, 2025, Middlebury College officials, including members of the College's Emergency Management Team, met with Bennington College officials to conduct a tabletop exercise involving a hypothetical scenario about significant student mental health needs resulting in community impact. Local law enforcement were also invited to participate.

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.

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 someone 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 policy information, please visit go/threatassessment/.

Training material is available at go/tam.

In case of an immediate emergency, call 911.

Campus Security and Access

This policy statement provides information about security of and access to campus facilities, including campus residences, and security considerations used in the maintenance of campus facilities, at the Bread Loaf campus.

Bread Loaf Identification (ID) Cards

The Bread Loaf office will issue Middlebury ID cards to new students, faculty and staff. This ID card does not contain a photo. The ID card is required to check out books at the Davis Family Library and to use facilities on the main Middlebury campus (the College libraries, the fitness center, and other athletic facilities). The Middlebury ID number may be required when accessing certain technology services such as printing and copying. Students should keep their ID cards for subsequent summers.

Building Security

Bread Loaf buildings are not open to the public. Guests are required to sign in and always be accompanied by their host. Though theft is rare at Bread Loaf, it has occurred, and Bread Loaf does not assume responsibility for stolen personal items. During the day, operational staff are frequently present in buildings. The night watch staff patrol the campus from 10 pm - 6 am. They also have a driving route for nearby Bread Loaf buildings and the Middlebury College Snow Bowl. Their enforcement is limited to Bread Loaf campus properties and the Snow Bowl. Any problems observed are reported to the Assistant Director of the Bread Loaf campus.

Academic
Academic facilities are open until 11 pm at which time they are secured through physical locks.

Residential
Exterior doors in residential facilities need to be closed and secured at all times. Students must check in at the front desk to receive the pin code to their room.

Maintenance

Facilities services staff and the Bread Loaf caretaker regularly check exterior lighting on pathways and in parking lots as well as the building security systems. Any lighting issues, door locking issues or other security maintenance issues are reported to the Front Desk or to the facilities services staff for repair. Any phone service issues are reported to facilities services and telephone services. Facilities services staff test building emergency systems, including the egress lighting in hallways and stairwells, on a regular basis.

Crime Statistics

The Department of Public Safety is the centralized Clery crime reporting authority for Middlebury College and the Bread Loaf Campus. All members of the Middlebury College community are encouraged to report criminal incidents to the Department of Public Safety, the Associate Vice President of Safety, Human Resources, the Civil Rights and Title IX Coordinator, when appropriate, and/or individuals responsible for conduct in the Clery Act crime statistics.

Crimes in progress should be reported to 911.

The Department of Public Safety collects Clery Act crime statistics from the College's public log, Middlebury College Campus Security Authorities (CSAs), Bread Loaf CSAs, Vermont State Police, and local law enforcement at non-campus locations. 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, in compliance with the *Jeanne Clery Campus Safety Act* and the *Violence Against Women Reauthorization Act of 2013*, publishes and distributes the crimes statistics in the Bread Loaf Annual Security Report.

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.

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 the institutional purposes of the Bread Loaf School of English.

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. (Example: Bread Loaf Oxford.)

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 Middlebury 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

OFFENSE	YEAR	ON CAMPUS	ON-CAMPUS STUDENT HOUSING FACILITIES	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
*Bread Loaf Campus in Ripton, Vermont and all Bread Loaf School of English Non-campus Property**					
MURDER/NON-NEGLIGENT MANSLAUGHTER	2023	0	0	0	0
	2024	0	0	0	0
	2025	0	0	0	0
MANSLAUGHTER BY NEGLIGENCE	2023	0	0	0	0
	2024	0	0	0	0
	2025	0	0	0	0
RAPE	2023	0	0	0	0
	2024	0	0	0	0
	2025	0	0	0	0
FONDLING	2023	0	0	0	0
	2024	0	0	0	0
	2025	0	0	1	0
INCEST	2023	0	0	0	0
	2024	0	0	0	0
	2025	0	0	0	0
STATUTORY RAPE	2023	0	0	0	0
	2024	0	0	0	0
	2025	0	0	0	0
ROBBERY	2023	0	0	0	0
	2024	0	0	0	0
	2025	0	0	0	0
AGGRAVATED ASSAULT	2023	0	0	0	0
	2024	0	0	0	0
	2025	1	0	0	0
BURGLARY	2023	0	0	0	0
	2024	0	0	0	0
	2025	0	0	0	0
MOTOR VEHICLE THEFT	2023	0	0	0	0
	2024	0	0	0	0
	2025	0	0	0	0
ARSON	2023	0	0	0	0
	2024	0	0	0	0
	2025	0	0	0	0
HAZING	2023	0	0	0	0
	2024	0	0	0	0
	2025	0	0	0	0

*Non-campus property includes the Bread Loaf School of English site in Oxford, England.

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.

Hate Crimes - Bread Loaf campus

2023: There were no hate crimes reported in 2023.
2024: There were no hate crimes reported in 2024.
2025: There were no hate crimes reported in 2025.

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, Dean of Bread Loaf School of English, Human Resources, Dean of faculty, a Human Relations Officer, or a campus security authority.

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 cohabitated with the victim as a spouse or intimate partner; by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the 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 domestic violence. Therefore, reports of dating violence will be included in the domestic violence statistics. 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	ON CAMPUS	ON-CAMPUS STUDENT HOUSING FACILITIES	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
*Bread Loaf Campus in Ripton, Vermont and all Bread Loaf School of English Non-campus Property**					
DOMESTIC VIOLENCE	2023	0	0	0	0
	2024	0	0	0	0
	2025	0	0	0	0
DATING VIOLENCE	2023	0	0	0	0
	2024	0	0	0	0
	2025	0	0	0	0
STALKING	2023	0	0	0	0
	2024	0	0	0	0
	2025	0	0	0	0

*Non-campus property includes the Bread Loaf School of English site in Oxford, England.

Unfounded Crimes - Bread Loaf campus

2023: No unfounded crimes.
2024: No unfounded crimes.
2025: No unfounded crimes.

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, Benzedrine); bath salts and their derivatives; and illegally obtained prescription drugs.

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. Driving under the influence (DUI) 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	ON CAMPUS	ON-CAMPUS STUDENT HOUSING FACILITIES	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
*Bread Loaf Campus in Ripton, Vermont and all Bread Loaf School of English Non-campus Property**					
ARREST: WEAPONS: CARRYING, POSSESSING, ETC.	2023	0	0	0	0
	2024	0	0	0	0
	2025	0	0	0	0
DISCIPLINARY REFERRALS: WEAPONS: CARRYING, POSSESSING, ETC.	2023	0	0	0	0
	2024	0	0	0	0
	2025	0	0	0	0
ARREST: DRUG ABUSE VIOLATIONS	2023	0	0	0	0
	2024	0	0	0	0
	2025	0	0	0	0
DISCIPLINARY REFERRALS: DRUG ABUSE VIOLATIONS	2023	0	0	0	0
	2024	0	0	0	0
	2025	0	0	0	0
ARRESTS: LIQUOR LAW VIOLATIONS	2023	0	0	0	0
	2024	0	0	0	0
	2025	0	0	0	0
DISCIPLINARY REFERRALS: LIQUOR LAW VIOLATIONS	2023	0	0	0	0
	2024	0	0	0	0
	2025	0	0	0	0

Crime Prevention

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 suggestions are also shared when meeting with students, families, faculty, and staff when appropriate and relevant to the discussion.

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

Our campus is located in Ripton, Vermont, which has relatively low incidents of crime. However, nowhere is immune from crime.

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 Front Desk, program administration or the police.
- Remember that unreported crimes cannot be solved. This allows the perpetrators to commit additional, and possibly more serious, crimes.

Walking or Running Safety

- Don't display expensive jewelry or carry large amounts of cash.
- 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.
- 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.
- Immediately report defective locks on your windows and doors to the Front Desk or to the Bread Loaf maintenance office.
- If you carry keys, do not put your name and/or address on key rings.
- Do not share your key code with others. Contact a Middlebury official immediately if you have concerns that others may have your code.
- Don't keep your residence and your vehicle key on the same ring.
- Do not attach vehicle or other keys to your ID card.
- If you lose your keys, report it to the front desk right away and request a lock change.
- Do not linger in poorly lit, secluded areas.
- 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 the police (911). 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 the police as soon as possible.
- If you see a suspicious person or vehicle, either on campus or in your neighborhood, IMMEDIATELY contact the police. 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 the Front Desk.
- Do not yell or attempt to detain voyeurs or anyone you observe looking into a private space, who may panic and react unpredictably. 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 911.
- 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. This will be useful to the Public Safety officer or the police, if there is a police report.

- Do not share your key code with others. Contact a Middlebury official immediately if you have concerns that others may have your code.

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 Public 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 the Front Desk, Public Safety or the police.
- 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 are 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. Do not leave valuables in your car.
- Never lend out the key to your room or residence.
- If you live in a dormitory, take your room key to the shower with you. Do not leave it in your robe or clothing, where someone going through your pockets could find it.
- Check with your insurance agent to determine if your property is covered under your 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.

If you receive a suspicious email on your Middlebury account, please forward it to phishing@middlebury.edu for further analysis.

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 out of the country.
- Advance-fee loans
- Internet-access services
- Health and diet scams
- Cable-descrambler kits

- Free goods-such as computers, electronics, etc.

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 Securities and Exchange Commission (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 Federal Bureau of Investigation (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, branch, or handrail or in walkways. On campus, bikes locked in this manner will be removed by Middlebury officials and are subject to fines.
- 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 Middlebury College does 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.

Security Awareness Programs

Middlebury College provides various security awareness programs throughout the year designed to encourage students and employees to be responsible for their own security and the security of others. During 2026 summer programming, the Emergency Management Coordinator met with interested participants to discuss sheltering in place, what it means and when it may be appropriate.

All Middlebury students, faculty, and staff employees receive annual Emergency Preparedness Training. This online 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." 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 or go/er.

Additionally, the College provides training on threat assessment at Middlebury College including what to look for, when to report, and how to report. This training is assigned to all students on an annual basis. It can also be found on the threat assessment website found at https://www.middlebury.edu/public-safety/ safety-and-security/threat-assessment-and-management-team-tam or go/tam.

The College also distributes materials throughout the campus on what to do in the event of various emergencies, including active shooter, severe weather, and power outages. Posters with this information can be found in residence halls, academic buildings, and athletics, the library, and the student center. These posters also feature a QR code which links to the College's emergency response webpage and provide language directing members of the community to call 911 in the event of an emergency.

In collaboration with Bread Loaf officials, Public Safety, Emergency Management, and Environmental Health & Safety and Compliance may also send educational campus-wide emails throughout the term as safety concerns occur.

Additional training is also made available upon request.

Notification Regarding Missing Students

If a Bread Loaf student is missing from the Bread Loaf campus in Ripton, Vermont (whether the student is housed in College residential buildings or living off campus), this should be immediately reported to the Department of Public Safety at 802.443.5911, or reported to the Vermont State Police, or other law enforcement agency that has jurisdiction over the area, as applicable. The Department of Public Safety will work with the staff at Bread Loaf to try and locate the student and where the student was last seen. The College will notify the police department of any missing student no later than 24 hours from the time the student is determined to be missing (unless the local police department was the agency that made the determination that the student was missing). In some circumstances—for example, a reported

kidnapping or a missing child—the College will notify the police immediately. If a student younger than 18 and not emancipated is missing, Middlebury 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 Middlebury may designate a confidential contact person in the event they go missing. This information can be updated at any time. Students can designate a contact during onboarding and then review and update annually should they return to the program. This person can be anyone and does not need to be the same as the student's emergency contact(s). Bread Loaf has a form on BannerWeb that allows students to register this contact. BannerWeb maintains the contact person's information in a confidential area, separate from the student's emergency contact information. 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 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.

In these situations, Public Safety will notify the appropriate law enforcement agency. Bread Loaf officials, typically in collaboration with Students Affairs, will ensure that the missing person contact and, when appropriate, custodial parent(s) or guardian(s) are notified. Notifications to the larger community, if determined to be appropriate, will typically be handled by Public Safety in collaboration with law enforcement, Bread Load officials, Student Affairs, and the Communications team.

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 Bread Loaf 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 Bread Loaf 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 outside Vermont) 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 an abusive relationship, 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 outside Vermont) 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, your class dean or other staff member, 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, your Dean, Director, On-site Director, or the Atria Collective Hotline (800.388.4205). Atria Collective offers trained volunteers who can meet with you in person to provide immediate confidential support and information at any time. Atria Collective provides care and support for individuals of all gender identities and sexual orientations.

- **If safety is an immediate concern call 911 or contact the Department of Public 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 (CRT9/HRO), BLSE dean or associate director or Public Safety.

- Public Safety is available 24 hours a day and will dispatch emergency response, assist with safety planning and accommodations including issuing an emergency campus no contact order, connecting you with the police or medical or counseling professionals, (e.g., Porter Medical Center, Center for Health and Wellness, the Vermont State Police or Atria Collective (formerly WomenSafe)) recording an initial report, and facilitating 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 counseling, medical, or other 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. 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 for both men and women are services available at the Center for Health and Wellness, on the Middlebury College campus (802.443.5135) and Porter Medical Center, which is located at 115 Porter Drive, Middlebury, VT (802.388.4701).

Medical, Support, and Preserving Evidence

Porter Medical Center
802.388.4701

If the Center for Health and Wellness is closed, or if you prefer to seek treatment off campus, you may receive care at Porter Hospital's Emergency Room.

Porter Hospital staff offers medical treatment and can collect physical evidence. There may be a Sexual Assault Nurse Examiner available, but this is not guaranteed. You may want to call in advance to request that a SANE be made available, if possible, before you come in.

In the case of an emergency after-hours, call the Public Safety Emergency Line (802.443.5911), call the Counseling Service of Addison County (802.388.7641), or go to the Porter Hospital Emergency Room, which is located at 115 Porter Drive, Middlebury, VT. Public Safety can connect you to counseling resources and you don't need to disclose the nature of your emergency in order to get assistance-you just need to provide a phone number at which you can be reached.

Counseling Services *(Confidential – Students only)*
802.443.5141

Short-term and crisis counseling is available through the Center for Health and Wellness for students who have been sexually assaulted, have had an upsetting sexual encounter, or have been affected by domestic violence, dating violence, or stalking. These services are confidential, except that mental health professionals are required to report to law enforcement authorities the sexual assault of a person under the age of 18, or where there is risk of immediate danger to self, others, or property. Consequently, in some circumstances, providers may not be able-legally or ethically-to maintain confidentiality.

Faculty or staff who are supporting a student and are in need of advice from a counselor may also use this resource.

When the Center for Health and Wellness is closed: students may access confidential counseling through Timely Care.

Religious Counseling (Confidential)

College Chaplain
Middlebury College
Middlebury, VT 05753
802.443.5626

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

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.

Counseling Service of Addison County (CSAC)

802.388.6751; after hours or in emergencies, call 802.388.7641

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

Independent Counselors

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

Atria Collective (formerly WomenSafe) 24-Hour Hotline

888.285.5665

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

Pride Center of Vermont/SafeSpace Vermont

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.
- **Counseling Support**
  You can also contact a counselor at the Center for Health and Wellness or the Counseling Service of Addison County. Counselors are confidential resources who can help you sort through your immediate needs, provide emotional support, and help you to connect with other emergency resources. All members of the Center for Health and Wellness counseling staff have training and experience with individuals in crisis.
- In the case of an emergency after-hours, call 911, call the Public Safety Emergency Line (802.443.5911), call the Counseling Service of Addison County (802.388.7641), or go to the Porter Hospital Emergency Room, which is located at 115 Porter Drive, Middlebury, VT. Public Safety can connect you to counseling resources and you don't need to disclose the nature of your emergency in order to get assistance-you just need to provide a phone number at which you can be reached.
- Also, after-hours counseling support is available through go/timelycare. Timely Care includes scheduled and 24/7 on-demand medical and mental health resources at no additional cost to Middlebury students.
- To make an appointment with a counselor at the Center for Health and Wellness during regular business hours, call 802.443.5141 or email counseling@middlebury.edu.
- For additional information please see Emotional and Mental Health Support.
- **If 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.

- The medical staffs at Center for Health and Wellness on the Middlebury campus (students) and Porter Medical Center adjacent to the Middlebury campus (all individuals) can provide care for any physical injuries you may have sustained, can test for sexually transmitted infections and/or pregnancy, and can provide an examination by a Sexual Assault Nurse Examiner (SANE). A SANE is a nurse who is specially trained to collect forensic evidence. This evidence may be helpful to you now or in the future if you choose to file a complaint. If you wish to have a SANE exam and the incident occurred within the last 24 hours, try if possible, to preserve any evidence before your medical exam by not washing or changing clothes, brushing teeth or hair, eating, or taking other actions that might compromise evidence. Even if more time has passed, it may still be possible to collect evidence, and it is certainly possible to receive medical care and testing. Collecting evidence in no way obligates you to file a

complaint with Middlebury or make a report to the police that could lead to criminal prosecution, but preserves this information in the event that you decide to do either of those things, or seek a protection order, at a later date.

You may contact the Center for Health and Wellness at 802.443.5135 to request a SANE assessment. If for some reason a Health Services SANE is unavailable, students will be directed to Porter Hospital, which has added additional nurses also trained and certified as SANEs.

For more information about forensic evidence collection kits and forensic exams you can call the National Sexual Assault Hotline at 800.656.HOPE (4673) or contact Atria Collective at 800.388.4205.

In addition to trying to preserve any physical evidence, if possible try to preserve all evidence related to an incident including any electronic information, text messages, social media posts, phone records, emails, clothing, or other documentation or materials. Even if you don't wish to pursue a complaint with Middlebury or the police or seek an order of protection at this time, it's a good idea to preserve the evidence in a safe place in case you change your mind at a later date. You may also want to consider writing down all of the details you remember about your experience(s), as well as the names of individuals you believe may possess relevant information and/or evidence.

For additional information about available resources please see **Sexual Violence Resources & Information with the Civil Rights and Title IX Office** page.

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 time frame, you can call the National Sexual Assault Hotline at 800.656.HOPE (4673) or contact Atria Collective (formerly WomenSafe) 800.388.4205. Source: What Is a Sexual Assault Forensic Exam?

Students who need to meet with a SANE while the Center for Health Services is open, should call **802.443.5135**, and the staff will arrange for a SANE as soon as possible. If a student needs to meet with a SANE after hours, it is recommended that you call the Porter emergency room in advance and ask for them to arrange to have a SANE available (**802.388.4736**). Middlebury's Public Safety staff can transport you to Porter and will not require you to disclose the reason you are seeking care.

SANE services are available to Middlebury ***employees*** at Porter Hospital. Employees should contact Porter in advance to ask for them to arrange to have a SANE available (**802.388.4736**).

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 medical and counseling services, county advocacy services, community healthcare providers and/or chaplains. As a matter of policy, the College's confidential resources are encouraged to explain to victims that they could inform Public Safety of the crime solely for statistical purposes, keeping the victim's name anonymous. If the victim agrees, the confidential resource could advise or assist the victim in completing a Campus Security Authority form or contacting the Department of Public Safety to make a report.

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, health education, 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 within the established scope of their roles. These professionals may have to breach a confidence, however, when they perceive a serious risk of danger or threat to any person or property or when directed to by college policy or the law. These exceptions to confidentiality are governed by the law of the state in which the confidential resource is located and/or licensed or certified.

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 supportive measures; 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, formal 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, Civil Rights and Title IX, Public Safety, and ombudspersons, who are not medical or counseling professionals or clergy and are therefore not confidential. 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 or employee are required to report that information to a Human Relations Officer (HRO) or the Civil Rights and Title IX Coordinator, and they are "responsible employees," per Title IX policies, 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.

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 record keeping, including Clery Act reporting and disclosures, without the inclusion of personally identifying information about individuals, and will maintain as private any accommodations or supportive measures provided to individuals, to the extent that maintaining such privacy would not impair the ability of the institution to provide the accommodations or supportive 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 record keeping 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, designated Clery geography, 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). Involved parties may include students, faculty, and staff as determined by local police, state's attorneys, and others.

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 CRT9 or HRO. Reports also may be made to Middlebury's Department of Public 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). Contact information is listed below.

Middlebury's Department of Public Safety, or other appropriate personnel for the Middlebury program at issue will coordinate its response to the report with other officials, as appropriate, including a CRT9, HRO, 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 a CRT9, HRO or program director/dean. Contact may be made via email, phone, teleconference or in person. See contact information on the next page.

A. 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:

- Bread Loaf, Ripton, VT: for Bread Loaf, Contact Vermont State Police: 802.388.4919
- Middlebury Police Department: 802.388.3191
- Addison County Sheriff's Department: 802.388.2981
- Bristol Police Department: 802.453.2533
- Vergennes Police Department: 802.877.2201

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.

For more information and to talk through your options, please call Atria Collective's 24-hour hotline: 888.285.5665.

If you wish to consider what is involved in making a police report you may also 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 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, Public Safety Staff, or other supervisory authority for the program at issue (or their designees) may also at any time take appropriate steps, including by way of example only, issuance of No Contact Orders, temporary changes in assignment of duties or housing, changes in class schedules or class requirements, or other accommodations, as appropriate, to protect complaining parties on an interim basis.

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, Public Safety or program director (see contact information below).

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, Public Safety staff member or program director. See contact information below.

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 Middlebury Officials or Law Enforcement

PUBLIC SAFETY AND LOCAL LAW ENFORCEMENT

Resources

Middlebury College, Middlebury, VT
Emergencies: Dial 911

Department of Public Safety
Middlebury College
125 Main Street
Middlebury, VT 05753
802.443.5133 (Business Line)
802.443.5911 (Emergency Line)
publicsafety@middlebury.edu

Bread Loaf Campus, Ripton, VT
Emergencies: Dial 911

Vermont State Police
2490 Ethan Allen Hwy
New Haven, VT 05472
802.388.4919

Addison County State's Attorney's Office
802.388.7931

The State's Attorney's Office can provide you with more information regarding your rights during a criminal judicial process and regarding the Victim's Advocacy Program and the Victim's Compensation Fund.

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

Alternate Human Relations Officer
Ashley Arrocha, Associate Dean of Student Services
MIIS Campus McCone Building
Monterey, CA
831.647.4654
aarrocha@middlebury.edu

Bread Loaf School of English
Emily Bartels, Dean
4229 Route 125
Ripton, VT 05766
802.443.5418
ebartels@middlebury.edu

Lyndon Dominique, Director
4229 Route 125
Ripton, VT 05766
802.443.5418
ldominique@middlebury.edu

Emily Chan, Executive Vice President and Provost

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 required to be addressed through Middlebury's Title IX Investigations & 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, which generally defines sexual assault as an offense classified as a forcible or nonforcible sex offense in the NIBRS program, and which includes the following sexual acts directed against another person without the consent of the impacted person, including instances where the impacted person is incapable of giving consent, and unlawful sexual intercourse (i.e., incest and statutory rape), as defined below::

1. attempted rape, or rape (defined below), 2. prohibited sexual contact (known as "criminal sexual contact" in NIBRS) (defined below), 3. incest (defined below), or 4. statutory rape (defined below).

10. Rape (except Statutory Rape) means:

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, or by a sex-related object. This definition also includes instances in which the impacted person is incapable of giving consent because of temporary or permanent mental or physical incapacity (including due to the influence of drugs or alcohol) or because of age. Physical resistance is not required on the part of the impacted person to demonstrate lack of consent.

11. Prohibited Sexual Contact: The intentional touching of the clothed or unclothed body parts without consent of the impacted person for the purpose of sexual degradation, sexual gratification, or sexual humiliation, or the forced touching by the impacted person of the actor's clothed or unclothed body parts, without consent of the impacted person for the purpose of sexual degradation, sexual gratification, or sexual humiliation. This offense includes instances where the impacted person is incapable of giving consent because of age or incapacity due to temporary or permanent mental or physical impairment or intoxication.

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%.

Please also see Appendix B: Applicable Definitions: U.S. State and Federal Law where Middlebury Operates Programs.

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[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[19] 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.

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[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.

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[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 Complaint/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).

<u>B. CONDUCT OF THE INVESTIGATION</u>

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

Drug Free Schools and Communities Act

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.

Information about Middlebury's Drug And Alcohol Abuse Prevention Program (DAAPP) can be found here.

Middlebury College Drug-Free Schools and Communities Act 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 alcohol and other drug programs 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 Policy

Middlebury College Weapons Policy

The use and possession of weapons, including ammunition ("ammo"), is 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 weapons 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 weapons 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 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.

Storage

The Department of Public Safety provides weapon storage for the exceptions noted above.

1. In order to store a weapon, contact the Department of Public Safety 802.443.5133 to arrange an appointment date and time.

2. Storage is limited to one weapon per student (owner).

3. Owner must provide a soft case for the storage of their weapon. If the weapon is a firearm, a chamber locking device must be provided and attached by the owner.

4. A Middlebury College weapon permit may be issued for one academic year or the length of the student's program.

5. Owner must make an appointment to remove or return the weapon to storage during the academic term.

6. Owner must claim and remove their weapon from campus at the close of the academic term or at the time they move out of campus student housing.

7. Any request to store more than one weapon must be submitted in writing to the Associate Vice President of Safety at least 15 business days prior to the start of the academic program.

8. Any violation of this policy will result in the loss of the privilege to store a weapon on campus and may result in disciplinary action.

Fire Safety Report

All life threatening emergencies should be called into 911. Additionally, all fires and/or suspected fires need to be reported to Public Safety for the purposes of including a fire in the statistics of the annual fire safety report.

Fire Safety

The Ripton Volunteer Fire Department will respond to any report of fire at or near the Bread Loaf campus. Many of the Bread Loaf campus buildings are equipped with fire alarm systems that send a signal to the Public Safety Department on the main campus. For a complete list of fire safety systems, see the chart in this section of the document.

Fire Safety Education and Training Programs

The Director of Environmental Health, Safety, & Compliance and/or the Assistant Director of Campus Operations at Bread Loaf conduct trainings for faculty and staff during new employee orientation. All new employees are trained on fire safety and evacuation procedures. Annual training on fire safety, fire extinguisher and evacuation procedure is required for Facilities Services staff and Dining staff. Students will receive fire safety education during orientation.

Every guest room at Bread Loaf is equipped with emergency evacuation information including primary and secondary exit routes. These posters are located on the back of every guest room door.

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

1. In order to store a weapon, contact the Department of Public Safety 802-443-5133 to arrange an appointment date and time.

2. Storage is limited to one weapon per student (owner)

3. Owner must provide a soft case for the storage of their weapon.

   If the weapon is a firearm, a chamber locking device must be provided and attached by the owner.

4. A Middlebury College weapon permit may be issued for one academic year or the length of the student's program.

5. Owner must make an appointment to remove or return the weapon to storage during the academic term.

6. Owner must claim and remove their weapon from campus at the close of the academic term or at the time they move out of campus student housing.

7. Any request to store more than one weapon must be submitted in writing to the Associate Vice President of Safety at least 15 business days prior to the start of the academic program.

8. Any violation of this policy will result in the loss of the privilege to store a weapon on campus and may result in disciplinary action.

Fire Safety Systems

The buildings on the Bread Loaf campus are equipped with modern life-safety systems to ensure your safety and security. There are a variety of life-safety systems you should be aware of. Each residential building is equipped with two types of alarms: smoke and carbon monoxide.

Automated alarm systems are located in the Inn, the Annex, the Barn, Bridgeman, Birch, Cherry, Larch, Maple, Treman, Tamarack, Frothingham, Gilmore and Dragon's Den.

All other Bread Loaf residential buildings are equipped with standard smoke and carbon-monoxide detectors. When in alarm, the siren will sound and a voice command will tell you to evacuate and will tell you "fire" or "carbon monoxide." For carbon-monoxide alarms, you must immediately evacuate. For fire alarms, please assess the situation. Do you see smoke or fire? If there's fire, evacuate immediately and call 911. Afterwards, please report to the Bread Loaf emergency line (x2911 or 802.443.2911). Don't re-enter the building until instructed to do so. If there's no smoke and no fire, but the alarm is sounding, please call the Bread Loaf emergency line (x 2911 or 802.443.2911).

The larger buildings are equipped with sprinkler systems which will activate if there's a fire. Please don't use sprinkler heads and pipes to hang items from. This can cause the sprinkler system to release water, which in turn can cause property damage.

Facilities Services regularly tests all of the sprinkler systems in the large buildings, as well as testing and annually cleaning all the fire-alarm systems. A College technician will be notified of any reported alarm or system trouble and test or repair systems on the Bread Loaf campus. Annually, these technicians test smoke detectors, exit sign lights, emergency lights, and fire extinguishers and change as necessary.

Central System: These systems sound at the building when activated and send a signal or alarm to the Public Safety alarm receiver at 125 South Main Street, Middlebury.

Unsupervised: Smoke or CO detectors are not connected to a fire panel. These devices are located in some small houses or residential rooms and provide an audible signal for the occupant.

Middlebury continues to assess and upgrade all fire safety equipment on an ongoing basis. If Middlebury determines that improvements in fire safety should be made, it will implement such changes and, to the extent applicable, will reflect such changes in future annual fire safety reports.

Building Name	911 Address		Remote Annunciator Location	Fire Alarm Panel Location	Dialer Location	Fire Alarm Panel Type								House System Device Type (Common Space)			Student Room / Office Smoke Detection Type				Carbon Monoxide Detection				Sprinkler System Coverage		No. of Fire Drills in 2025
						FCI 72 (Conventional)	FCI 7200 (Addressable)	Mircom FA 300 (Conventional)	Mircom Flexnet (Addresable)	Mircom FX2000 (Addressable)	Silent Knight (adrdressable)	Fire Suppression Panel	Advance (Addressable)	Conventional Zone	Addressable	120v Standalone Unsupervised	Battery Only Unsupervised	120v Unsupervised	120v Supervised	Central Building System	Wall Plug In Unsupervised	120v Smoke & C.O. Unsupervised	Wall ,Ceiling Mounted Supervised	Location of Blue Light on Building	Partial	Full	
Bread Loaf - Annex	4265	Route 125	Front door RT.125 side	Basement in closet	Internal					X				X						X		X	X	Front door RT. 125 side		X	1
Bread Loaf - Barn	106	College Cross Rd.	South entry by class room	Shop office	Internal					X				X	X					X		X	X	South entry by class room		X	
Bread Loaf - Birch	4311	Route 125	1st floor entry from RT. 125	Basement	Internal					X				X						X		X	X	Front side on building		X	1
Bread Loaf - Brady Brook	3988	Route 125																X				X					
Bread Loaf - Bridgeman	4274	Route 125	1st floor enty from RT. 125	Back mechanical space	Internal					X				X	X					X		X	X	Front side of building		X	
Bread Loaf - Burdick	446	Deacon Hill																X				X					
Bread Loaf - Cherry	4289	Route 125	1st floor entry from RT. 125	1st floor hall closet	Internal			X						X						X			X	Front porch Rt. 125 side		X	1
Bread Loaf - Cornwall	4260	Route 125																X									
Bread Loaf - Dragon's Den	3600	Route 125	Back door	Basement	Internal					X				X						X			X	Entry on driveway side			
Bread Loaf - Earthworm	3915	Route 125																X				X					
Bread Loaf - Fritz	4166	Route 125																X				X					
Bread Loaf - Frothingham	4344	Route 125	1st floor entry from RT. 125	Basement	Internal					X				X						X			X	Road side near back door		X	

Building Name	911 Address		Remote Annunciator Location	Fire Alarm Panel Location	Dialer Location	Fire Alarm Panel Type								House System Device Type (Common Space)			Student Room / Office Smoke Detection Type				Carbon Monoxide Detection				Sprinkler System Coverage		No. of Fire Drills in 2025
						FCI 72 (Conventional)	FCI 7200 (Addressable)	Mircom FA 300 (Conventional)	Mircom Flexnet (Addressable)	Mircom FX2000 (Addressable)	Silent Knight (adrdressable)	Fire Suppression Panel	Advance (Addressable)	Conventional Zone	Addressable	120v Standalone Unsupervised	Battery Only Unsupervised	120v Unsupervised	120v Supervised	Central Building System	Wall Plug In Unsupervised	120v Smoke & C.O. Unsupervised	Wall ,Ceiling Mounted Supervised	Location of Blue Light on Building	Partial	Full	
Bread Loaf - Gilmoure	689	Steam Mill Rd.	None	None	Basement (for sprinkler system only)													X				X				X	
Bread Loaf - Homer Noble	573	Frost Farm Rd.																X				X					
Bread Loaf - Inn	4265	College Cross Rd.	1st floor entry from RT. 125	Basement	Basement Electrical room					X					X				X				X	On road side of Route 125		X	
Bread Loaf - Larch	45	College Cross Rd.	East entry	Basement	Internal					X				X					X				X	College crossroad side		X	
Bread Loaf - Maple	4343	Route 125	Front door RT. 125 side	Basement in closet	Internal					X				X					X				X	Front door RT. 125 side		X	1
Bread Loaf - Maris	4180	Route 125																X				X					
Bread Loaf - School House	13	Brooks Road																X		X							
Bread Loaf - Tamarack	4453	Route 125	Main entrance east side	Basement in closet	Internal			X						X					X				X	East entry by parking area		X	
Bread Loaf - Treman	4290	Route 125	Front door RT. 125 side	Attic	Internal			X						X					X				X	Front door RT.125 side			

Fire Evacuation Drills

The Assistant Director of Operations for Bread Loaf Campus will conduct fire drills for students staying at the Bread Loaf campus during the summer.

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 Bread Loaf campus.

- Familiarize yourself with your building's evacuation procedures. Locate the nearest exit and fire extinguisher.
- In the event of a fire, the sirens will sound and the red light on the outside of your house will be flashing. Evacuate immediately and do not re-enter the building until instructed to do so.
- In the event of a carbon-monoxide alarm, the sirens will sound and the blue light on the outside of your house will be flashing. Evacuate immediately and do not re-enter the building until instructed to do so.

Bread Loaf has two evacuation sites. The Bread Loaf Inn for all buildings evacuation except if the emergency is at the Inn. The Bread Loaf Barn is the evacuation site for the Inn.

Fire Safety Regulations

Any violation of fire safety regulations will be subject to Middlebury's student conduct process, which may result in sanctions and/or fines. Students found responsible will have to pay the additional cost(s) of repair or replacement of damaged equipment or property, including associated labor costs. All Middlebury College property is subject to applicable state and federal regulations, including but not limited to fire, life safety, plumbing, and electrical. If conflicts between Residential policy and municipal, state, and federal regulations are discovered, the more stringent shall apply.

- Room entries, exits, and hallways must be kept clear and free of potential obstructions. Hallways must never be used to store items or for any activity other than their intended purpose.
- 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 folding tables are prohibited in residential spaces, including but not limited to residential rooms, suites, lounges, and exterior spaces. 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. Confiscated items will not be returned.
- The construction or addition of structures, including but not limited to bars/counters, stages, or platforms, are never allowed in rooms, suites, lounges, or exterior areas of residential buildings. These items will be considered in violation of fire safety regulations and will be confiscated and/or disposed of by Middlebury officials, and fines may be assessed.

- Only two non-adjacent walls of any room or space may be covered, and coverage may not exceed 50% of any wall surface. No part of any wall or ceiling may be covered in any way within a distance of 18 inches from the ceiling or nearest fire safety apparatus. Ceilings and fire safety apparatus may not be covered with tapestries or other materials in any way. Other wall hangings, coverings (wallpaper, occupant applied décor, etc), and posters may be prohibited if a fire or egress hazard is created and must be fire-rated when applicable.
- Nothing may be built or placed over or around a room radiator that will interfere with the free flow of air 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 creating 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, light tape, may not be attached with nails, staples, or directly adhered to walls. 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. Any items stored on lawns, porches, balconies, patios, or around the perimeter of buildings may be removed by College Officials.
- 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.
- Possession and or use of grills, electric grills, camp stoves, and portable or erected fire pits are prohibited on or in campus property. Students may utilize fireplaces and the permanently installed grills located by the Townhouses only with prior approval from Event Management, Middlebury Fire Department, and the Office of Environmental Health, Safety, and Compliance.
- Lighting a fire without an approved College burn 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 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 or using fire- or life-safety equipment for anything other than its intended purpose is prohibited and subject to fines. These charges will be borne collectively by the residence hall, room, or suite 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, sprinklers, and building security systems including but not limited to card access, cameras, and room keys or touch code pads. Examples of prohibited activities include but are not limited to hanging or adhering anything (clothing, decorations, lights, etc.) to or from fire and life safety equipment; propping doors open, accessing fire escapes for any purpose other than emergency egress from the building; exiting a building from any opening not specifically intended for egress; covering life safety equipment (smoke detectors, sprinklers, etc) in any manner; discharging fire extinguisher contents for non-fire suppression reasons; activating fire alarms or sprinkler systems without indicators of a fire or threat to safety.
- Students must immediately exit a building when an emergency alarm, such as fire, smoke, or Carbon Monoxide alarms sound; fines or other Community Standard sanctions may be assessed for failure to do so. Students are expected to contact the Public Safety emergency phone number to report an active alarm immediately once they have reached a safe location after exiting the building.
- Only approved electric appliances may be used in residential buildings. All approved appliances in use must be plugged directly into an outlet, not a powerstrip, extension cord, or outlet splitter of any kind. All approved appliances (minus refrigerators) must be attended while in use.
    - Small electric appliances allowed to be used while attended and/or stored **in student rooms** include:
        - Mini refrigerators (no larger than 3.8 cubic feet)
        - Small microwaves (no larger than 900 watts)
        - Electric kettles with automatic shutoffs and no exposed heating element
        - Small coffee makers with automatic shutoffs and no exposed heating element
        - Clothing Irons with automatic shutoffs
        - Personal grooming tools with automatic shutoffs
        - Small blenders
    - Small electric appliances allowed to be used **in kitchens only** while attended include:
        - Small microwaves (no larger than 900 watts)
        - Electric kettles with automatic shutoffs and no exposed heating element
        - Small coffee makers with automatic shutoffs and no exposed heating element

- Rice cookers with automatic shutoffs and no exposed heating element*
- Slow cookers/crock pots*

  *While these appliances can only be used in kitchens, they can be stored unplugged in student rooms while not in use.

- 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.
- 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.
- 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, additions, installations that could potentially alter room egress, installation or modification of electrical wiring, life safety equipment, or plumbing, or altering means of egress is prohibited.
- The use, storage and charging of Micromobility (e-bikes, e-scooters, e-skateboards, Hoverboards, One Wheelers, and the like) devices deriving their power from electric or internal combustion shall adhere to applicable Middlebury College policy. Similar battery-powered personal transporters are strictly prohibited from campus residential buildings due to the high risk of battery explosion, thermal runaway and/or fire. Failure to comply will result in confiscation, fines and possible financial liability for related damages or injury.

Fire Safety inspections will be organized and conducted on an ongoing basis as deemed appropriate. Students will be reminded that inspections will occur at the beginning of each semester and will be advised of the conditions following the inspections. Any material in violation of the fire safety regulations will be confiscated at the time of the inspection, and the student fined.

Fire Log

Anytime that there is an incident of fire in a student residential space on the Bread Loaf, Ripton, Vermont campus, the information is recorded in the fire log. The logs are organized chronologically by year. Within each log, the incidents are organized chronologically by date, and the most recent occurrence is located at the bottom of the list. The Fire Log is open to the public during scheduled business hours at 125 South Main Street.

Fire Safety Statistics

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

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
Bread Loaf, Ripton, Vermont Campus 2023							
Annex	4265 Rte. 125	0	0	0	0	0	0
Barn East	106 College Cross Rd.	0	0	0	0	0	0
Birch	4311 Rte 125	0	0	0	0	0	0
Brandy Brook	3988 Rte. 125	0	0	0	0	0	0
Bridgman	4274 Rte. 125	0	0	0	0	0	0
Burdick	446 Deacon Hill Rd.	0	0	0	0	0	0
Cherry	4289 Rte. 125	0	0	0	0	0	0
Cornwall	4260 Rte. 125	0	0	0	0	0	0
Dragon's Den	3600 Rte. 125	0	0	0	0	0	0
Earthworm	3915 Rte. 125	0	0	0	0	0	0
Fritz	4166 Rte. 125	0	0	0	0	0	0
Frothingham	4344 Rte. 125	0	0	0	0	0	0
Gilmore	689 Steam Mill Rd.	0	0	0	0	0	0
Homer Noble	573 Frost Road	0	0	0	0	0	0
Horse Barn	183 College Cross Rd	0	0	0	0	0	0
Inn	4229 Rte. 125	0	0	0	0	0	0
Larch	45 College Cross Rd.	0	0	0	0	0	0
Maple	4343 Rte. 125	0	0	0	0	0	0
Maris	4180 Rte. 125	0	0	0	0	0	0
Milk House	100 College Inn Road	0	0	0	0	0	0
Myhre	387 Steam Mill Road	0	0	0	0	0	0
School House	13 Brooks Rd.	0	0	0	0	0	0
Tamarack	4453 Rte. 125	0	0	0	0	0	0
Treman	4290 Rte. 125	0	0	0	0	0	0

*Please note, Barn East, Horse Barn, Milk House, and Myhre were incorrectly listed as student residential facilities on this table. They were not used as student residential facilities during this calendar year.

Table 4. Statistics and Related Information Regarding Fires in Residential Facilities (Continued)

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
Bread Loaf, Ripton, Vermont Campus 2024							
Annex	4265 Rte. 125	0	0	0	0	0	0
Barn East	106 College Cross Rd.	0	0	0	0	0	0
Birch	4311 Rte 125	0	0	0	0	0	0
Brandy Brook	3988 Rte. 125	0	0	0	0	0	0
Bridgman	4274 Rte. 125	0	0	0	0	0	0
Burdick	446 Deacon Hill Rd.	0	0	0	0	0	0
Cherry	4289 Rte. 125	0	0	0	0	0	0
Cornwall	4260 Rte. 125	0	0	0	0	0	0
Dragon's Den	3600 Rte. 125	0	0	0	0	0	0
Earthworm	3915 Rte. 125	0	0	0	0	0	0
Fritz	4166 Rte. 125	0	0	0	0	0	0
Frothingham	4344 Rte. 125	0	0	0	0	0	0
Gilmore	689 Steam Mill Rd.	0	0	0	0	0	0
Homer Noble	573 Frost Road	0	0	0	0	0	0
Horse Barn	183 College Cross Rd	0	0	0	0	0	0
Inn	4229 Rte. 125	0	0	0	0	0	0
Larch	45 College Cross Rd.	0	0	0	0	0	0
Maple	4343 Rte. 125	0	0	0	0	0	0
Maris	4180 Rte. 125	0	0	0	0	0	0
Milk House	100 College Inn Road	0	0	0	0	0	0
Myhre	387 Steam Mill Road	0	0	0	0	0	0
School House	13 Brooks Rd.	0	0	0	0	0	0
Tamarack	4453 Rte. 125	0	0	0	0	0	0
Treman	4290 Rte. 125	0	0	0	0	0	0

*Please note, Barn East, Horse Barn, Milk House, and Myhre were incorrectly listed as student residential facilities on this table. They were not used as student residential facilities during this calendar year.

Table 4. Statistics and Related Information Regarding Fires in Residential Facilities (Continued)

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
Bread Loaf, Ripton, Vermont Campus 2025							
Annex	4265 Rte. 125	0	0	0	0	0	0
Birch	4311 Rte 125	0	0	0	0	0	0
Brandy Brook	3988 Rte. 125	0	0	0	0	0	0
Bridgman	4274 Rte. 125	0	0	0	0	0	0
Burdick	446 Deacon Hill Rd.	0	0	0	0	0	0
Cherry	4289 Rte. 125	0	0	0	0	0	0
Cornwall	4260 Rte. 125	0	0	0	0	0	0
Dragon's Den	3600 Rte. 125	0	0	0	0	0	0
Earthworm	3915 Rte. 125	0	0	0	0	0	0
Fritz	4166 Route 125	0	0	0	0	0	0
Frothingham	4344 Rte. 125	0	0	0	0	0	0
Gilmore	689 Steam Mill Rd.	0	0	0	0	0	0
Homer Noble	573 Frost Road	0	0	0	0	0	0
Inn	4229 Rte. 125	0	0	0	0	0	0
Larch	45 College Cross Rd.	0	0	0	0	0	0
Maple	4343 Rte. 125	0	0	0	0	0	0
Maris	4180 Rte. 125	0	0	0	0	0	0
School House	13 Brooks Rd.	0	0	0	0	0	0
Tamarack	4453 Rte. 125	0	0	0	0	0	0
Treman	4290 Rte. 125	0	0	0	0	0	0

Reporting Fires

Emergencies: dial 911.

Students and employees should also report live fires and evidence of past fires to any of the following Middlebury officials:

Department of Public Safety
Middlebury College
125 Main Street
Middlebury, VT 05753
802.443.5133 (Business Line)
802.443.5911 (Emergency Line)
publicsafety@middlebury.edu

Emily Bartels, Dean
4229 Route 125
Ripton, VT 05766
802.443.5418
ebartels@middlebury.edu

Lyndon Dominique, Director
4229 Route 125
Ripton, VT 05766
802.443.5418
ldominique@middlebury.edu

Justin Allen
Assistant Director of Operations for Bread Loaf Campus
Bread Loaf Campus
Middlebury, VT 05753
802.443.2762
jvallen@middlebury.edu

Supplemental Information for Bread Loaf Oxford, England Sites

Emergency Reporting

PORTER'S LODGE, LINCOLN COLLEGE: 011.44.1865.279800 (from U.S.)

Open 24 hours a day, seven days a week

The Lincoln College Porter's Lodge serves as the first emergency point of contact and the center for all communications at the College. When possible, the Porter's Lodge should be contacted first in the event of an emergency; otherwise, dial 999, and then notify the Porter. In the case of fire, students should sound the alarm, which will automatically notify the Porter's Lodge, and then dial 999. Fire emergency instructions are posted in each student room.

The Porter's Lodge is also where you should report all emergency housing maintenance issues (such as a flood). Please report minor housing maintenance issues to the Bread Loaf office.

EMERGENCY CONTACTS – Oxford, England

Ambulance, Police, or Fire Department: **999**

Porter's Lodge: **1865.279800**

King Edward Street Practice of Lincoln College Physician: **1865.242657**

John Radcliffe Hospital: **1865.741166**

Fire Safety and Evacuation Information

Please familiarize yourself with the Fire Action information in your room so that you know what to do in the event of an alarm. Fire alarms on main site and staircase 15 are tested every Monday at 9am. Should this alarm sound continuously please evacuate the College as per the guidelines in your room; **the fire assembly point is in the Lincoln College garage - opposite the main entrance to the College**. If you find it difficult to follow the evacuation procedures at any time, please notify the Bread Loaf office and ask them to contact the Lincoln College Domestic Operations Manager.

Please do not smoke in your rooms. Smoking is permitted in Grove; please dispose of your cigarette ends responsibly by using the bins provided.

Other Safety Information

The Lodge is staffed 24 hours per day and the Porters are a very useful source of information about the College. The main gate on Turl Street normally closes at 8:00 p.m. and opens at approximately 6:00 a.m. During this time please use your swipe card for entry, or ring the doorbell (on the right hand side of the gate) to alert the Porter to your arrival.

Lincoln College strongly advises you to keep your room locked when not occupied. Please also ensure that doors which open onto the street close properly behind you as you enter and leave the college to prevent tailgaters.

Other Contact Information

In addition to the emergency reporting information above, crimes, fires and other emergency information should also be reported to the Head Tutor and/or, campus coordinator.

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

Dianne Baroz, Campus Coordinator
Office: 802.443.5277
dbaroz@middlebury.edu

Head tutor's Assistants
Matthew Cinotti (mcinotti@middlebury.edu)
Chris Amuzzini (camuzzini@middlebury.edu)

CAMPUS OFFICE: Phone - 011.44.1865.279819 (from U.S.)

Staircase VII, Chapel Quad

The Bread Loaf office handles academic and student life issues, schedules appointments with the head tutor, and assists in other ways as needed.

Supplemental Information for Monterey, CA Site

Emergency Contacts Medical, Fire, and Police 911

Campus Security 831.647.4153

Office of Student Services 831.647.4128

Doctors on Duty 831.649.0770

MoGo Urgent Care 831.622.6930

Community Hospital (Monterey) 831.624.5311

Salinas Valley Memorial Hospital 831.757.4333

Campus Security is available 24 hours a day, seven days a week. Call 831.647.4153 or use the blue emergency phone attached to the buildings in various parts of the campus, which connect you directly to Campus Security.

Bread Loaf Campus Map (Ripton, VT)

Bread Loaf Campus hosts a variety of programs throughout the year. During the summer months, Bread Loaf is the home of the Bread Loaf School of English and the Writers' Conference. During the winter, the Rikert Ski Touring Center sets up shop in Barn East. Spring and fall bring a variety of other events to Bread Loaf.

Middlebury College and the Bread Loaf Campus Maps can be found online.