

# **VERMONT LAW SCHOOL**

# **ANNUAL SECURITY REPORT 2022**

*Posted September 30, 2022*

Report prepared by:

Lorraine Atwood, Vice President for Finance and Administration  
Shirley Jefferson, Vice President for Community Engagement and Government Relations  
Sue Folger, Executive Assistant to the President

September 30, 2022

Members of the Vermont Law School Community:

Vermont Law School endeavors to provide a safe environment for students, faculty, staff, and visitors to work, study, and recreate. Vermont Law School's security is a shared responsibility.

In June 2022, as part of its strategic plan, Vermont Law School became Vermont Law and Graduate School. For the purpose of this report, which covers 2021 only, all references will made to Vermont Law School.

This report contains safety and security policies, procedures, and services provided on the Vermont Law School South Royalton campus and the Burlington, Vermont office space for the January 1-December 31, 2021 calendar year. It also includes the South Royalton campus, Burlington office, and area crime statistics reported in both locations for 2020 and 2019, and highlights programs to educate the Law School community about safety.

After almost a full year of remote work and instruction due to the COVID 19 pandemic, Vermont Law School has carefully and methodically transitioned back to being fully operational on campus in 2021. Senior Administration made the decision to conduct a hybrid semester in the spring of 2021, allowing limited in-person classes for first-year students, while maintaining virtual classes for all other students. The School returned to being fully residential in the fall 2021.

The One VLS Action Team (OVAT), made up of Leadership and Emergency team members, has closely followed state and federal guidelines, regularly monitored students, faculty, and staff, tracked vaccinations and boosters, and provided rapid and on-site PCR testing to the community (for information, please see <http://www.vermontlaw.edu/resources/covid19>). Initially meeting on a daily, then weekly basis, OVAT now meets on a bi-weekly basis and continues to monitor and oversee general emergency policies.

If you have any questions, concerns, or recommendations about this report or about the safety and the emergency preparedness of Vermont Law School in general, please contact me directly at 802-831-1204 or [latwood@vermontlaw.edu](mailto:latwood@vermontlaw.edu).

Sincerely,



Lorraine H. Atwood  
Vice President for Finance and Administration  
Vermont Law School

## I. INTRODUCTION

### A. Vermont Law School Location and Mission

Vermont Law School (VLS) is located in the heart of South Royalton, Vermont. VLS is an independent, nationally recognized Law School that is top-ranked in the field of environmental law. VLS is committed to developing a generation of leaders who use the power of the law to make a difference in our communities and the world. Since September 2019, Vermont Law School has maintained a satellite office in Burlington, Vermont that offers legal assistance, particularly on immigration law, to members of the community through the expansion of the Vermont Immigrant Assistance Clinic.

### B. Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act

The Vice President for Finance prepares and distributes this Annual Security Report (the Report). The Report serves several purposes:

- Complies with the requirements of the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act 20 USC 1092(f) (Clery Act);
- Explains how the Law School reports, investigates, and responds to crime and emergencies on or near Law School property;
- Informs the Law School community of the safety and security resources available to respond to emergencies; and
- Provides other safety and security information to the Law School community.

### C. Procedures for Preparing and Distributing the Annual Security Report

In compliance with the Clery Act, the Report is published and released on or before October 1 of each year. The Report includes a Crime Statistics Report, compiled by the Vice President for Finance and the Vice President for Community Engagement, using crime definitions found in the U.S. Department of Education's *Handbook for Campus Safety and Security Reporting* and the *FBI Uniform Crime Reporting Handbook*. The Crime Statistics Report includes statistics for the three most recent calendar years. It includes crimes that occurred:

- *On campus* in any building or property owned or controlled by the Law School within the same reasonably contiguous geographic area and used by Vermont Law School in direct support of, or in a manner related to, the Law School's educational purposes;
- *On public property*, meaning all public property, including thoroughfares, streets, sidewalks, and parking facilities that are within the campus or immediately adjacent to and accessible from the campus; and
- On any *non-campus* properties owned by Vermont Law School that are reported to a campus security authority, as defined in the Clery Act, or to local police agencies.

The Annual Security Report can be viewed or printed by way of the Vermont Law School's website <http://www.vermontlaw.edu/resources/campus-safety>. In addition to being published on the VLS website, the Report is emailed to VLS students and employees on or before October 1. If the Report undergoes edits throughout the course of the year, students and employees are informed of the update(s) via email. VLS Community members should contact the Vice President for Finance or the Vice President for

Community Engagement for questions relating to this Report.

## **II. CAMPUS SAFETY and SECURITY TEAMS AND RESOURCES**

Vermont Law School does not have any individual, office, or campus police whose primary responsibility is safety and security. The task is shared by a number of groups and individuals, described below.

### **A. Leadership Team**

The Leadership Team is a group of VLS administrators whose primary responsibility is to make decisions in the event of an emergency. They determine what institutional decisions must be made and what information is needed to make those decisions. They consider the appropriate use of the Emergency Notification System (VLS Alerts). They coordinate with the Emergency Team (see below) and Communications Department on messaging. They contact state/local leaders and trustees as appropriate. And, they continue the emergency status and responses until operations are restored. These VLS administrators include:

- President
- Interim Law School Dean
- Interim Graduate School Dean
- Vice President for Finance
- Vice President for Community Engagement
- Vice Dean for Faculty
- Vice Dean for Students
- Associate Dean for Diversity, Equity, and Inclusion
- Director of Human Resources
- Director of Student Affairs

Back-up members include: Staff Director for the Environmental Law Center and Vice President for Alumni Relations and Development.

### **B. Emergency Team**

Members of the Emergency Team represent on-campus departments and buildings and are instrumental in coordinating responses to various emergencies. Each person on the team has a designated back-up person who may be called on to participate, depending on the nature of the emergency. Members include:

- General Maintenance Supervisor of Buildings and Grounds
- Director of IT
- Director of the Library
- Director of Human Resources
- Administrative Support and Logistics Planning Personnel

Back-up members may include department heads/personnel from Admissions, Business Office and Financial Aid, Café, Career Services, Center for Justice Reform, Environmental Law Center, Magic Mountain Daycare, and Office for Alumni Relations and Development.

The role of the Emergency Team is to gather data and information about the emergency; list impacts from the emergency and issues to be addressed; identify decisions to be made by the Leadership Team; implement immediate actions to ensure health and safety of students, faculty and staff; create and implement a plan for a broader response to an emergency; implement actions to restore operations once the emergency situation is declared over; assess capacities of communication infrastructure, including switchboard and the 800 number, email and website; continue emergency status and responses until operations are restored.

**C. VLS Threat Assessment Management (TAM) Team**

The TAM Team is a group of administrators, faculty, and staff, appointed by the Vice Dean for Students, who meet on a monthly basis during the academic year to address individuals or situations that might require action or attention. Members of the team include:

- Vice Dean for Students
- Vice Dean for Faculty
- Director of Online Programs
- Director of the Library
- Staff (11 key and support staff)

**D. One VLS Action Team (OVAT)**

This team was formed in March 2020 in response to the COVID-19 pandemic. Initially designated the Task Force, this large group of administrators, staff and faculty met on a daily then weekly basis to discuss new information, monitor the overall situation, establish all policies and protocols based on CDC and state guidelines, and guide the school. Once VLS had transitioned fully to online operations for several months, the Task Force was reduced in size and in May, 2020 became OVAT. Since January 2021, OVAT has met regularly on a weekly, then bi-weekly basis and continues to oversee general emergency policies. Its members are members of the Leadership and Emergency teams and include:

- OVAT Coordinator
- Vice President for Finance
- Vice Dean for Faculty
- Vice Dean for Students
- Staff Director for the Environmental Law Center
- Director of Student Affairs
- Events Coordinator
- Director of the Library
- Director of Human Resources

**E. Counseling Services**

In the past, Vermont Law School contracted with the Clara Martin Center to provide on-campus, walk-in counseling services. The dates and times of these on-campus services varied from semester-to-semester and were circulated to the VLS Community via email on a regular basis. In August 2021, the School hired a full-time, residential mental health clinician who provides free-of-charge counseling services to VLS students and the VLS

community. The clinician can be reached at 802-831-1216 for an appointment on campus. Students may also contact Clara Martin Center’s 24-hour emergency services line at 800-639-6360. Vermont Law School also provides a “Mental Health Services” webpage: [vermontlaw.edu/resources](http://vermontlaw.edu/resources).

In addition to the School’s on-site counseling services, the Student Handbook (p. 13) includes other outside services such as Commission on Lawyer Assistance (COLAP) – [americanbar.org/groups/lawyer\\_assistance/about\\_us/](http://americanbar.org/groups/lawyer_assistance/about_us/), and Lawyers Assistance Programs (LAP) – hotline 802-355-4352. For persons with disabilities to connect with local programs for crisis intervention, peer counseling, court advocacy, referrals, and other services, VLS students are advised to call 800-489-7273, or contact Vermont Law School’s Associate Dean for Diversity, Equity, and Inclusion.

#### **F. Law Enforcement**

In addition to being listed on the VLS website and in all on-campus buildings, contact information for local and state law enforcement is provided below:

##### Royalton Police Department

Emergency Phone:	9-1-1
Mailing Address:	PO Box 44, South Royalton, VT 05068
Physical Address:	2460 VT Route 14 South Royalton, VT 05068
Non-Emergency Phone:	802-763-7776
Royalton Dispatch Phone:	802-234-9933
Fax:	802-763-7711
Royalton Police Chief:	Loretta Stalnaker
Royalton Police Officers:	Oscar Gardner and Sean McRae

##### Vermont State Police (Royalton, VT Barracks)

Emergency Phone:	9-1-1
Address:	2011 VT RT 107 Bethel, VT 05032
Telephone:	802-234-9933
Fax:	802-234-6520

Royalton Office Station Commander: Lt. Hugh O’Donnell

#### **G. Disseminating Campus Safety and Security Information**

Safety and security issues are covered during all new student and employee orientations, during staff, faculty, and Student Bar Association meetings, and, when appropriate, during classes. The VLS website’s Campus Safety link - <http://www.vermontlaw.edu/resources/campus-safety> - hosts campus safety information, helpful phone numbers, and other useful links. The Student, Staff, and Faculty Handbooks also provide safety, security, and emergency information. Various members of the Leadership Team conduct emergency preparedness trainings to groups of students, faculty, and staff annually.

Throughout the year, presentations and trainings for the VLS community are arranged on topics such as sexual assault, workplace violence, alcohol-related issues, mental health, first aid, and security and safety matters. These presentations and programs are

promoted through VLS email. The Vice President for Finance, the Associate Dean for DEI, the Vice Dean for Faculty, the Vice Dean for Students, and/or the Director of Student Affairs are always available to schedule individual or group safety presentations or to provide assistance in addressing specific issues.

The Associate Dean for DEI and Director of Student Affairs maintain a Campus Safety bulletin board located in the lower entry (parking lot level) of the main classroom building, Oakes Hall. Building-specific emergency information is posted in each campus building.

Members of the Leadership Team meet with various Vermont Law School groups, organizations, and departments throughout the year to address safety and security issues and take proactive responses to the issues presented.

### III. REPORTING CRIMES AND EMERGENCIES

#### A. How to Report Criminal Activity and Other Emergencies

Every member of the Vermont Law School community is encouraged to take an active role in reporting hazardous conditions, criminal activity, or any emergency in an accurate and timely manner. Conditions, activity, and incidents can be reported to any member of the Leadership Team or to local law enforcement.

Any time immediate response is needed and a student or employee is unsure of whom to call during business hours, that person should call the Law School's emergency response phone number, VLS Campus Safety Line, at 802-831-1100. The individual that answers the call will contact the Leadership Team, the fire department, an ambulance, or the police, etc., as appropriate. The Leadership Team will initiate notifications to the Law School community as deemed appropriate (see section IV of the Report).

#### Important and Helpful Phone Numbers

##### **On-Campus (during business hours):**

IN AN EMERGENCY:	<b>9-1-1</b>
VLS Campus Safety Line:	802-831-1100
General Switchboard:	802-831-1000
Buildings and Grounds:	802-831-1285
Information Technology Help Desk:	802-831-1355

##### **Leadership Team (during business hours):**

President:	802-831-1251
Interim Law School Dean:	802-831-1004
Interim Graduate School Dean:	802-831-1136
Vice President for Finance	802-831-1204
Vice President for Community Engagement and Government Relations:	802-831-1333
Vice Dean for Faculty:	802-821-1444
Vice Dean for Students:	802-831-1244
Associate Dean for DEI:	802-831-1079
Director of Student Affairs:	802-831-1327

### **On-and Off-Campus Emergencies (during business hours and after hours)**

IN AN EMERGENCY:	<b>9-1-1</b>
Royalton Police:	802-763-7776
VT State Police:	802-234-9933
Poison Control Center:	800-222-1222
Clara Martin Center (24-hour):	800-639-6360
Dept. of Disabilities:	802-241-2401

#### **B. Reporting Crimes for Inclusion in this Report**

Crimes should be reported to any member of the Leadership Team to aid in providing timely campus safety notifications and to ensure inclusion in the Crime Statistics Report.

VLS does not require its mental health staff or professional counselors to report crimes to VLS administration while functioning in their capacity as counselors. Any such reports are not included in the Law School's Annual Security Report nor in the web-based report submitted to the Department of Education. Professional counselors are defined as individuals whose official responsibilities include providing mental health counseling to members of the VLS community and who are functioning within the scope of their license or certification, whether employed by or under contract with VLS. VLS does not have procedures that encourage professional counselors to inform those they counsel of procedures for reporting crimes voluntarily and confidentially for inclusion in the Law School's Annual Security Report and web-based report to the Department of Education. VLS has no affiliations with pastoral counselors.

#### **IV. EMERGENCY AND CRIME REPORTING AND NOTIFICATION PROCEDURES**

General information about emergency response procedures for Vermont Law School is published on the VLS website <http://www.vermontlaw.edu/resources/campus-safety>.

##### **A. Accurate and Prompt Reporting of Emergencies and Crimes to the Appropriate Agencies**

The Leadership Team maintains a close working relationship with the Vermont State Police, Royalton Police Department, surrounding policing agencies, and the South Royalton Fire Department. Students, faculty, staff, and guests are encouraged to report crimes and public safety-related incidents to any member of the Leadership Team. If a crime or emergency is reported and assistance is required of the local authorities, any member of the Leadership Team will contact the appropriate local department.

Members of the Leadership Team do not have law enforcement authority. VLS does not have written agreements or memoranda of understanding with law enforcement or public safety officers.

##### **B. Timely Warning Notifications and Response Procedures**

Members of the Leadership Team have the responsibility of responding to and summoning the necessary resources to mitigate, investigate, and document situations that may cause a significant emergency or dangerous situation to the health and safety of students and employees on campus. In addition, the Leadership Team has the



responsibility to respond to such incidents to determine if the situation does, in fact, pose a threat to the community. If that is the case, federal law requires that the institution immediately notify the campus community or the appropriate segments of the community that may be affected by the situation. Once the Leadership Team confirms that an emergency or dangerous situation poses an immediate threat to the health or safety to some or all members of the VLS community, they will collaborate with the VLS Communications Department. They will determine the content of the message(s) to the VLS community or to the appropriate segment(s) of the greater community if the threat is limited to a particular building or segment of the population. These methods of communication include network emails, telephone calls or text messages, and VLS intercom systems.

The decision to issue a campus safety notification is made on a case-by-case basis considering the validity of the information about the emergency or crime reported, the facts surrounding the circumstances, the nature of the emergency, continuing danger to the campus community, and risk of compromising law enforcement efforts. Cases of aggravated assault and sex offenses are considered on a case-by-case basis depending on the facts of the case and the information known to the Leadership Team. For example, if an aggravated assault occurs between two students who have a disagreement, there may be no ongoing threat to other members of the Law School community; therefore, a campus safety notice would not be disseminated. Sexual assaults are considered on a case-by-case basis depending on the facts of the case, when and where the incident occurred, when it was reported, and the amount of information known by the Leadership Team.

The Law School may not provide timely warnings or notification about crimes reported to a pastoral or professional counselor.

VLS will not include identifying information about victims when issuing timely warnings or emergency notifications.

## **V. CAMPUS FACILITIES AND SAFETY**

### **A. Buildings and Access**

For increased safety and security purposes, several buildings operate on an electric keycard access management system: the Library, Café, Chase Community Center, Chase Computer Lab, Eaton House, Student Center, and the Fitness Center. Academic buildings are locked at midnight each day. Buildings are reopened and unlocked prior to the beginning of classes the next day except for Saturdays, Sundays, and holidays.

### **B. Security Considerations Used in Campus Facility Maintenance**

Safety and security issues are considered and implemented in the design and placement of all campus lighting, shrubbery, trees, and other objects. Safety and security issues are also considered when planning and designing major renovations to campus facilities or construction of new facilities on campus. Safety and security maintenance requests receive priority over non-safety and non-emergency work orders. Buildings and Grounds maintenance personnel are expected to report promptly to any members of the Leadership Team any safety and security maintenance issues when discovered.

## VI. FIRE SAFETY

### A. Fire Safety Rules

- Activating a false fire alarm is strictly prohibited.
- Students and employees are not to tamper with or remove any fire or safety equipment, including but not limited to, smoke detectors, sprinkler systems, fire extinguishers, etc.
- Students and employees must vacate the building whenever the fire alarm system is activated.

### B. Preparedness and Steps to Take in the Event of a Fire

- Know what the fire alarm sounds like.
- Know where pull stations are located.
- When you see a fire, sound the alarm.
- Call 911 to report a fire.
- Call Buildings and Grounds at 802-831-1285 to report any fire.
- Be prepared to identify the size of the fire and location. Each building at VLS has a specific 911 address. These addresses are listed in the Student, Staff, and Faculty Handbooks, are posted throughout campus, and found on the VLS (portal) website under Campus Safety link.
- Exit buildings as safely and quickly as possible from the nearest exit (in any building you should know where at least two exits are).
- Close all doors behind you as you leave the building.
- Do not use elevators for any reason.
- If one is physically challenged, develop a buddy plan with someone else to help expedite safe exit.
- Notify others in the immediate area about the fire as you are leaving.
- Do not enter a building that is on fire or in which the fire alarm is sounding.

### C. Fire Safety Definitions

- *Fire*: Any occurrence of an open flame or other type of burning in any area not intended to contain burning in an uncontrolled manner.
- *False Alarm*: System malfunctions, such as a mechanical or communication failure within the alarm system, and a trouble alarm is activated; the fire alarm is intentionally or unintentionally pulled, when no smoke or fire danger was present; or, there is dust in the smoke detectors or high heat in the heat detectors. Subsequently, no injuries, damages, or fatalities occurred.
- *Unwanted Alarm*: The fire alarm system activated as it was designed to; however, no smoke or fire was present. Subsequently, no injuries, damages, or fatalities occurred.

## VII. SECURE THE SCHOOL/CAMPUS LOCK DOWNS

An order through the VLS Alert System to “secure the school” will be given when an immediate threat to the students, staff, and faculty, such as an armed intruder, indicates that it is safer to remain in a secure room than anywhere else on campus. Locking down

the campus minimizes access to classrooms, offices, and other areas. As part of this procedure, everyone must remain in the room until the situation has been declared safe by an authorized official.

### **Preparedness and Steps to Take in the Event of a Secure the School/Lockdown**

- Move to secure rooms (classrooms, offices, conference rooms, etc.).
- Lock the doors.
- If possible, help to clear hallways and other open spaces.
- Once rooms are locked:
  - Turn off all lights and electrical devices.
  - Turn all mobile phones to silent mode.
  - Close all window shades or blinds.
  - Stay away from windows and doors.
  - Remain quiet.
- Do not evacuate a building if the fire alarm is sounding.
- Do not respond to anyone at a door or window until an “all clear” has been announced.
- If you are off campus during a lockdown, do not come to campus.
- If you have relevant and first-hand knowledge about the location of an intruder and if it is safe, use your phone or mobile phone to call 911.

## **VIII. TESTING EMERGENCY RESPONSE PROCEDURES**

Drills are coordinated annually and therefore, the emergency response, secure the school, and evacuation procedures are tested at least once a year<sup>1</sup>. Decisions regarding designated locations for long-term evacuations or lockdowns are affected by the availability of designated emergency gathering locations on campus, as well as other facts such as the location and nature of the threat.

The purpose of drills is to prepare building occupants for an organized evacuation or lockdown in case of an emergency. At VLS, drills are used as a way to educate and train occupants on issues specific to their building. During the drill, occupants familiarize themselves with the location of exits, the sound of alarms, the sound of announcements, and the direction they should or should not travel upon exiting or entering a building. The process also provides the Law School with an opportunity to test the operation of the fire alarm system components and the Law School’s announcement and intercom systems.

Drills are monitored by various members of the Leadership Team to evaluate egress and equipment issues. Post-drill debrief sessions are held to identify communication and process issues, as well as deficient equipment so that repairs can be made immediately. Recommendations for improvements are also submitted to the appropriate departments and offices for consideration.

Vermont Law School’s *Emergency Response and Operational Continuity Plan* was revised in October 2021. This internal document summarizes definitions, describes in detail action steps, provides examples of emergencies and responses, and lists personnel

---

<sup>1</sup> Please note that drills and procedures were not tested while the campus was closed during the pandemic.

comprising the Leadership, Emergency and OVAT teams. The Plan also contains an Emergency Checklist, Emergency Alert Instructions, emergency phone numbers and phone trees, on-campus addresses and evacuation locations.

#### **IX. INCIDENT REPORT AND CRIME LOG**

The Law School's Campus Incident Report Log is maintained by Deans' Suite personnel and is housed on the second floor of Debevoise Hall in Suite 203. Any VLS community member may view the Log upon request. These requests are to be directed to the Vice Dean for Finance or the Executive Assistant to the President. The Log lists reported crimes and incidents that occurred on campus. Entries include the nature, date, time, and general location of each incident and the disposition of the complaint, if known. This information is updated unless such disclosure is prohibited by law or would jeopardize the confidential identity of the victim. VLS will not include identifying information about victims in the Log. The Law School may withhold information from the Log if the release of the information would jeopardize an ongoing criminal investigation or the safety of an individual, cause a suspect to flee or evade detection, or result in the destruction of evidence. Once the adverse effect described above is no longer likely to occur, the Law School will disclose all withheld information in the Log.

#### **X. DRUG AND ALCOHOL POLICIES**

##### **A. VLS Alcohol Policy**

Vermont Law School's Alcohol Policy is congruent with Vermont State law, local regulations, and the mission of Vermont Law School and is promulgated to assure the appropriate distribution and consumption of alcoholic beverages at campus events. The administration and interpretation of the alcohol policy ultimately rests with the President, the Deans or their designees who, in this instance, are the Vice President for Finance, Vice President for Community Engagement, the Vice Dean for Students, the Vice Dean for Faculty, the Associate Dean for DEI, and the Director of Student Affairs. The complete *VLS Alcohol Policy* (last amended on June 14, 2022) may be found in the [2022-2023 VLGS Student Handbook](#) beginning on page 131.

##### **B. Program for the Elimination of Alcohol and Substance Abuse**

The Federal Drug-Free Schools and Communities Act Amendments of 1989 require that Vermont Law School implement a program for the elimination of alcohol and substance abuse. The complete details of the program, legal sanctions, drug use and the ineligibility for federal financial aid, health risks, and the effects of controlled substances can be found in the *2022-2023 VLS Student Handbook* on page 133.

##### **C. Safe Ride**

Safe Ride is a transportation service managed by VLS student ambassadors and supervised by the Director of Student Affairs. Safe Ride provides transportation to VLS community members to and from Law School-related events when requested. Safe Ride can be reached at 802-299-1116 or 802-299-1117 when students are on duty.

## **XI. VLS POLICY AGAINST HARASSMENT, SEXUAL HARASSMENT, DISCRIMINATION, AND RETALIATION**

This policy applies to all Vermont Law School employees, officers, trustees, and students and contains general provisions, with definitions and resources, and procedures for handling complaints of harassment, sexual harassment, discrimination, or retaliation. It can be found in the *2022-2023 VLS Student Handbook* beginning on page 110.

## **XII. TITLE IX**

Pursuant to Title IX of the Education Amendments of 1972 and the U.S. Department of Education's implementing regulations 34 C.F.R. Part 106, the Law School's Title IX coordinators have primary responsibility for coordinating the Law School's efforts to comply with and carry out its responsibilities under Title IX, which include the Law School's efforts to respond to reports of sexual misconduct. The functions and responsibilities of the Title IX Coordinator and Deputy Coordinator are provided on page 116 in the *2022-2023 VLS Student Handbook*.

Title IX Coordinator:	Jessica Durkis-Stokes, Director of Academic Success Program and Professor of Law
Title IX Deputy Coordinator:	Jessica Brown, Associate Director Center for Justice Reform and Professor of Law

## **XII. SEXUAL HARASSMENT, DOMESTIC VIOLENCE, DATING VIOLENCE, AND STALKING PROHIBITED BY TITLE IX POLICY**

Sexual misconduct, domestic violence, dating violence, and stalking violate Vermont Law School's *Code of Conduct* and often constitute a crime. The purpose of the Law School's *Sexual Harassment, Domestic Violence, Dating Violence, and Stalking Policy* (pp. 116-129) is to make clear that sexual misconduct, domestic violence, dating violence, and stalking, as defined herein, violate Vermont Law School's *Code of Conduct*. The policy also provides members of the VLS community who may have been subject to conduct that violates the policy with information about reporting incidents of prohibited conduct and available resources. The Law School's complete policy, resources, and procedures can be found in *2022-2023 VLS Student Handbook* on pages 102-136.

## **XIII. CAMPUS SEX CRIMES PREVENTION ACT NOTIFICATION**

State law mandates that the Vermont Department of Public Safety maintain a sex offender database and website on the internet that is accessible to the public. Members of the Vermont Law School community may contact the Vermont Department of Public Safety's Sex Offender Registry website for information concerning registered sex offenders <https://vcic.vermont.gov/sor>.

**VERMONT LAW SCHOOL  
CRIME STATISTICS REPORT  
2021**

**Definitions Listed in the Crime Statistics Report**

Under the Clery Act, criminal offense, hate crime, arrest, and disciplinary statistics must be based on definitions provided by the Federal Bureau of Investigation (FBI) Uniform Crime Reporting (UCR) Program. The definitions below are sourced from:

- *Summary Reporting System (SRS) User Manual* from the FBI USR Program
- *FBI's National Incident-Based Reporting System (NIBRS) Data Collection Guidelines*
- U.S. Department of Education's *Handbook for Campus Safety and Security Report 2016 Edition*
- U.S. Department of Education Office of Postsecondary Education *User's Guide for the Campus Safety and Security Web-Based Data Collection*

**Aggravated Assault** – Any unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault is usually accompanied by the use of a weapon or by means likely to produce death or great bodily harm.

**Arrests** – Persons processed by arrest, citation, or summons.

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

**Burglary** – The unlawful entry of a structure to commit a felony or theft.

**Dating Violence** – 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 the threat of such abuse.
- Dating violence does not include acts covered under the definition of domestic violence.

**Destruction/Damage/Vandalism of Property** – To willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

**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.

**Drug Abuse Violation** – The violation of laws prohibiting the production, distribution, and/or use of certain controlled substances and the equipment or 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, specifically those related to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include: opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics – manufactured narcotics which can cause true addiction (Demerol, Methadone); and dangerous non-narcotic drugs (barbiturates, Benzedrine).

**Fire** – Any instance of open flame or other burning in a place not intended to contain the burning or in an uncontrolled manner.

**Fire-Related Death** – Any instance in which a person – (1) Is killed as a result of a fire, including death resulting from a natural or accidental cause which involved in fire control, attempting rescue, or escaping from the dangers of a fire; or (2) Dies within one year of injuries sustained as a result of the fire.

**Fire-Related Injury** – Any instance in which a person is injured as a result of a fire, including an injury sustained from a natural or accidental cause, while involved in fire control, attempting rescue, or escaping from the dangers of the fire. The term “person” may include students, employees, visitors, firefighters, or any other individuals.

**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 his/her age or because of his/her temporary or permanent mental incapacity.

**Hate Crime** – A criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. For the purposes of Clery, the categories of bias include the victims's actual or perceived race, religion, gender, gender identity, sexual orientation, ethnicity, national origin, and disability.

**Incest** – Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

**Intimidation** – To unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.

**Larceny-Theft** – The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. Constructive possession is the condition in which a person does not have physical custody or possession, but is in a position to exercise dominion or control over a thing.

**Liquor Law Violations** – The violation of the state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession or use of alcoholic beverages, not including driving under the influence and drunkenness. Include in this classification: the manufacture, sale, transporting, furnishing, possessing, etc., of intoxicating liquor; maintaining unlawful drinking places; bootlegging, operating a still; furnishing liquor to a minor or intemperate person; underage possession; using a vehicle for illegal transportation of liquor; drinking on train or public conveyance; and attempts to commit any of the above.

**Manslaughter by Negligence** – The killing of another person through gross negligence.

**Motor Vehicle Theft** – The theft or attempted theft of a motor vehicle.

**Murder/Non-Negligent Manslaughter** – The willful (non-negligent) killing of one human being by another.

**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.

**Referred for Disciplinary Action** – 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.

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

**Simple Assault** – An unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness.

**Sexual Assault (Sex Offenses)** – Any sexual act directed against another person, forcibly and/or against that person's will, or not forcibly or against the person's will where the victim is incapable of giving consent.

**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.



**Statutory Rape** – Sexual intercourse with a person under the statutory age of consent.

**Unfounded Crime** – A reported crime that upon investigation by law enforcement authorities is found to be false or baseless. Only sworn or commissioned law enforcement personnel may unfound a crime. Crime reports can be properly determined to be false only if the evidence from a complete and thorough investigation establishes that the crime reported was not, in fact, completed or attempted in any manner.

**Weapons: Carrying, Possessing, etc.** – The violation of laws or 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 are regulatory in nature. Include in this classification: 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.

## **Other Useful Definitions**

### **Category of Fire**

For HEA purposes, there are three categories of fire:

- **Unintentional Fire** – A fire that does not involve an intentional human act to ignite or spread fire into an area where the fire should not be.
- **Intentional Fire** – A fire that ignited, or that results from a deliberate action, in circumstances where the person knows there should not be a fire.
- **Undetermined Fire** – A fire in which the cause cannot be determined.
- **Cause of Fire** – The factor or factors that give rise to a fire. The causal factor may be, but is not limited to, the result of an intentional or unintentional action, mechanical failure or act of nature.

**Non-campus Building or Property** – (1) Any building or property owned or controlled by a student organization that is officially recognized by the institution; or (2) 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.

**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 (2) Any building or property that is within or reasonably contiguous to paragraph (1) of this definition, that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor).

**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 makes up the campus is considered an on-campus student housing facility.

**Property Damage** – The estimated value of the loss of the structure and contents, in terms of the cost of replacement in like kind and quantity. This estimate should include contents damaged by fire, and related damages caused by smoke, water, and overhaul; however, it does not include indirect loss, such as business interruption.

**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 campus.

### Crime Statistics Sourcing – South Royalton, Vermont

In addition to the Law School’s Campus Incident Report Log, the administration corresponds with local law enforcement to obtain the data reported below:

<b>CRIMINAL OFFENSES REPORTING TABLE</b>				
<b>OFFENSE</b>	<b>YEAR</b>	<b>ON-CAMPUS PROPERTY South Royalton</b>	<b>NON CAMPUS PROPERTY South Royalton</b>	<b>PUBLIC PROPERTY South Royalton</b>
Murder/Non-Negligent Manslaughter	<b>2021</b>	<b>0</b>	<b>0</b>	<b>0</b>
	2020	0	0	0
	2019	0	0	0
Manslaughter by Negligence	<b>2021</b>	<b>0</b>	<b>0</b>	<b>0</b>
	2020	0	0	0
	2019	0	0	0
Rape	<b>2021</b>	<b>0</b>	<b>0</b>	<b>0</b>
	2020	0	0	0
	2019	0	0	0
Fondling	<b>2021</b>	<b>0</b>	<b>0</b>	<b>0</b>
	2020	0	0	0
	2019	0	0	0
Incest	<b>2021</b>	<b>0</b>	<b>0</b>	<b>0</b>
	2020	0	0	0
	2019	0	0	0
Statutory Rape	<b>2021</b>	<b>0</b>	<b>0</b>	<b>0</b>
	2020	0	0	0
	2019	0	0	0
Robbery	<b>2021</b>	<b>0</b>	<b>0</b>	<b>0</b>
	2020	0	0	0
	2019	0	0	0
Aggravated Assault	<b>2021</b>	<b>0</b>	<b>0</b>	<b>0</b>
	2020	0	0	0
	2019	0	0	0
Burglary	<b>2021</b>	<b>0</b>	<b>0</b>	<b>0</b>
	2020	0	0	0
	2019	0	0	0
Motor Vehicle Theft	<b>2021</b>	<b>0</b>	<b>0</b>	<b>0</b>
	2020	0	0	0
	2019	1	0	0
Arson	<b>2021</b>	<b>0</b>	<b>0</b>	<b>0</b>
	2020	0	0	0
	2019	0	0	0

<b>VAWA OFFENSES REPORTING TABLE</b>				
<b>OFFENSE</b>	<b>YEAR</b>	<b>ON-CAMPUS PROPERTY South Royalton</b>	<b>NON CAMPUS PROPERTY South Royalton</b>	<b>PUBLIC PROPERTY South Royalton</b>
Domestic Violence	<b>2021</b>	<b>0</b>	<b>0</b>	<b>0</b>
	2020	0	0	0
	2019	0	0	0
Dating Violence	<b>2021</b>	<b>0</b>	<b>0</b>	<b>0</b>
	2020	0	0	0
	2019	0	0	0
Stalking	<b>2021</b>	<b>0</b>	<b>0</b>	<b>0</b>
	2020	0	0	0
	2019	0	0	0

<b>ARRESTS AND DISCIPLINARY ACTIONS/REFERRALS</b>				
<b>OFFENSE</b>	<b>YEAR</b>	<b>ON- CAMPUS PROPERTY South Royalton</b>	<b>NON CAMPUS PROPERTY South Royalton</b>	<b>PUBLIC PROPERTY South Royalton</b>
Arrests: Weapons: Carrying, possessing, etc.	<b>2021</b>	<b>0</b>	<b>0</b>	<b>0</b>
	2020	0	0	0
	2019	0	0	0
Disciplinary Actions: Weapons: Carrying, possession, etc.	<b>2021</b>	<b>0</b>	<b>0</b>	<b>0</b>
	2020	0	0	0
	2019	0	0	0
Arrests: Drug Abuse Violations	<b>2021</b>	<b>0</b>	<b>0</b>	<b>0</b>
	2020	0	0	0
	2019	0	0	0
Disciplinary Actions: Drug Abuse Violations	<b>2021</b>	<b>0</b>	<b>0</b>	<b>0</b>
	2020	0	0	0
	2019	0	0	0
Arrests: Liquor Law Violations	<b>2021</b>	<b>0</b>	<b>0</b>	<b>0</b>
	2020	0	0	0
	2019	0	0	0
Disciplinary Actions: Liquor Law Violations	<b>2021</b>	<b>0</b>	<b>0</b>	<b>0</b>
	2020	0	0	0
	2019	0	0	0

<b>HATE CRIMES REPORTING TABLE</b>	
There were no reported Hate Crimes for the years 2019, 2020, or 2021.	

<b>UNFOUNDED CRIMES REPORTING TABLE</b>					
	<b>YEAR</b>	<b>ON-CAMPUS PROPERTY South Royalton</b>	<b>NON CAMPUS PROPERTY South Royalton</b>	<b>PUBLIC PROPERTY South Royalton</b>	
Unfounded Crimes	<b>2021</b>	<b>0</b>	<b>0</b>	<b>0</b>	
	2020	0	0	0	
	2019	0	0	0	

### Crime Statistics Sourcing – 162 St. Paul Street, Burlington, Vermont

In addition to the Law School’s Campus Incident Report Log, the administration corresponds with Burlington law enforcement to obtain the data reported below:

<b>CRIMINAL OFFENSES REPORTING TABLE</b>					
<b>OFFENSE</b>	<b>YEAR</b>	<b>ON-CAMPUS PROPERTY Burlington</b>	<b>NON CAMPUS PROPERTY Burlington</b>	<b>PUBLIC PROPERTY Burlington</b>	
Murder/Non-Negligent Manslaughter	<b>2021</b>	<b>0</b>	<b>0</b>	<b>0</b>	
	2020	0	0	0	
	2019	0	0	0	
Manslaughter by Negligence	<b>2021</b>	<b>0</b>	<b>0</b>	<b>0</b>	
	2020	0	0	0	
	2019	0	0	0	
Rape	<b>2021</b>	<b>0</b>	<b>0</b>	<b>0</b>	
	2020	0	0	0	
	2019	0	0	0	
Fondling	<b>2021</b>	<b>0</b>	<b>0</b>	<b>0</b>	
	2020	0	0	0	
	2019	0	0	0	
Incest	<b>2021</b>	<b>0</b>	<b>0</b>	<b>0</b>	
	2020	0	0	0	
	2019	0	0	0	
Statutory Rape	<b>2021</b>	<b>0</b>	<b>0</b>	<b>0</b>	
	2020	0	0	0	
	2019	0	0	0	
Robbery	<b>2021</b>	<b>0</b>	<b>0</b>	<b>0</b>	
	2020	0	0	0	
	2019	0	0	0	
Aggravated Assault	<b>2021</b>	<b>0</b>	<b>0</b>	<b>0</b>	
	2020	0	0	0	

	2019	0	0	0
Burglary	<b>2021</b>	<b>0</b>	<b>0</b>	<b>0</b>
	2020	0	0	0
	2019	0	0	0
Motor Vehicle Theft	<b>2021</b>	<b>0</b>	<b>0</b>	<b>0</b>
	2020	0	0	0
	2019	0	0	0
Arson	<b>2021</b>	<b>0</b>	<b>0</b>	<b>0</b>
	2020	0	0	0
	2019	0	0	0

<b>VAWA OFFENSES REPORTING TABLE</b>				
<b>OFFENSE</b>	<b>YEAR</b>	<b>ON-CAMPUS PROPERTY Burlington</b>	<b>NON CAMPUS PROPERTY Burlington</b>	<b>PUBLIC PROPERTY Burlington</b>
Domestic Violence	<b>2021</b>	<b>0</b>	<b>0</b>	<b>0</b>
	2020	0	0	0
	2019	0	0	0
Dating Violence	<b>2021</b>	<b>0</b>	<b>0</b>	<b>0</b>
	2020	0	0	0
	2019	0	0	0
Stalking	<b>2021</b>	<b>0</b>	<b>0</b>	<b>0</b>
	2020	0	0	0
	2019	0	0	0

<b>ARRESTS AND DISCIPLINARY ACTIONS/REFERRALS</b>				
<b>OFFENSE</b>	<b>YEAR</b>	<b>ON-CAMPUS PROPERTY Burlington</b>	<b>NON CAMPUS PROPERTY Burlington</b>	<b>PUBLIC PROPERTY Burlington</b>
Arrests: Weapons: Carrying, possessing, etc.	<b>2021</b>	<b>0</b>	<b>0</b>	<b>0</b>
	2020	0	0	0
	2019	0	0	0
Disciplinary Actions: Weapons: Carrying, possession, etc.	<b>2021</b>	<b>0</b>	<b>0</b>	<b>0</b>
	2020	0	0	0
	2019	0	0	0
Arrests: Drug Abuse Violations	<b>2021</b>	<b>0</b>	<b>0</b>	<b>0</b>
	2020	0	0	0
	2019	0	0	0
Disciplinary Actions: Drug Abuse Violations	<b>2021</b>	<b>0</b>	<b>0</b>	<b>0</b>
	2020	0	0	0
	2019	0	0	0
Arrests: Liquor Law Violations	<b>2021</b>	<b>0</b>	<b>0</b>	<b>0</b>
	2020	0	0	0
	2019	0	0	0
Disciplinary Actions: Liquor Law Violations	<b>2021</b>	<b>0</b>	<b>0</b>	<b>0</b>
	2020	0	0	0
	2019	0	0	0

<b>HATE CRIMES REPORTING TABLE</b>	
There were no reported Hate Crimes for the years 2019, 2020, or 2021.	

<b>UNFOUNDED CRIMES REPORTING TABLE</b>				
	<b>YEAR</b>	<b>ON-CAMPUS PROPERTY Burlington</b>	<b>NON CAMPUS PROPERTY Burlington</b>	<b>PUBLIC PROPERTY Burlington</b>
Unfounded Crimes	<b>2021</b>	<b>0</b>	<b>0</b>	<b>0</b>
	2020	0	0	0
	2019	0	0	0