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INTRODUCTION TO THE CLERY ACT & STATEMENT OF COMPLIANCE

In 1990, Congress passed the 1990 Crime Statistics and Campus Security Act (Public Law 101-646, 104 Stat. 4233) requiring colleges and universities to collect and publish crime statistics and other public safety information. The Act was passed in response to the rape and murder of Jeanne Clery, a Lehigh University freshman, in her residence hall in 1986. Jeanne's murder was one of 38 violent crimes recorded at Lehigh in three years, but at the time there were no federal laws requiring colleges to report or disclose crimes on campus to students, employees, potential students or their parents. Her family was unaware of crimes that had occurred at Lehigh.

In 1991, the Act was renamed in honor of Ms. Clery: "The Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act," or, in short form, the "Clery Act." The Clery Act was meant to ensure public disclosure of crimes on college campuses, to help students and employees protect themselves from campus crime, and to assist prospective students and employees with considering public safety w(u)-3(dr-13(m)-17(as)-5(s)-5(i)-11(s)-16(t

REPORTING CRIMES & OTHER INCIDENTS

REPORTING

<https://www.uvm.edu/sites/default/files/UVM-Policies/policies/studentcode.pdf>

OFFENSES OF DISCRIMINATION, HARASSMENT, AND

Legally Protected Category

Identities or characteristics on the basis of which discrimination and harassment are prohibited by state and/or federal law, as defined in the [University's Equal Opportunity in Educational Programs and Activities](#) and [Equal Employment Opportunity/Affirmative Action](#) Policies.

Preponderance of the Evidence

The evidentiary standard used in campus investigation and disciplinary processes to determine whether or not a Respondent is responsible for a violation of UVM's Discrimination, Harassment, and Sexual Misconduct Policy. A preponderance of the evidence is found when the alleged actions are more likely to have occurred than not.

Respondent

An individual who has been accused of violating UVM's Discrimination, Harassment, and Sexual Misconduct Policy.

Retaliation

Any adverse action taken against a person for making a good faith report of prohibited conduct, or participating or declining to participate in any proceeding, under this policy. Acts of retaliation may include, but are not limited to, intimidation, threats, harassment, coercion, discrimination, or any other conduct that would discourage a reasonable person from engaging in activity protected under this policy. Retaliation does not include good faith actions lawfully pursued in response to a report of prohibited conduct. Retaliation may be undertaken or attempted either directly or by someone acting on behalf of another.

Sexual Misconduct

An umbrella term that includes:

Gender-Based Stalking: Engaging in a course of conduct directed at a specific person based on their gender, sexual orientation, gender identity, and/or gender expression that would cause a reasonable person to (1) fear for their safety or the safety of others; or (2) suffer substantial emotional distress.² A course of conduct means two or more acts, including but not limited to acts in which a person directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about another person, or interferes with another person's property. Substantial emotional distress means significant mental suffering or anguish.

the decision of an individual not to report an incident to law enforcement, unless otherwise required by law⁷.

Non-Police Options for Making a Disclosure

Individuals may contact the Office of Equal Opportunity directly to make a disclosure or report an incident of discrimination, harassment, or sexual misconduct and learn about University-based options for support and resolution:

In Person: 428 Waterman Building

By Phone: (802) 656-3368

By Email: TitleX@uvm.edu or Title9@uvm.edu
EqualOpportunity@uvm.edu

Online: [Bias, Discrimination & Harassment Incident Reporting Form](#)
(this form is also available at <https://www.uvm.edu/report>)

If such a disclosure is made to a UVM Reporter, necessitating a report to the Office of Equal Opportunity, the Complainant will be provided written information about available complaint and resolution processes by the office and be invited to meet with

complaints, available online at <https://www.uvm.edu/equal-opportunity/policies-and->

Note that the full procedures, which provide more details are available online at <https://www.uvm.edu/equal-opportunity/policies-and-procedures>.

Equal Opportunity Facilitated Resolution Process: Student and Employee Respondent Cases

When reporting an incident to the Office of Equal Opportunity and requesting a Facilitated Resolution, the process typically resolves within approximately 90 days. The steps to the process include:

1. An initial intake meeting during which a Complainant can meet with a Support Coordinator in the Office of Equal Opportunity to discuss supportive measures and resolution options (investigation and facilitated resolutions). Following this meeting, support measures can be enacted as described above. If the complainant does not want to continue with a resolution option, they can choose to

determined by the individual resolution agreement and are not listed here.

Potential Outcomes – Student Respondents

In cases in which student respondents are found responsible for violations of the University's Discrimination, Harassment, and Sexual Misconduct Policy, the following outcomes may be imposed:

Official Notice of Violation: An official written notification that a student's behavior is in violation of University regulations, policies, or standards, which clarifies expected behavior in the future. Further misconduct may result in more serious outcomes.

Official Notice of Concern: An official notice indicating that subsequent violations of University regulations, policies, or standards will result in a review for suspension or dismissal from the University.

Educational Outcomes: The Conduct Meeting Facilitator(s) may require completion of a variety of educational outcomes.

Fines or Fees: The Respondent must pay all fines or fees associated with their incident. Such fines/fees will be billed to a student's financial account.

Community Restitution: The Conduct Meeting Facilitator(s) may also require performance of a specified number of community restitution hours. This outcome will be fulfilled either on or off campus, as specified. On campus service will take place in a specified department.

Financial Restitution: The Conduct Meeting Facilitator(s) may require proof of restitution for damage done or other payment for expenses incurred as a result of the Respondent's actions. Restitution may be required to the University, a specific department, or a specific individual, as designated by the Conduct Meeting Facilitator.

Suspension from the University: This outcome separates the student from the University for a specified period of time. This outcome prohibits attendance at any classes and participation in the University Study Abroad program during the suspension period. The terms of the suspension may restrict access to University grounds or buildings, as well as attendance at University- sponsored social events, or other functions, as deemed appropriate by the Dean of Students or designee. The student may not register or enroll until the stated period of suspension is completed and any requirements for the suspension are fulfilled.

Dismissal: This outcome separates the student permanently from the University of Vermont.

If the Respondent fails to comply with any of the above, the Respondent may be held responsible for the costs of the University's legal and administrative expenses. (o)-61(a)-10(ce)-8-2()-6(is)-2(e)-1 0 0 1 I-3(n)-13(ds)-7(7)

Opportunity or Adjudicator, as applicable, to the sanctioning process in the applicable collective bargaining agreement.

POLICY LISTING

Discrimination, Harassment, and Sexual Misconduct Policy:

Attorney in Burlington at [802-951-6725](tel:802-951-6725) and the Office of the State's Attorney in Burlington at [802-863-2865](tel:802-863-2865).

DRUG AND ALCOHOL MISUSE EDUCATION PROGRAMMING

The University of Vermont takes the issue of alcohol and substance misuse seriously, regarding the issue as one which threatens the health and wellbeing of individuals and its community as well as representing a significant barrier to the effective engagement of students in their academic and co-curricular endeavors.

The high prevalence of alcohol and substance misuse among the college student population is acknowledged and is a topic of discussion and earnest effort.

Senior leadership takes an active role in articulating concerns about supporting the implementation and maintenance of evidence-

WEAPONS OFFENSES

POLICY STATEMENT & POLICE NOTIFICATION

The possession of firearms, fireworks, explosives, incendiary devices or weapons of any kind, and replicas or facsimiles thereof, (collectively "weapons") is prohibited on UVM property and facilities including residence halls, grounds, leased spaces, and personal vehicles in UVM parking lots, as they pose a substantial danger to the safety of community members. Exceptions may be made with

CAMPUS SECURITY AUTHORITIES ("UVM REPORTERS")

OVERVIEW & STATEMENT OF COMPLIANCE

The University encourages all members of the campus community to contact UVM Police Services when they have been the victim of, or have witnessed, criminal actions, and to contact the Office of Equal Opportunity if they have experienced or witnessed acts of discrimination, harassment, or sexual misconduct. The University, and in some cases federal law, further requires certain employees ("UVM Reporters") to make such reports, as outlined herein. UVM Reporters are identified and notified annually by the University's Clery Act Coordinator of their responsibilities. The category of "UVM Reporters" includes all individuals designated Campus Security Authorities (CSAs) under the Clery Act.

IDENTIFICATION OF UVM REPORTERS

It is the responsibility of the University's Clery Act Coordinator, in cooperation with the Vice Provost for Student Affairs and the Campus Title IX Coordinator, to annually identify who, as a result of their job duties at the University, has required reporting responsibilities ("UVM Reporters"). UVM Reporters are identified as, but not limited to:

- Members of the University of Vermont Department of Police Services and contract security personnel;
- Supervisors, managers, or higher level employees;
- Any chair, director, or dean of an academic unit;
- All full and part-time faculty members;
- Personnel with oversight responsibilities for students or student employees;
- Advisors to recognized student organizations;
- Coaches and coaching staff;
-

confidential mental health counseling to members of the campus community are exempt from the above listed reporting responsibilities when acting within the scope of their license. However, while not required by law or policy, these individuals are encouraged to discuss the possibility of filing a voluntary crime report to the appropriate law enforcement agency or University office with clients who have experienced crime, in addition to assisting them with accessing both on-campus and community resources.

In all other cases, upon the receipt of information that a crime or incident of discrimination or harassment (including sexual misconduct) has occurred, the UVM Reporter MUST:

1. Promptly fill out a crime statistic form at www.uvm.edu/police/csa, regardless of whether the individual who disclosed the incident to you chooses to file a police report, as outlined above.

The name of the alleged victim(s) should not be included unless:

The incident involves abuse or neglect of minors⁹ or vulnerable adults¹⁰;

The incident presents an "imminent or continuing threat of harm"¹¹; or

The UVM Reporter is given permission to do so.

UVM Reporters are not responsible for determining authoritatively whether a crime took place. A report should be made based on the information currently available to them, including location, name(s) of alleged perpetrators or witnesses, and an incident description.

2. Promptly make a report to the Office of Equal Opportunity to facilitate appropriate support and institutional response, if the (alleged) incident involves discrimination or harassment, including sexual misconduct:

[Bias, Discrimination & Harassment Incident Reporting Form](#)

3. Make the individual with whom they are in contact aware of their option to report the incident to local law enforcement (UVM Police Services: 284 East Avenue; 656-3473) and that UVM makes confidential and non-confidential resources available to the campus community that may be helpful to individuals who have experienced or witnessed an alleged crime, or incident of discrimination or harassment. Information on confidential and non-confidential resources is available in the [COMMUNITY AND SUPPORT RESOURCES](#) section of this report (*see page 44*). The University must respect the

UNIVERSITY CODES OF CONDUCT & DISCIPLINARY PROCESSES

POLICY STATEMENT & INTRODUCTION

INSTITUTIONAL EMERGENCY RESPONSE

representatives, and at least one member of the Policy Group. Additional tests will involve evacuation drills overseen by the Campus Fire Marshal.

Incident Command System

During an on-campus emergency, the University follows the Incident Command System (ICS) model which includes an on-scene Incident Commander (often from UVM Police Services), and an Emergency Operations Center (staffed by the Emergency Operations Group) that can be activated to support Incident Command

institutions. UVM Emergency Management has access to emergency operations channels used by area public safety agencies and interoperability channels used nationally.

issued by UVM Police Services, and all UVM Police leadership staff and Sergeants are empowered to authorize a timely warning. Periodic updates to timely warnings may be disseminated as information becomes available but are not sent for all timely warnings.

Emergency Notification

In addition to the above procedures for initiating a timely warning, the University has a policy and procedures in place for immediate emergency response and evacuation. Emergency Notifications shall be issued upon confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of individuals on campus. Generally, Emergency Notifications will be issued via the *CatAlert*

Should the nature of the emergency require notification outside the campus community, the responsibility for doing so rests with the Director of University Communications or the person assigned the Public Information Officer (PIO) role within UVM's Emergency Operations Group. Based upon the nature of the event, the PIO may use differing means and methods including but not limited to those listed on the UVM Emergency Management website at: <http://www.uvm.edu/emergency/>.

Campus Advisories

In situations that do not meet the criteria for a Timely Warning or Emergency Notification, the University may still issue an advisory message ("Campus Advisory") to inform the campus community and allow individuals to take appropriate precautions. A Campus Advisory may include information about public health and safety concerns (e.g. power outages, snow closures, strings of larcenies), as well as actions individuals may take to ensure their personal safety and wellbeing. Campus Advisories may be disseminated using the CatAlert system, the CatSafe App, via e-mail to all UVM faculty, staff and students, and/or posted on the Police Services Webpage or social media accounts (Facebook, Twitter, etc.) Additionally, hard copies of Campus Advisories may occasionally be placed around campus in areas frequented by students, faculty, and staff. Campus Advisories may take the form of educational messages, awareness bulletins, crime alerts, or other messaging.

COMMUNITY AND SUPPORT RESOURCES

UVM Police Officers, the Title IX Coordinator, Deputy Title IX Coordinators, Dean of Students, Director of Equal Opportunity and HopeWorks' victim support personnel within the Center for Health and Well-being are trained on issues related to victim and bystander support, including assisting individuals with contacting appropriate authorities (at the individual's election), securing needed medical attention and/or counseling, remedial and protective measures, and other support as requested. Other resources are listed in this section including counseling, health, mental health, victim advocacy, legal assistance, visa & immigration assistance, student financial aid guidance, and other services and supports for victims of crime. Confidential Resources are highlighted in [blue](#).

ON CAMPUS SUPPORT RESOURCES & SERVICES LISTING



Center for Student Conduct	802-656-4360	<i>Student accountability processes, conflict intervention programs, social justice mediation, and academic integrity programming. The CSC seeks to foster student accountability and skill development in the areas of conflict resolution, dialogue, identity development, & restorative practice.</i>
Dean of Students Office	802-656-3380	<i>Student administration, student life, CARE Team, & Center for Student Conduct appeals.</i>
Mosaic Center for Students of Color	802-656-3819	<i>The Mosaic Center for Students of Color (MCSC) fully supports the holistic development of African, Latino(a), Asian, Native American, Multiracial and New American students so that as confident students of color they attain their goals for academic achievement, personal growth, identity formation, and cultural development.</i>
Office of International Education	802-656-4296	<i>Can provide visa and immigration assistance and connect international students with their nearest consulate or embassy. Point of contact for study abroad and travel study participants who have experienced concerning behavior.</i>
Prism Center	802-656-8637	<i>The Prism Center serves the diverse queer and trans communities at the University of Vermont. The center supports and empower lesbian, gay, bisexual, transgender and queer students, as well as students whose identities fall in between or expand beyond those categories and works to create a campus community where people of all sexual and gender identities can thrive.</i>
Student Accessibility Services	802-656-7753 or email: access@uvm.edu	<i>Provides services and accommodations at no cost to all UVM Students who have current documentation of a disability that substantially limits one or more major life activities. Examples of services and accommodations include access to assistive technology devices and software, collaboration with Residential Life in the provision of housing accommodations, distraction reduced testing center use, extended time for exams and quizzes, print materials in alternate formats, note taking services, communication access real-time translation (CART), and sign language interpreting.</i>
Student Financial Services	802-656-5700	<i>Provides advice and guidance on financial aid and</i>

Vermont Adult Crisis Hotline (Howard Center Mobile Crisis)	802-488-6400	<i>Support for adults and their family members or friends who are experiencing a mental health crisis and need immediate assistance, 24/7.</i>
Vermont Bar Association Lawyer Referral Service	1-800-639-7036	<i>Provides a referral to a lawyer at no-cost to you with an attorney who will provide an initial 30-minute consultation for no more than \$25.</i>
Vermont Student Assistance Corporation (VSAC) Resource Center	802	

ADDITIONAL RESOURCES & SUPPORT SERVICES RELATED TO SEXUAL MISCONDUCT

The resources listed above and many more, to include national support hotlines and services, are available on the University's Support Resources website <https://www.uvm.edu/equal-opportunity/support-resources>. This website includes counseling, health, mental health, victim advocacy, legal assistance, visa & immigration assistance, student financial aid, and other resources, supports, hotlines (including crisis hotlines), and services for individuals who have experienced, witnessed, or are otherwise impacted by incidents of sexual harassment or misconduct

CRIME PREVENTION AND EDUCATION AT UVM

In addition to maintaining a fully sworn comprehensive police agency on campus (UVM Police Services), the University of Vermont has many programs, departments, systems, and other measures in place to enhance public safety and prevent crime. Some of these are outlined in this section.

MAINTENANCE OF CAMPUS GROUNDS AND F

In a given situation, any one or combination of these strategies may be appropriate. Some things to keep in mind when intervening in a concerning situation are:

Do not put yourself at risk – if you are concerned that directly intervening could escalate a situation and put you or others at risk of harm, consider delegating by calling police or interrupting the situation with a distraction;

Do not make a situation worse – when intervening, it is important to identify a way to stop the concerning situation without escalating it. If people are upset or fighting, a situation can be unpredictable and you should call the police;

Intervene at the earliest point possible:

Remember, intervening does not necessarily mean confronting – there are resources at your disposal such as UVM Police Services, your RA or RD (in a residence hall), a professor (in a classroom environment), a supervisor or manager (in a work environment), or another official who may be present or reachable in a given set of circumstances;

Ask for help! Bystander intervention is a community effort – alert your friends if you see something and need to intervene, or call the police.

Examples of Bystander Intervention

Interrupting a person who you see isolating, hitting on, trying to make out with, or trying to have sex with an incapacitated individual by spilling a drink on the violator and creating a scene about that instead;

Speaking up when someone discusses plans to sexually take advantage of another person;

Interjecting yourself into a conversation where another person appears to be unsafe;

Offering to drive or call and share a cab to get an incapacitated friend home from a party;

Calling the police or immediately alerting your RA or RD if you hear people fighting in your residence hall;

Confronting someone or speaking up when you hear them using racist, sexist, homophobic, or other biased or harmful language;

Confronting a person who is acting sexually or romantically aggressive toward someone who seems uninterested.

Additional Training on Bystander Intervention

UVM offers additional bystander intervention training opportunities and is in the process of implementing and disseminating a new bystander intervention training and curriculum to the campus community. This training is part of the Vermont Violence Prevention Project (VVPP). For more information, visit:

<https://www.uvm.edu/dsc/vvpp-vermont-violence-prevention-project>.

RISK REDUCTION – SAFE & POSITIVE WAYS TO REDUCE RISK

Risk reduction means options designed to decrease perpetration and bystander inaction, and to increase empowerment for individuals in order to promote safety and to help individuals and communities address conditions that facilitate violence. Risk reduction used jointly with Bystander Intervention can have a powerful positive impact on a community.

Safe & Positive Risk Reduction Strategies:

Install and utilize the safety features in the [UVM CatSafe App](#).

Travel with friends in groups of three or more whenever possible. Have at least one person who is

aware of where you are and who you are with. Be sure to update that person if plans change.

Know your surroundings. Keep phone numbers for friends, local cab companies, Hope Works, UVM Police Services, Burlington Police, and other support services handy.

Trust your instincts. If you find yourself at a party where you don't know a lot of people or the crowd doesn't feel right, gather your friends and leave.

Always carry your cell phone charged and consider carrying a portable charger. If you are concerned for you or a friend's immediate safety, do not hesitate to call 9-1-1.

If a friend seems to be acting strangely or not like themselves, kindly check in with them to be sure everything is OK. Use "I" statements. Say something like "I have noticed that you seem to be doing XYZ lately. Is everything going OK?" Let them know that you are there and can support them, and that there are resources on campus that they can turn to.

Continue educating yourself about personal and community safety, and bystander intervention. Get involved in on- or off-campus offices that are doing this type of work or sign up for a class that seems relevant.

Visit the UVM [Safety & Security Tips & Information](#) website for more information about how to reduce risk.

Ongoing Prevention and Awareness Campaigns

Ongoing prevention and awareness campaigns are programming, initiatives, and strategies that are sustained over time and provide the same information as, and share goals with, primary prevention and awareness programs. The University of Vermont coordinates multiple ongoing prevention and awareness programs, some of which target the entire UVM community and some of which target segments of the community, with the goal of reaching all populations of students and employees at the institution. A representative selection of ongoing prevention and awareness campaigns offered at the University is described below.

Annual Sexual Assault Prevention Training for Students:

Returning UVM students are required to complete online training modules annually. The courses build upon the concepts from the primary prevention course required for all incoming students. These trainings provide

PREPARING AND DISTRIBUTING THE ANNUAL CRIME REPORT

ANNUAL CRIME STATISTICS: 2021 – 2023

Under the Clery Act, colleges and universities are required to report a number of crime statistics using uniform definitions. UVM reports these statistics directly to the Department of Education and publishes them in the University's Annual Security Report (this document) by October 1 each year. The Annual Security Report is published online and distributed as described in the previous section. The Department of Education publishes the Clery statistics from every college and university with obligations under the Clery Act on its website at: <http://ope.ed.gov/campussafety/#/>.

UNDERSTANDING C

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 family violence laws of the jurisdiction in which the crime of violence occurred.

In accordance with Vermont law [15 V.S.A. § 1101], Domestic Violence includes felony or misdemeanor crimes of violence committed by persons who, for any period of time, are living or have lived together, are sharing or have shared occupancy of a dwelling, are engaged in or have engaged in a sexual relationship, or minors or adults who are dating or who have dated ["household members"]. *Due to the inclusion of "household members" in the definition of domestic violence under Vermont law, incidents of 'Dating Violence' as defined below which occur in Vermont are captured under 'Domestic Violence.'*

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, and *dating violence does not include acts covered under the*

Theft, Simple Assault, Intimidation, and Destruction/Damage/Vandalism of Property, as defined below.

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

PRIMARY CRIME STATISTICS: 2021 – 2023

	On Campus (1)	Public Property	Non-Campus Property	Annual Total: All Geography	Student Housing Facilities (2)
Murder / Non-					

VIOLENCE AGAINST WOMEN ACT (VAWA) OFFENSE STATISTICS: 2021 – 2023

	On Campus (1)	Public Property	Non-Campus Property	Annual Total: All Geography	Student Housing Facilities (2)
Domestic Violence (4)					
2021	2	1	0	3	1
2022	7	0	1	8	7
2023	5	0	0	5	3
Dating Violence (5)					
2021	0	0	0	0	0
2022	0	0	0	0	0
2023	0	0	0	0	0
Stalking					
2021	7	0	1	8	2
2022	14	0	0	14	9
2023	17	0	0	17	5

WEAPON, DRUG, AND LIQUOR LAW VIOLATION STATISTICS: 2021 – 2023

	On Campus (1)	Public Property	Non-Campus Property	Annual Total: All Geography	Student Housing Facilities (2)
Arrests: Weapons – Carrying, Posses					

UNFOUNDED CRIME

APPENDIX A: Violence Against Women Reauthorization Act of 2022 Definitions

The University of Vermont's definitions of relationship violence, sexual assault, and stalking (listed above, see page [12](#)) capture all offenses defined by the Violence Against Women Reauthorization Act of 2022 (VAWA) as dating violence, domestic violence, sexual assault, and stalking. Below is a listing of these offenses as defined by VAWA:

1. 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.
 - a. The existence of such a relationship shall be 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.
 - b. For the purposes of this definition –
 - i. Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
 - ii. Dating violence does not include acts covered under the definition of domestic violence.
2. Domestic Violence: A felony or misdemeanor crime of violence committed –
 - a. By a current or former spouse or intimate partner of the victim;
 - b. By a person with whom the victim shares a child in common;
 - c. By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
 - d. 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
 - e. 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.
3. Sexual Assault: An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's Uniform Crime Reporting (UCR) program. Per the National Incident-Based Reporting System User Manual from the FBI UCR Program, a sex offense is "any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent."
4. Stalking:
 - a. Engaging in a course of conduct directed at a specific person that would cause a reasonable person to –
 - i. Fear for the person's safety or the safety of others; or
 - ii. Suffer substantial emotional distress
 - b. For the purposes of this definition –
 - i. *Course of conduct* means two or more acts, including, but not limited to, acts 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.
 - ii. *Reasonable person* means a reasonable person under similar circumstances and with similar identities to the victim.
 - iii. *Substantial emotional distress* means significant mental suffering or anguish that may but does not necessarily, require medical or other professional treatment or counseling.

APPENDIX B: Vermont Criminal Statute Definitions

The University of Vermont department of Police Services has full law enforcement authority in the State of Vermont as enacted by the General Assembly of the State of Vermont: Title 16 VSA § 2283. The State of Vermont Statutes contain jurisdictional criminal definitions of domestic violence, sexual assault, and stalking. In addition to enforcement of University of Vermont policies and compliance with the Violence Against Women Reauthorization Act of 2022, The University of Vermont, through the department of Police Services, enforces the Vermont Criminal Statutes. This includes enforcement of laws against domestic violence, sexual assault, and stalking. Vermont criminal definitions of these acts are listed below:

Domestic Violence (defined in 15 V.S.A. § 1151)

"Domestic violence" means an act of abuse as defined in subdivision 1101(1) of this title and includes a threat of such acts committed against an individual in a domestic situation, regardless of whether these acts or threats have been reported to law enforcement officers.

15 V.S.A. § 1101 Definitions

The following words as used in this chapter shall have the following meanings:

1. "Abuse" means the occurrence of one or more of the following acts between family or household members:
 - a. Attempting to cause or causing physical harm.
 - b. Placing another in fear of imminent serious physical harm.
 - c. Abuse to children as defined in subchapter 2 of chapter 49 of Title 33.
 - d. Stalking as defined in 12 V.S.A. § 5131(6).
 - e. Sexual assault as defined in 12 V.S.A. § 5131(5).
2. "Household members" means persons who, for any period of time, are living or have lived together, are sharing or have shared occupancy of a dwelling, are engaged in or have engaged in a sexual relationship, or minors or adults who are dating or who have dated. "Dating" means a social relationship of a romantic nature. Factors that the court may consider when determining whether a dating relationship exists or existed include:
 - a. the nature of the relationship;
 - b. the length of time the relationship has existed;
 - c. the frequency of interaction between the parties;
 - d. the length of time since the relationship was terminated, if applicable.

NOTE: There is no separate definition of "dating violence" in the Vermont Statutes. Notably, the above statutory definition of domestic violence captures all incidents characterized by VAWA as dating violence.

Sexual Assault (defined in 15 V.S.A. § 1151)

"Sexual assault" means an act of assault as defined in 13 V.S.A. § 3252(a) or (b) (sexual assault) or 3253(a) (aggravated sexual assault), and includes a threat of such acts, regardless of whether these acts or threats have been reported to law enforcement officers.

Sexual assault (13 V.S.A. § 3252)

- A.** No person shall engage in a sexual act with another person and compel the other person to participate in a sexual act:
1. without the consent of the other person; or
 2. by threatening or coercing the other person;
 3. by placing the other person in fear that any person will suffer imminent bodily injury; or
 4. when the person knows or reasonably should know that the other person is asleep, unconscious, or otherwise unaware that the sexual act is occurring.

APPENDIX B

- B.** No person shall administer any alcohol, drugs, or other intoxicants to another person without the person's knowledge or against the person's will and, while the person is impaired by the alcohol, drugs, or intoxicants, engage in a sexual act with that person.
- C.** No person shall engage in a sexual act with another person when the other person is incapable of consenting to the sexual act due to substantial impairment by alcohol, drugs, or other intoxicants and that condition is known or reasonably should be known by the person.
- D.** No person shall engage in a sexual act with a child who is under the age of 16, except:
 - 1. where the persons are married to each other and the sexual act is consensual; or
 - 2. where the person is less than 19 years old, the child is at least 15 years old, and the sexual act is consensual.
- E.** No person shall engage in a sexual act with a child who is under the age of 18 and is entrusted to the actor's care by authority of law or is the actor's child, grandchild, foster child, adopted child, or stepchild.
- F.**