



*The*  
**UNIVERSITY**  
*of* **VERMONT**

Policy V. 3.0.1.1

Responsible Official: Senior Vice President  
and Provost

Effective Date: June 23, 2006

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# **Domestic Abuse and Violence Prevention and Response**

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## **Policy Statement**

It is an essential goal of the University to provide and maintain a safe campus for all members of its community, free from violence and threats of violence. Domestic abuse and violence will not be tolerated on campus, including residential halls, offices, and other facilities owned or leased by the University. University students, faculty, or staff who engage in domestic abuse or violence on campus, or who use University facilities, property, vehicles, communications media (such as phones, FAX, email and other internet-based media), or other resources to engage in such activity, are subject to disciplinary action, up to and including expulsion or dismissal, and criminal prosecution. In addition, violators who are not students or employees but who are visitors to campus and/or are engaged in University or University-affiliated programs and activities are subject to loss of privileges, no-trespass orders, and criminal prosecution.

## **Reason for the Policy**

This policy articulates an institutional commitment to individual and public safety and to the prevention and prosecution of domestic abuse and violence. The policy is intended to facilitate achievement of this objective through the initiation and implementation of effective programs for domestic abuse and violence prevention; threat management; crisis intervention; prompt disposition of alleged policy violations; and victim support services.

## **Strategic Direction**

This policy supports the following goal in the University's Strategic Plan:  
[http://www.uvm.edu/president/?Page=strategic\\_planning/strategicplan.html](http://www.uvm.edu/president/?Page=strategic_planning/strategicplan.html)

- Create an outstanding student experience that promotes personal and intellectual development

The policy is intended to create an academic and working environment conducive to the achievement of the institutional mission and fulfillment of Our Common Ground.

## **Applicability of the Policy**

This policy applies to all students, faculty, staff, campus visitors, and persons who are engaged in University-affiliated programs and activities.

## **Policy Elaboration**

Domestic abuse and violence are an epidemic of national scope, reaching across all segments of society, regardless of socio-economic, racial, gender, sexual orientation, cultural background, age, and other characteristics or lifestyle factors. In addition to the impact these forms of abuse and violence have upon the private lives of members of the University community, they also affect the safety of campus and the quality of the work that employees and students can perform when at risk of, or experiencing, physical and/or emotional abuse.

For these reasons, employees and students are strongly encouraged to seek assistance and support if they believe they are at risk physically or emotionally of domestic abuse or violence. If a student or employee perceives an imminent threat to the physical safety of self or others, **911** assistance should be immediately secured.

Similarly, supervisors are encouraged to contact the Employee & Labor Relations Office for guidance if they have reason to believe that an employee whom they supervise may be the victim of domestic abuse or violence and, if there are immediate workplace safety concerns, a supervisor must immediately contact Police Services (911).

To assist employees and students in addressing the emotional effects of domestic abuse or violence, the University offers confidential counseling services, as listed in the “Services” description of this policy. In addition, the University sponsors victim’s advocate services available to students and employees through the Women’s Center, which can assist individuals in identifying options available to them and by providing advocacy support. Office of Human Resources personnel are also available to explain to employees benefits policies and programs relevant to questions of illness or injury arising out of domestic abuse and violence, including those relating to health care, absenteeism, court-related leave for domestic abuse proceedings, and confidential University counseling services. Finally, if an employee or student wishes to file a complaint against another member of the University community, this Policy explains the channels available for such purposes.

*Note:* The conduct this policy prohibits may also constitute a violation of other institutional policies. For example, a sexual assault may occur between two persons who are “household members” or in a “dating relationship” and thus constitute a violation of the sexual assault

policy as well as the domestic abuse and violence prevention policy. A complaint or grievance must clearly state the facts relevant to any complaint or grievance filed so that the applicable policy or policies can be identified by responsible administrators. If more than one office has responsibility for administering cited policy violations, the senior administrators for the responsible offices will determine which office or offices will process the complaint or grievance, and advise the affected individuals of applicable procedures.

In cases where charges are proven, the person found responsible for misconduct will not face cumulative sanctions for violation of multiple policies for the same conduct if more than one University policy is violated. University procedures are not a substitute for criminal court proceedings, however, and a violator may be subject to criminal prosecution in addition to University discipline.

## Definitions

For purposes of this Policy, the following definitions apply:

*Abuse*: the occurrence of one or more of the following between an individual and a household member or dating partner: (a) attempting to cause or causing physical harm or placing another in fear of imminent physical harm or violence; or (b) harassment, meaning a course of conduct that would cause a reasonable person to fear unlawful sexual conduct, unlawful restraint, bodily injury, or death, including but not limited to verbal threats (by whatever medium communicated), vandalism, or physical contact to which there is not consent.

*Domestic*: involving a household member or dating partner. “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 are dating or have dated. “Dating” means a social relationship of a romantic nature between opposite or same-sex partners. Factors that will be considered in 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; and (d) the length of time since the relationship ended, if applicable.

*Violence*: any crime, or attempted crime, involving endangerment of, harm to, or threats of endangerment or harm to, a person, including, without limitation: domestic assault; sexual assault; stalking; lying in wait; lewd or lascivious conduct; arson; unlawful restraint; burglary; manslaughter and murder; kidnapping; reckless endangerment; and maiming.

## Procedures

Reporting threats to the campus and individual students, staff, or faculty, including apparent violations of this Domestic Abuse and Violence Policy, is important to the preservation of safety. The University thus urges persons who believe that an imminent threat to physical safety of self or others exists or that a crime has occurred to contact Police Services on an emergency basis (**Dial 911**).

In a non-emergency situation, a student or employee who wishes to file a complaint regarding a perceived violation of this Policy may proceed as follows:

Domestic abuse or violence incidents involving two persons who are both members of the UVM community will be handled through customary complaint or grievance channels, as summarized below.

- Complaint against a UVM Student: contact the Center for Student Ethics and Standards (Nicholson House, 41 South Prospect Street, 656-4360) ( <http://www.uvm.edu/cses/?Page=contact.html> )
- Complaint against a UVM staff member: contact Employee & Labor Relations (232 Waterman Building, 656-4467)( <http://www.uvm.edu/~emplrel/> )
- Complaint against a UVM faculty member: contact Employee & Labor Relations (232 Waterman Building, 656-4467)( <http://www.uvm.edu/~emplrel/> )

Domestic Abuse or Violence Incidents where one person is a UVM student, faculty or staff member, and the other person is not a UVM community member who has, through an external judicial civil or criminal proceeding, been found guilty of, or responsible for, conduct that violates this policy is subject to UVM disciplinary action if the conduct is determined by UVM to (1) reflect adversely on his or her fitness to remain enrolled in an academic program or employed in his/her position; and/or (2) pose an imminent threat of harm to the safety of UVM community members. When the University has actual notice and adequate documentation of facts and outcome of such a external proceeding, the matter will be reviewed by the appropriate administrator (i.e., supervisor in the case of an employee violator or student affairs official in the case of a student violator) and any action deemed appropriate under the standard just stated will be instituted under applicable disciplinary procedures.

In general, the University lacks authority over persons who are not members of the University community for violations of this policy or related state or local laws. A UVM community member, however, who has obtained a relief from domestic abuse order, is a complaining witness in domestic abuse proceedings or a related criminal investigation or prosecution, or who otherwise has a basis for concern about his or her personal safety on campus as a result of such proceedings, or due to threats or incidents of domestic abuse or violence, is urged to contact UVM Police Services promptly regarding such concerns for law enforcement or public safety assistance. In addition, as described in this policy, counseling and other services are also available to UVM community members in such situations.

### University Services

Action Needed	Contact	Phone
To report possible <b>crime or imminent threat</b> to personal or public safety	Police Services	Emergency: 911

For <b>counseling</b>	<u>Faculty and staff:</u> Employee Assistance Program  <u>Students:</u> Counseling Center	(800) 828-6025 <a href="http://www.uvm.edu/hrs/?Page=healthy/wellness.html">http://www.uvm.edu/hrs/?Page=healthy/wellness.html</a>  The Counseling Center at Jacobs House 146 South Williams Street 656-3340  The Counseling Center at Redstone Christie/Wright/Patterson Complex 436 South Prospect Street 656-0784 <a href="http://www.uvm.edu/~counseling/?Page=staff.html">http://www.uvm.edu/~counseling/?Page=staff.html</a>
For <b>medical services</b>	<u>Faculty and staff:</u> Usual health care providers  <u>Students:</u> Student Health/Medical Clinic	For information on employee health care benefits, contact Benefits Office, 656-3322 <a href="http://www.uvm.edu/~benefits/">http://www.uvm.edu/~benefits/</a>  425 Pearl Street Telephone: 656-3350 Appointments: 656-0847
For victim's advocate services	Campus Advocacy Program, UVM Women's Center	34 South Williams Street 656-7892 or 656-9538 <a href="http://www.uvm.edu/~women/?Page=advocacy.html&amp;SM=capmenu.html">http://www.uvm.edu/~women/?Page=advocacy.html&amp;SM=capmenu.html</a>

*Note:* University officials may be obligated under applicable professional standards and/or law to report to appropriate authorities an imminent threat to personal or public safety. A person reporting possible violation of this policy should inquire of the service provider as to whether and to what extent a consultation is confidential.

## Forms

None

## Contacts

For questions related to the daily operational interpretation of this policy:

See Procedure Section for specific contact information

The Senior Vice President is the responsible official for interpretation and administration of this policy.

## Related Policies/Documents

Campus Safety Reports (Clery Act)

<http://www.uvm.edu/~police/?Page=reports/campusSafety.php&SM=reports/nav.html>

Firearms Policy

<http://www.uvm.edu/%7Euvmppg/ppg/general.html/firearms.pdf>

Sexual Assault Policy

[http://www.uvm.edu/%7Euvmppg/ppg/general\\_html/sexassault.pdf](http://www.uvm.edu/%7Euvmppg/ppg/general_html/sexassault.pdf)

Student Alcohol and Other Drug Policy- Interim

<http://www.uvm.edu/~uvmppg/ppg/student/drugandalco.pdf>

Drug-Free Workplace Policy

[http://www.uvm.edu/~uvmppg/ppg/general\\_html/drugfree.pdf](http://www.uvm.edu/~uvmppg/ppg/general_html/drugfree.pdf)

Alcohol and other Drugs

[http://www.uvm.edu/~uvmppg/ppg/general\\_html/alcohol.pdf](http://www.uvm.edu/~uvmppg/ppg/general_html/alcohol.pdf)

### Also of Interest

Amorous Relations with Students Policy

[http://www.uvm.edu/%7Euvmppg/ppg/general\\_html/student\\_relation.pdf](http://www.uvm.edu/%7Euvmppg/ppg/general_html/student_relation.pdf)

Amorous Relationships Policy – Department of Athletics

[http://www.uvm.edu/%7Euvmppg/ppg/general\\_html/amorous.pdf](http://www.uvm.edu/%7Euvmppg/ppg/general_html/amorous.pdf)

Sexual Harassment:

[http://www.uvm.edu/~uvmppg/ppg/general\\_html/sexharas.pdf](http://www.uvm.edu/~uvmppg/ppg/general_html/sexharas.pdf)

Code of Student Rights and Responsibilities

<http://www.uvm.edu/%7Euvmppg/ppg/student/studentcode.pdf>

Collective Bargaining Agreements

<http://www.uvm.edu/~emplrel/?Page=agreements.html>

## **Effective Date**

Approved by the President on June 23, 2006