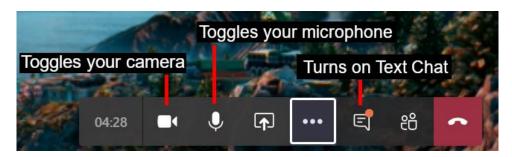
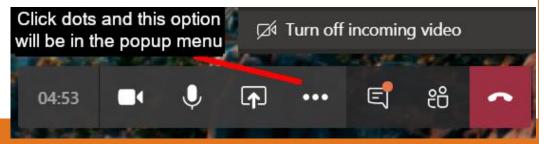
# Welcome! The Training Will Begin Shortly

#### **Please:**

- Make sure your microphone is muted and your camera is off.
   We have many participants today!
- Use the Text Chat for questions and comments.
- If you have slower internet or low bandwidth, turning off incoming video may help you get better audio quality.







EDUCATIONAL PROGRAM FOR
UVM REPORTERS
2020 - 2021 ACADEMIC YEAR

# What is the Clery Act?

- The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act took effect in 1991, and requires all colleges and universities participating in federal student aid programs to:
  - Maintain a public daily crime log (<a href="https://www.uvm.edu/police/crime-fire-log">https://www.uvm.edu/police/crime-fire-log</a>);
  - Publish and distribute to students and employees, as well as prospective students and employees, an annual crime report by October 1, which includes 3 years of crime statistics (<a href="http://www.uvm.edu/police/reports/clery/public-safety-report.pdf">http://www.uvm.edu/police/reports/clery/public-safety-report.pdf</a>); and
  - o Provide both emergency and timely warnings to the campus community about crimes and other emergencies posing an immediate or ongoing threat.
- To learn about UVM's commitment to compliance with the Clery Act, the University's Campus Safety and Security Policy can be found at: <a href="http://www.uvm.edu/policies/riskmgm/clery.pdf">http://www.uvm.edu/policies/riskmgm/clery.pdf</a>.

# Who is Jeanne Clery?

- Jeanne Clery, a Lehigh University freshman, was raped and murdered by a fellow student on April 5, 1986 in her dorm room.
- Before Jeanne's death, there were no uniform laws mandating that colleges report crimes on campus to students, employees, or potential students -- there had been 38 violent crimes on Lehigh's campus in the three years before Jeanne's murder, of which Jeanne and her family were unaware.



### What is Title IX?

- Title IX of the Education Amendments of 1972 protects people from sex based discrimination in education programs and activities that receive federal financial assistance.
- Sexual violence is a form of sex discrimination prohibited by Title IX and the University must take immediate action to eliminate the harassment, prevent its recurrence, and address its effects when it knows or reasonably should know of its existence.

# Are there other laws that prohibit acts of discrimination and harassment?

- Yes. Titles VI and VII of the Civil Rights Act of 1964 protect individuals from discrimination and harassment, on the basis of protected status, including race, color, religion, national or ethnic origin, age, sex, sexual orientation, marital status, disability, or gender identity or expression.
- Title VI applies to UVM's programs and activities.
- Title VII applies to UVM as an employer.

# What do these laws have to do with me?

AS A RESULT OF YOUR POSITION,
YOU HAVE REQUIRED REPORTING RESPONSIBILITIES
UNDER FEDERAL LAW AND UNIVERSITY POLICY

YOU ARE A "UVM REPORTER"

# What positions and offices have required reporting responsibilities?

- Members of the University of Vermont Department of Police Services and contract security personnel;
- Supervisors, managers, and higher level employees;
- Department chairs, directors, and deans of academic units;
- **All** full and part time faculty members;
- Personnel with oversight responsibilities for students or student employees, including:
  - UVM employees and volunteers who have responsibility for student and campus activities, such as Residential Life, the Center for Student Conduct, the Title IX Coordinator and Deputy Coordinators, and Student Life;
  - Advisors to recognized student organizations;
  - o Coaches and coaching staff; and
- Any other individual or organization the University designates by policy as a resource to whom students and employees should report crimes.

# I understand that I am required to report certain information and cannot promise confidentiality. Who at UVM can?

- Licensed Mental Health Counselors and Licensed Healthcare Practitioners in the CHWB and EAP are considered confidential employees and are not required to report incidents when acting within the scope of their license/practice. These individuals still are required to report de-identified statistical information about discrimination, harassment, and sexual misconduct incidents to the Title IX Coordinator.
- The Campus Victim's Advocate (Judy Rickstad) is <u>limited to</u> providing non-identifiable incident data to the Title IX Coordinator and anonymized incident reports to Police Services for inclusion in the University's Clery Act statistics.

\*\*\* NOTE: All above listed individuals are required to break confidence in certain legally prescribed situations where an imminent or continuing threat of harm exists.



# What reporting responsibilities arise under the Clery Act?

- To ensure that members of the campus community, including students, employees, and participants in sponsored programming, know about potential safety issues, the Clery Act requires institutions to gather and publish crime data from law enforcement agencies and UVM Reporters [Campus Security Authorities (CSAs) under the Clery Act].
- <u>You are required to</u> report certain (alleged) crimes, including hate crimes, occurring within the University's Clery Geography for inclusion in the University's Annual Campus Security Report, in compliance with the Clery Act using UVM's CSA Information Portal: <a href="https://www.uvm.edu/police/csa">www.uvm.edu/police/csa</a>.
  - o "Public Safety at the University of Vermont" serves as the Annual Safety and Security Report for the UVM campus: <a href="http://www.uvm.edu/police/reports/clery/public-safety-report.pdf">http://www.uvm.edu/police/reports/clery/public-safety-report.pdf</a>.

# What Must be Reported under the Clery Act?

• **Clery Crimes:** the following (alleged) crimes occurring within the University's Clery Geography must be reported using the CSA Information Portal:

Arson	Aggravated Assault	Burglary	Manslaughter by Negligence	Motor Vehicle Theft	Murder/ Non- Negligent Manslaughter	Robbery
Dating Violence	Domestic Violence	Fondling	Incest	Rape	Stalking	Statutory Rape

• **Hate Crimes:** <u>In addition to the criminal offenses listed above</u>, where a victim is intentionally selected because of their actual or perceived *race*, *gender*, *religion*, *sexual orientation*, *gender identity*, *ethnicity*, *national origin*, or *disability*, <u>the following crimes shall be reported as Hate Crimes</u> according to the category of prejudice evidenced:

Simple Assault	Larceny / Theft	
Intimidation	Vandalism	

# What is within "Clery Geography"?

- On Campus (Grounds, Buildings, and Structures) any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls; and any building or property that is within or reasonably contiguous to such buildings or property that is owned by the institution but controlled by another person and is frequently used by students and supports institutional purposes.
- **Public Property** all thoroughfares, streets, sidewalks, and parking facilities that are within the campus, or immediately adjacent to and accessible from "Campus Grounds, Buildings and Structures".
- **Non-Campus** any building or property owned or controlled by a student organization that is officially recognized by the institution; or 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 or non-matriculated participants in University sponsored programming, and is not within the same reasonably contiguous geographic area of the institution.

# What reporting responsibilities relate to Title IX and other discrimination laws?

- The University is legally obligated to address incidents of discrimination, harassment, and sexual misconduct or violence involving a member of the campus community whenever a UVM Reporter knew or should have known about the incident <u>regardless of whether the incident occurred on or off-campus</u>.
- Therefore, in addition to submitting Clery Crime reports, you must also report incidents of discrimination and harassment to the Office of Affirmative Action and Equal Opportunity to ensure appropriate institutional response and facilitate the provision of support services.
  - A copy of the *University's Discrimination*, *Harassment*, *and Sexual Misconduct Policy* can be found at: <a href="https://www.uvm.edu/sites/default/files/UVM-Policies/sexharass.pdf">https://www.uvm.edu/sites/default/files/UVM-Policies/sexharass.pdf</a>

# Recent Title IX Changes

- On May 6, 2020, the US Department of Education published a new "Final Rule" pertaining to Title IX. The new regulations went into effect on August 14.
- The new rules resulted in changes to how certain sexual misconduct cases are adjudicated at UVM, and resulted in a comprehensive overhaul of UVM's discrimination and harassment policies and procedures.
- The new rules <u>do not</u> impact UVM Reporters obligations, which stem from the Clery Act and University Policy.

# Has the COVID-19 Crisis Changed Clery Act or Title IX Requirements?

- No changes to reporting requirements!
- UVM must still fully comply with these regulations during the COVID-19 Crisis.
- We are anticipating different kinds of incidents that may arise from quarantine periods and cohabitation.
- UVM remains committed, fully staffed, and responsive to all reports of misconduct or criminal activity.
- The Deadline for UVM's 2020 Annual Security Report publication has been moved from October 1 to December 31, 2020.

# A crime or other concerning incident has occurred or is occurring ... what should I do?

### **FOLLOW THESE STEPS!**

### #1 -- CONTACT LAW ENFORCEMENT

- <u>ALWAYS</u>, call 9-1-1 if a crime or other emergency is in progress, or if at any time there is an imminent or continuing threat of harm to persons or property.
- In a non-emergency situation, make the individual you are speaking with aware of their option to make a report to local law enforcement and assist with making initial contact. *On-Campus:* UVM Police Services

### #2 -- MAKE A CLERY ACT REPORT

\*Incidents occurring on University property or at sponsored event\*

- **Promptly file an Crime Statistic Reporting Form** at www.uvm.edu/police/csa, regardless of whether a police report is filed.
  - The name of the alleged victim(s) should <u>not</u> be included <u>unless</u>:
    - 1) Disclosure is required by law (e.g. abuse or neglect of minors; vulnerable adults);
    - 2) The incident presents an "imminent or continuing threat of harm";
    - 3) The incident constitutes stalking or domestic (incl. dating) violence; or
    - 4) You are given permission to do so by the alleged victim.
  - All other identifying information shared with you about the incident <u>must</u> be included (i.e. location, name(s) of alleged perpetrator, incident description, etc.).

### #3 -- MAKE A REPORT TO AAEO

\*All Forms of Discrimination and Harassment, including Sexual Misconduct\*

- All allegations of **discrimination and harassment**, *including all forms of sexual misconduct*, <u>must</u> be reported to Affirmative Action and Equal Opportunity (AAEO) to enable appropriate support and institutional response, including:
  - Name(s) of Reporting Party, Alleged Victim, Alleged Perpetrator, and Witnesses, to the extent known
  - ▼ Location of the Incident
  - Nature of the Incident
- Sexual Misconduct Reports: <u>TitleIX@uvm.edu</u> or Title9@uvm.edu
- All Other Reports:

www.uvm.edu/aaeo

Bias, Discrimination & Harassment Incident Form

# #4 -- PROVIDE SUPPORT AND RESOURCES

Make the individual you're speaking with aware of campus and community resources that may be helpful:

#### FREE & CONFIDENTIAL Campus Resources:

•	Campus Victim's Advocate (located in the UVM Women's Center)	656-7892
•	Counseling & Psychiatry Services (CAPS)	656-3340
•	Employee Assistance Program (Invest EAP)	864-EAPØ
•	Student Health Services	656-3350

FF	REE & CONFIDENTIAL Community Resources:	
•	H.O.P.E. Works (Rape Crisis)	863-1236
•	Howard Center Adult Crisis Hotline	488-6400
•	Safe Space at Pride Center VT (LGBTQA survivors)	863-0003
•	Steps to End Domestic Violence	658-1996
•	UVM Medical Center Emergency Department	847-2434
•	Vermont Center for Crime Victim Services	241-1250
•	Vermont Domestic Violence Hotline	1-800-228-7395
•	Vermont Sexual Violence Hotline	1-800-489-7273

#### **NON-CONFIDENTIAL Resources:**

•	Affirmative Action and Equal Opportunity (AAEO) / Title IX Coordinator	656-3368
•	Dean of Students Office	656-3380
•	UVM Police Services	656-3473
•	Vermont Adult Protective Services	1-800-564-1612
•	Vermont Department of Children and Family Services (DCF)	1-800-649-5285



# **Common Questions**

# BUILDING YOUR "UVM REPORTER TOOLKIT"

# Sample Talking Points: What to Say When an Incident is Disclosed to You

- 1. I am so sorry that this has happened to you.
- 2. Do you need medical attention or wish to speak to a crisis counselor? Do you feel safe?
- 3. It might be helpful for you to talk to someone who can provide confidential support, such as the Campus Victim's Advocate, Counseling and Psychiatry Services (CAPS) or the Employee Assistance Program (EAP).
- 4. Do you want to file an incident report with local law enforcement? May I help you report this to the police if you haven't already? Would you like me to go with you or help you call?
  - If you choose not to file a police report yourself, I still need to file an incident report with UVM Police Services as part of my job responsibilities for statistical inclusion in the Annual Security Report. I will not include your name, unless you give me permission.
  - b) My report will contain only the information you provide. Would you like to help me fill it out?
- [If Discrimination or Harassment] I am required to share information about this incident, including your name, with the University's Office of Affirmative Action and Equal Opportunity (AAEO). While it is up to you whether to respond, the AAEO Intake and Outreach Coordinator will be reaching out to you to offer support, including possible remedial or protective measures, and explain your options should you wish to pursue an internal administrative process or criminal action. Would you like to contact AAEO together, or can I help you make an appointment to learn about your options?
- 6. **[If Sexual Harassment or Misconduct]** The Campus Victim's Advocate is also available to offer support. It is up to you whether you want to meet with her. I would encourage you to connect with her and can help you to set up an appointment.
- 7. Do you have any questions?
- 8. Is there anything else I can do to support you?



### Scenario: Overheard Before Class

Before class begins, you happen to notice two students talking. You cannot quite make out what they are saying, but overhear one student is telling the other that her partner was yelling at her and threw objects in her dorm room the night before. As they talk, she begins to cry. When you begin class, both students stop their conversation and you do not hear anything further about the situation.

- What do you do?
- How do you support the Student?
- What is your role in this process?
- Would you report this incident? How?

### Scenario: The Confidential Email

A student from your class sends you a lengthy email on Sunday evening. John writes that someone he just met at a party sexually took him advantage of. He is confiding in you because he does not know where else to turn. He is stressed about your class, and his home life is not going well. He just needs an extension on a paper that is due on Monday and asks that you keep his email confidential.

- What do you do?
- How do you support the Student?
- What is your role in this process?
- Would you report this incident? How?

# Scenario: Supporting the Accused

A student approaches you and says that his former partner has accused him of sexual assault. He tells you he is afraid he is going to be arrested, that he is innocent, and does not want to tell his parents. He is stressed about his course work and is afraid he will fail out of school.

- What do you do?
- How do you support the Student?
- What is your role in this process?
- Would you report this incident? How?

### Scenario: Unwanted Communication

You are chatting with a colleague or student in the hall during a bit of downtime during the day. You are catching up after not having seen each other for a while. They mention that they have been having a hard time. Someone they knew in high school has found them on social media, and has been sending them messages nonstop. They blocked the person on Instagram, but then started getting texts and Facebook messages. They tell you that the person isn't directly threatening them, but that the messages are uncomfortable and they are nervous about the situation.

- What do you do?
- How do you support the Student/Colleague?
- What is your role in this process?
- Would you report this incident? How?

# Scenario: Remote Learning Disclosure

You have approximately 300 students in your remote-learning classes, and it has been difficult to keep track of everyone remotely. To help with this, you offer online office hours so that your students can easily reach you directly with questions and concerns. You record your lectures in advance for students to view on their own, and students can follow-up during office hours if they have questions or need assistance. You notice one of your students who was doing well in your class before switching to remote learning has not participated in your online lectures.

After failing the first remote test, the student joins your online office hours to figure out how to improve. During your conversation, the student discloses to you that they have not been able to focus since being home. Their home life with their family is difficult, and they face issues of food insecurity. Toward the end of your conversation, they tell you they were sexually assaulted at a UVM party the weekend before they left for break. They were planning to access services when they came back to campus, but since they did not return, they don't know what to do. They do not want their parents to find out about the assault and assume all UVM support services have stopped.

- What do you do?
- How do you support the Student?
- What is your role in this process?
- Would you report this incident? How?



### Scenario: The Teams Call

You are on a Teams call with colleagues. The conference call lead asks all participants to mute their computers to avoid unintended background noise. The lead tells everyone that they should only unmute their computers if they wish to speak or ask a question. Chris is one of the participants in the meeting and your colleague. During the meeting, they unmute their computer to ask a work-related question, and unknowingly forget to re-mute it when finished. Toward the end of the meeting, you hear a child crying in a background. Then you hear a person begin yelling to Chris, "How am I supposed to work like this?!? I have to work, too, and I can't get anything done! I have had enough of this... you can't leave and there is nothing you can do now. Get off your stupid call and pull your weight around here!!!"

You hear what appears to be an object being thrown and Chris is crying. You can't see what is going on because Chris has their background screen blurred. As soon as this happens, Chris hangs up and leaves the Teams meeting.

- What do you do?
- How do you support Chris?
- What is your role in this process?
- Would you report this incident? How?

# You said "Clery Act, Title IX, and Beyond" ... dare I ask?!

# OTHER LAWS AND POLICIES UVM REPORTERS SHOULD BE FAMILIAR WITH

# Reporting Other Kinds of Incidents at UVM

Other kinds of misconduct and concerns about student welfare often warrant reporting that is not Clery or Title IX related.

#### o CARE Form:

- Report concerns about a student or colleague here. Examples may include academic struggles, mental health problems, physical health problems, family crises, personal challenges, absenteeism, and substance use concerns.
- https://cm.maxient.com/reportingform.php?UnivofVermont&layout\_id=5

### Other Reports:

- ➤ The UVM Dean of Students Office maintains a listing of the various reporting forms at UVM on their website. If you need to report something and aren't sure where, this listing may help.
- <u>https://www.uvm.edu/deanofstudents/student\_advocacy</u>



# Suspected Incidents of Hazing

- UVM Reporters are required to report incidents of hazing to Police Services.
- O **Hazing:** any act committed by a person, whether individually or in concert with others, against a student in connection with joining/pledging, being initiated into, affiliating with, holding office in, or gaining or maintaining membership in any organization that is affiliated with the University; and has the effect of socially or physically isolating, humiliating, intimidating, or demeaning the student or having the effect of harming or potentially harming the mental or physical health of a student.
  - **▼ Contact: UVM Police Services -- (802) 656-3473**

# Abuse and Neglect of Minors

- Vermont law requires that certain professionals report to Vermont Dept. for Children and Families (DCF) any incident arising as to which there is reasonable cause to believe a minor has been abused or neglected.
  - **×** Contact: Vermont DCF − 1 (800) 649-5285
- o In addition, to protect optimally the safety of minors who are participating in University programs and activities, the University requires any employee who has reasonable cause to believe that a minor participating in such a program or activity has been, or is being, abused or neglected to report the concern promptly.
  - **▼ Contact: UVM Police Services (802) 656-3473**

# Abuse and Neglect of Vulnerable Adults

- Vermont law requires that certain professionals report to Vermont Adult Protective Services any incident arising as to which there is reasonable cause to believe a vulnerable adult has been or is currently being abused, exploited or neglected.
  - **▼ Contact: Adult Protective Services 1 800 564-1612**
- o In addition, to protect optimally the safety of individuals who are participating in University programs and activities, the University requires any employee who has reasonable cause to believe that a vulnerable adult participating in such a program or activity has been abused, exploited or neglected to report the concern promptly.
  - **▼ Contact: UVM Police Services (802) 656-3473**

## Missing Students

O In accordance with the Higher Education Opportunity Act of 2008, the Clery Act, and University Policy, UVM Reporters are required to notify the University of Vermont Police Services if they obtain information that a residential student is or may be missing.

**▼ Contact: UVM Police Services -- (802) 656-3473** 

# Resource Spotlight: AAEO Intake and Outreach Coordinator

### Taryn Moran AAEO - 428 Waterman

TitleIX@uvm.edu

#### Responsibilities:

- First line of response in AAEO when a report of discrimination or harassment is received;
- Assess reports for threat to campus safety and need for interim action, including implementation and monitoring of appropriate remedial and protective measures designed to promote safety and facilitate continued access to University employment or education programs and activities;
- Provide information to both parties, as well as witnesses and advisors, about University policies and processes;
- Make appropriate resource referrals (on and off-campus);
- Develop and maintain appropriate outreach materials and resources;
- Conduct training and outreach to campus community members about University processes and resources.



### Resource Spotlight: Campus Victim's Advocate

### Judy Rickstad 34 South Williams Street UVM Women's Center

Advocate@uvm.edu

- FREE AND CONFIDENTIAL SUPPORT in person or by phone.
- Sees victims and bystanders following an incident of gender based violence (i.e. one day to several years after)
- Hears and holds the victim or bystander's story
- Informs victim of their rights on campus, through AAEO, and within the criminal justice system.
- Available to accompany individuals to medical, legal, criminal justice and/or campus investigation and disciplinary proceedings.
- Ensures a standardized level of care, including receipt of:
  - Medical attention (as needed)
  - Referral to Counseling & Psychiatry Services (students) and Invest EAP (employees)
  - Information about reporting options
  - Referrals to off-campus agencies



### **Resource Spotlight:**

### Title IX and Sexual Misconduct Website

- The purpose of this website is to provide access to information and resources intended to prevent sexual assault and misconduct, and to promote healthy, respectful and responsible relationships and choices.
- On this website, you will find information about:
  - UVM's policies and processes related to sexual harassment and misconduct;
  - How to identify sexual misconduct and assault, relationship violence, stalking, and other forms of gender-based discrimination and harassment;
  - What your reporting options or obligations are, and the process that will occur if you do make a report;
  - What to do if you or a friend have been sexually assaulted, are being stalked, or have experienced relationship violence;
  - University and community resources, and how you can get involved;
  - Sexual Health and Healthy Relationships.

https://www.uvm.edu/aaeo/title-9-sexual-misconduct



# Summary of Key Points

- In an emergency, call 911.
- Reporting alleged crimes to UVM Police Services is a requirement of your job, and federal law. This may be accomplished by filing an electronic report (<a href="www.uvm.edu/police/csa">www.uvm.edu/police/csa</a>), which need not include the alleged victim's name.
- Reporting allegations of discrimination and harassment, including all forms of sexual misconduct, to AAEO is also a requirement of your job and federal law. This may be accomplished by emailing <a href="mailto:TitleIX@uvm.edu">TitleIX@uvm.edu</a> or completing an online <a href="mailto:AAEO Incident Reporting Form">AAEO Incident Reporting Form</a>.
- When in doubt REPORT!

# Helpful Contacts



### To Make a Report:

- Crimes Generally: <u>www.uvm.edu/police/csa</u>
- Sexual Misconduct: <u>TitleIX@uvm.edu</u> or <u>Title9@uvm.edu</u>
- Discrimination/Harassment: AAEO Incident Reporting Form (http://www.uvm.edu/aaeo)

### For Information:

- <u>UVM Police Services</u>: x6FIRE [911 in an Emergency]
- AAEO / Title IX Coordinator: x63368
- <u>Campus Victim's Advocate</u>: x67892
- <u>Dean of Students Office</u>: x63380
- Office of the General Counsel: x68585

## **Policy Links**



#### **UVM Reporter Operating Procedure:**

https://www.uvm.edu/sites/default/files/UVM-Policies/policies/campussecruity.pdf

#### Discrimination, Harassment and Sexual Misconduct Policy:

https://www.uvm.edu/sites/default/files/UVM-Policies/policies/sexharass.pdf

#### **Missing Student Policy:**

http://www.uvm.edu/policies/general html/missingstudent.pdf

#### **Reporting Abuse and Neglect of Minors:**

http://www.uvm.edu/policies/general html/abuse minors.pdf

#### Reporting Abuse, Neglect & Exploitation of Vulnerable Adults:

http://www.uvm.edu/policies/general html/vulnerableadults.pdf

## **UVM** CatAlert

FACULTY, STAFF, AND STUDENTS WILL AUTOMATICALLY RECEIVE AN EMAIL NOTICE OF A CAMPUS EMERGENCY, INCLUDING A DESCRIPTION OF REQUIRED ACTIONS, THROUGH THE CATALERT SYSTEM TO THEIR UVM.EDU ADDRESS.



### To opt-in for expanded notification via phone or text:

#### Instructions for Students

- o Log into MyUVM, and go to the "Registrar" Tab
- Navigate to the left side of the page to "My Contact Info (CatAlert)"
- Click on the link and update your number
- o Insert your new or updated number and click "Submit"

### Instructions for Employees

- o Log on to UVM's PeopleSoft Human Resource System from the PeopleSoft portal page.
- Navigate to "Self Service."
- Navigate to "Personal Information."
- o Navigate to "Phone Numbers."
- Use the "Add a Phone Number" button to insert as many emergency broadcast numbers as you like.