Policies for Preparing the Disclosure of Crime Statistics

As required by federal law, Marlboro College Graduate School's yearly crime statistics for this report are compiled by the Associate Registrar in conjunction with the Brattleboro Police on a calendar-year basis and in accordance with the definitions of crimes provided by the FBI for use in the Uniform Crime Reporting (UCR) system. These statistics include the previous 3 years concerning reported crimes that occurred on campus and on public property within or immediately adjacent to and accessible from, the campus. These statistics also include persons referred for campus disciplinary action for categories required under the Clery Act including liquor law violations, drug law violations and illegal weapons possession.

2012-2014 Statistics

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Definitions of Terms

Definitions The College reports crimes using the definitions and guidelines as described in the Federal Bureau of Investigation's Uniform Crime Reporting program and the Clery Act. The following are the crimes and crime definitions used by the College, as mandated:

Criminal Homicide/ Murder and Non-negligent Manslaughter - the willful (non-negligent) killing of one human being by another.

Criminal Homicide/Manslaughter by Negligence - The killing of another person through gross negligence.

Sex Offenses - Sex offenses include any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent. Sex offenses include rape, fondling, incest, and statutory rape as defined below.
Rape - The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.

Fondling - The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.

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

Statutory Rape - Sexual intercourse with a person who is under the statutory age of consent.

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

Aggravated Assault - An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm. (It is not necessary that injury result from an aggravated assault with a gun, knife, or other weapon is used which could and probably would result in serious personal injury if the crime were successfully completed.)

Burglary - The unlawful entry of a structure to commit a felony or a theft. For reporting purposes this definition includes: unlawful entry with intent to commit a larceny or felony; breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempts to commit any of the aforementioned.

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

Motor Vehicle Theft - The theft or attempted theft of a motor vehicle (automobile, truck, bus, motorcycle, motor scooters, snowmobiles, etc.) Includes all cases where motor vehicles are taken by persons not having lawful access even though the vehicles are later abandoned, including joyriding.

Liquor Law Violation - The violation of state or local laws or ordinance prohibiting the manufacture, sale, purchases, transportation, possession, or use of alcoholic beverages, not including driving under the influence and drunkenness.

Drug Law Violations - Violations 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. Incidences of violations of state and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing and making of narcotic drugs.

Illegal Weapons Possession - 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.
**Hate Crimes** – A crime reported to local police agencies or to a campus security authority that manifests evidence that the victim was intentionally selected because of the perpetrator’s bias against the victim. For the purposes of this section, the categories of bias include the victim’s actual or perceived race, religion, gender, gender identity, sexual orientation/ethnicity, national origin and disability. Any primary crime listed above (that is, murder, non-negligent manslaughter, negligent manslaughter, rape, fondling, incest, statutory rape, robbery, aggravated assault, burglary, motor vehicle theft, and arson), and the additional crimes of larceny-theft, simple assault, intimidation, or destruction/damage/vandalism of property, that manifests such evidence, will be recorded as a hate crime. The College is required to list the category of bias to the extent possible.

**Domestic violence** - means a felony or misdemeanor crime of violence committed by—a current or former spouse or intimate partner of the victim, a person with whom the victim shares a child in common, a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, 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 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.

**Dating violence** - means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the 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.

**Stalking** - means engaging in a course of conduct directed at a specific person that would cause a reasonable person to—fear for the person’s safety or the safety of others; or suffer substantial emotional distress. “Course of conduct” means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person’s property. “Reasonable person” means a reasonable person under similar circumstances and with similar identities to the victim. “Substantial emotional distress” means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

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**Hate Crimes Statistics**
No hate crimes have been reported at the Marlboro College Graduate & Professional Studies campus for calendar years 2012, 2013 or 2014.

**Criminal Offenses – On Campus**

<table>
<thead>
<tr>
<th>Offense</th>
<th>2012</th>
<th>2013</th>
<th>2014</th>
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<tbody>
<tr>
<td>a. Murder/Non-negligent manslaughter</td>
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<td>0</td>
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<tr>
<td>b. Negligent manslaughter</td>
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<tr>
<td>c. Sex offenses</td>
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<tr>
<td>d. Robbery</td>
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<tr>
<td>e. Aggravated assault</td>
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<tr>
<td>Category</td>
<td>2012</td>
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<tr>
<td><strong>Criminal Offenses – Public Property</strong></td>
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<tr>
<td>a. Murder/Non-negligent manslaughter</td>
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<tr>
<td>b. Negligent manslaughter</td>
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<td>c. Sex offenses *</td>
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<tr>
<td>f. Burglary</td>
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<tr>
<td>g. Motor vehicle theft</td>
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<td>0</td>
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<tr>
<td>h. Arson</td>
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<td>0</td>
<td>0</td>
</tr>
<tr>
<td>i. Domestic Violence</td>
<td>0</td>
<td>0</td>
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<tr>
<td>j. Dating Violence</td>
<td>0</td>
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<td>0</td>
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<tr>
<td>k. Stalking</td>
<td>0</td>
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<tr>
<td>*Including rape, fondling, incest, statutory rape</td>
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<tr>
<td><strong>Hate Crimes – On Campus</strong></td>
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<td>a. Murder/Non-negligent manslaughter</td>
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<tr>
<td>c. Sex offenses - Forcible</td>
<td>0</td>
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<td>0</td>
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<tr>
<td>d. Sex offenses - Non-forcible (includes only incest and statutory rape)</td>
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<td>e. Robbery</td>
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<td>i. Arson</td>
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<tr>
<td>j. Simple assault</td>
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<tr>
<td>k. Larceny-theft</td>
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<tr>
<td>l. Intimidation</td>
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<tr>
<td>m. Destruction/ damage/ vandalism of property</td>
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<td>0</td>
<td>0</td>
<td>0</td>
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<tr>
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### Disciplinary Actions – On Campus

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</table>
Policy Statements

Policy Statement Addressing Issuing Timely Warnings
In the event that a situation arises, either on or off campus, that, in the judgment of the Associate Dean for Graduate and Professional Studies, constitutes an ongoing or continuing threat, a campus wide “timely warning” will be issued. The warning will be issued through the college e-mail system to students, faculty, and staff. Depending on the particular circumstances of the crime, especially in all situations that could pose an immediate threat to the community and individuals, the Associate Registrar may also post a notice on the campus-wide electronic bulletin board in Moodle providing the Graduate School community with more immediate notification. The electronic bulletin board is immediately accessible via computer by all faculty, staff and students. Anyone with information warranting a timely warning should report the circumstances to Kathy Urffer (802-258-9206); Kelly Fletcher (802-258-9202); or Sean Conley (802-258-9203) by phone, or to any available Graduate School staff in person at 28 Vernon Street, 1st Floor.

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Policy Statement Addressing How to Report Criminal Offenses
Since our Graduate School campus occupies a public building, to report a crime contact the Brattleboro Police Department at (802) 257-7950 (non-emergencies), or dial 9-1-1- (emergencies only). Any suspicious activity or person seen in the parking lot, loitering around vehicles or inside the Graduate Center building should be reported to the following Graduate School staff:
1. Associate Dean for Graduate and Professional Studies; (802) 258-9203; sconley@gradschool.marlboro.edu
2. Associate Registrar; (802) 258-9206; kurffer@gradschool.marlboro.edu
3. Graduate Center Coordinator; (802) 258-9202; kfusc@gradschool.marlboro.edu

Policy Statement Addressing Voluntary Confidential Reporting
If you are the victim of a crime and do not want to pursue action through the criminal justice system, you may still want to consider making an anonymous report by calling the Brattleboro Police Crime Tip Hotline at (802) 251-8188. The purpose of an anonymous report is to comply with your wish to keep the matter confidential, while taking steps to ensure the future safety of yourself and others. With such information, the Graduate School can keep an accurate record of the number of incidents involving students, determine where there is a pattern of crime with regard to a particular location, method, or assailant, and alert the college community to potential danger. Reports filed in this manner are counted and disclosed in the annual crime statistics for the institution.

Policy Statement Addressing Security and Access
During business hours, the Graduate School will be open to students, parents, employees, contractors, guests, and invitees. During non-business hours access to the Graduate School is by key, which is issued to individual staff and faculty. Marlboro College Graduate & Professional Studies does not have any campus residences. The Marlboro College Graduate Center is a public building with numerous tenants and public events taking place at different times of the day. The doors to the building are generally open during office hours but may be open for extended hours if events in the building necessitate public access. Emergencies may necessitate the locking of Graduate Center building doors, which can be done remotely. Additionally, our facilities personnel routinely maintain and check all locks, alarms, and lighting in and around the building.

Policy Statement Addressing Campus Law Enforcement Authority
Marlboro College Graduate School does not have any campus security personnel. All law enforcement authority is held by the Brattleboro Police Department.

Policy Statement Addressing the Encouragement of Accurate and Prompt Crime Reporting
Community members, students, faculty, staff, and guests are encouraged to report all crimes and public safety related incidents to the Brattleboro Police Department (BPD) in a timely manner. They can be contacted at (802) 257-7950 (non-emergencies), or dial 9-1-1- (emergencies only).

Policy Statement Addressing Counselors and Confidential Crime Reporting
As a non-residential campus, Marlboro College Graduate School does not have any counselors on site. Student counseling would be done by pastoral or professional counselors that the student contracts with directly and would be subject to the laws of their state of residence.

*Policy Statement Addressing Security Awareness and Crime Prevention Programs for Students and Employees*
Since Marlboro College Graduate School is housed in a public building and we have no students in residence, the School does not hold any specific Security Awareness or Crime Prevention Programs for students or employees.

*Policy Statement Addressing Criminal Activity Off-Campus*
Marlboro College Graduate School does not have any officially recognized student organizations with off-campus locations.

*Policy Statement Addressing Alcohol and Drugs*
It is the policy of the Graduate School to abide by all state and federal laws related to the possession or use of alcohol and drugs. All faculty, staff, and students at the Graduate School are required to do the same. The Graduate School will impose sanctions on students and employees consistent with state and federal laws. Such action can range from verbal warnings to suspension or expulsion from the program or termination of employment and referral for prosecution for the violation of the standards of conduct described herein. Sanctions will be determined by the Academic Oversight Committee on a case-by-case basis.

Given that most, if not all, of the students at the Graduate School campus are at least 21 years of age, it is impossible for the Graduate School to dictate any guidelines regarding student behavior away from the building. The only student behavior that relates directly to the Graduate School is the use of alcohol at student gatherings offsite where a Graduate School staff or faculty member may be present. In those settings, the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees of the Graduate School, or as part of any Graduate School activities, is prohibited.

*Policy Statement Addressing Substance Abuse Education*
Substance abuse is of great concern to the Marlboro College community. Among the many health risks attendant to substance abuse is accidental overdose, physical and/or psychological dependence, organ damage, depression and increased susceptibility to accidents leading to serious injury. Because the College stresses the importance of preventative measures in dealing with any potential health problems, and in order to comply with the Drug-Free Workplace Act of 1988 and Drug-Free Schools and Communities Act Amendments of 1989, the College has adopted the following policy. The unlawful or improper use of alcohol within the workplace and on all campus property is prohibited. The unlawful manufacture, distribution, dispensation, possession or use of illegal drugs within the workplace and on all campus property is prohibited. Such action shall result in disciplinary action, up to and including termination of employment. No employee may be under the influence of alcohol or any illegal drug or controlled substance while in the
workplace, while on duty or while operating a vehicle or equipment owned or leased by the College.

College Penalties for Violation of the Policy:
Failure to abide by this policy will lead to disciplinary action, which could include:
- Referral to the Employee Assistance Program for evaluation and treatment, including required participation in a drug/alcohol rehabilitation program
- Written warning
- Suspension
- Termination
- Referral for prosecution

Legal Sanctions:
Employees are responsible for obeying all local, state and federal laws concerning alcohol and other drugs. Legal sanctions, as a result of conviction for unlawful possession, use or distribution of illegal drugs or alcohol, could include fines, community service work, required participation in a local, state or federally approved rehabilitation program and/or imprisonment.

Available Resources for Treatment:
The primary interest of the College is in the well-being of its employees. For that reason, we urge any employee who may be suffering from substance abuse or related problems to seek appropriate counseling and rehabilitation immediately. Such counseling is available through the College’s Employee Assistance Program (EAP), through the College’s health insurer and through public and private drug and alcohol agencies throughout Windham County and surrounding areas. The human resources office maintains a list of specific resources.

**Policy Statement Regarding Emergency Response and Evacuation Procedures**
Marlboro College Graduate Center is equipped with fire extinguishers (in various places on all floors), fire pull stations, a complete sprinkler system, and a direct line to the fire department. The primary mechanism for notifying occupants of an emergency is the fire alarm system. The system is automatically activated when its sensors register heat or smoke. It can also be manually activated if someone detects a fire before the sensors activate the alarm. Fire alarm “pull stations” are located near the exits on every floor. The audible alarm is a blasting horn and the visual alarm is a strobe light at each alarm box. The Brattleboro Fire Department is automatically notified any time the alarm is activated.

An emergency that necessitates the evacuation of the building can occur at any time for any number of reasons. When the alarm sounds, proceed calmly and immediately to the nearest exit using the primary (north) and secondary (south) stairway. Those in the 3rd and 4th floor bridge offices should exit the building via the Holstein Association if (and only if) access to the stairwell is blocked.

During an evacuation someone will be appointed to check the rest rooms, ensure that office doors are closed and be sure no one is left behind prior to leaving the building. Do not attempt to use the elevators during an evacuation. When the alarm sounds, the elevators go to the first floor, open and lock. Additionally, the fire doors will automatically shut. Do not prop these doors open – it is important that they remain closed throughout the duration of the incident.
Someone will be designated to account for all office employees and visitors at the evacuation destination. This area is predetermined and agreed upon by all personnel. Anyone not accounted for should be reported to Emergency Services.

Policy Statement Addressing Preventing and Responding to Sex Offenses
The College educates the undergraduate campus student community about sexual offenses through educational sessions during freshman orientation each fall. Literature on sex offense education and risk reduction is available through the undergraduate Dean of Students Office and the Marlboro College Health Center. Special Education sessions are held for RAs and new faculty. All students, faculty and staff receive the Sexual Harassment/Sexual Misconduct policy through their respective handbooks. Students must acknowledge that they have read the handbook every trimester they register for classes.

If You Have Been Sexually Violated:

- Find a safe environment away from your attacker (it need only be temporary). When possible, ask a trusted person to stay with you and assist you with getting help.
- To obtain immediate medical care or to contact the police, phone 911 for emergency services. (To provide proof of a criminal offense, evidence must be preserved. Do not use the toilet, bathe, brush your teeth or change clothing prior to a medical/legal exam.)
- Survivors have the option to, but are not required to, file a report with law enforcement. If you would like to file a report, sex offenses should be reported to local police who have jurisdiction where the offense occurred. If the offense occurred between students, faculty, or staff of Marlboro College, it should also be reported to the Title IX Coordinator, Kate Buttolph at (802) 802-275-4333, or kateb@marlboro.edu. If requested, Marlboro College Graduate School personnel will assist the student in notifying these authorities.
- There is a 24 hour survivor advocate available through The Women’s Freedom Center at 802-254-6954. This service is available to men and women.
- For individuals who wish to seek counseling, local confidential counseling resources include Women’s Freedom Center (802-254-6954); Mental Health Services (802-254-0028 and 802-258-9250); and Brattleboro Hospital Emergency Room (802-257-8222). Marlboro College Graduate School does not provide on-campus counselors.
- Marlboro College is obligated to comply with a student’s request for a living and/or academic situation change following an alleged sex offense. This might include withdrawal from a course without penalty, allowing for a leave of absence, or supporting fully distant education. The Survivor Advocate can assist in making emergency arrangements such as change of housing or shifts in the academic schedule. The advocate will also accompany the survivor to the hospital for medical/forensic examination, police reporting, and make any additional desired arrangements.

Marlboro College disciplinary proceedings, as well as special guidelines for cases involving sexual misconduct, are detailed in the Policy on Sexual Misconduct at: https://nook.marlboro.edu/public/governance/handbooks/sexual_harassment. Complaints may be formal, informal, or anonymous. In an anonymous complaint, the Complainant may speak with the survivor advocate at the Women’s Freedom Center, to seek advice about an
instance of sexual misconduct without naming the Respondent or initiating a formal or informal procedure. Conversations with the advocate are confidential.

An informal complaint process will entail the Complainant and Compliance Coordinator discussing the Complainant’s desired resolution, and a meeting between the Compliance Coordinator, the Respondent, and the Complainant if he or she chooses to attend. The Compliance Coordinator may obtain a written agreement from the Respondent which will include compliance with the policy and may outline appropriate future conduct and behavior. Either the Complainant or Respondent may opt out of this procedure at any point. Individuals wishing to opt out of the process should understand that once the college is notified of a claim of sexual misconduct or retaliation, it has a legal obligation to investigate and take action if necessary.

A formal complaint process will initiate an investigation and hearing of the Sexual Misconduct Panel. This will entail interviews with the Complainant and Respondent, as well as witnesses. This procedure will conclude with a recommendation of sanctions, if any, from the Panel to the Dean of Faculty and Graduate Education (if the Respondent is a Graduate student or Graduate Faculty), or the Chief Human Resources Officer (if the Respondent is a staff member).

A student found guilty of violating the College’s sexual misconduct policy could be criminally prosecuted. In addition to this, potential remedies or sanctions imposed by Marlboro College may include, but are not limited to: verbal or written warning, a signed contract describing commitment to future behavior, training, counseling, probation, leave of absence with or without pay, dismissal from employment or expulsion from school, temporary or permanent transfer to a different position, class or academic assignment, reassignment of work or academic work, or alteration of living or work environment. Any mandated separation from the college for sexual misconduct shall recommend conditions that must be satisfied before the student’s return. In the case that a student is separated from the college, the Panel will consider putting conditions into place which must continue to be met after the student’s return.

Policy Statement Addressing Sex Offender Registration

In accordance to the “Campus Sex Crimes Prevention Act” of 2000, which amends the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act, the Jeanne Clery Act and the Family Educational Rights and Privacy Act of 1974, Marlboro College Graduate School provides the link below to the Vermont Sex Offender Registry. This act requires institutions of higher education to issue a statement advising the campus community where law enforcement information provided by a State concerning registered sex offenders may be obtained. It also requires sex offenders already required to register in a State to provide notice of each institution of higher education in that State at which the person is employed, carries a vocation, or is a student. The Vermont Online Sex Offender Registry is made available for the purpose of complying with 13 V.S.A. section 5401 et seq., which requires the Department of Public Safety to establish and maintain a registry of persons who are required to register as sex offenders and to post electronically information on sex offenders. The registry is based on the legislature’s decision to facilitate access to publicly available information about persons convicted of sexual offenses. The registry can be accessed at: http://www.communitynotification.com/cap_office_disclaimer.php?office=55275.