

Code of Conduct

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Vermont State University Code of Conduct exists both to protect the rights of all students and to hold students accountable for actions that negatively impact the University and its community. All students are expected to be familiar with their rights and responsibilities as set forth below.

Any reference to the policies and procedures of Vermont State University incorporates the policies and procedures of the [Vermont State Colleges system](#) as well.

A. Definitions in the Code of Conduct

All students are subject to the Code of Conduct, in addition to being responsible for complying with all other University policies.

The term **“student”** refers to all persons taking courses at the University, either full-time or part-time; pursuing undergraduate, graduate certificate, or professional studies; persons who withdraw after allegedly violating the Student Conduct Code; persons who are not officially enrolled for a particular term but who have a continuing relationship with the University; persons who have been notified of their acceptance for admission; or persons who are living in University residence halls or apartments, although not enrolled at VTSU.

The term **“student”** also includes Vermont Academy of Science and Technology (VAST) students. The University reserves the right to notify a VAST student’s home high school of any charges against and/or disciplinary action taken against a VAST student.

The term **“behavior”** encompasses words (written and spoken) and actions.

The term **“member of the University community”** includes Vermont State University system trustees, academic/faculty, nonacademic and administrative staff, students, and other persons on University property or at a University function.

The term **“hearing”** refers to the meeting student(s) alleged to have violated University policy are expected to attend.

This meeting will take place with a Student Affairs staff member who will issue an outcome.

The term **“sanction”** refers to the consequence(s) students are assigned after being found responsible for a Code of Conduct policy violation(s).

Students who are believed to have assisted others in violating any provision of the Code of Conduct may be charged with violating the Code to the same extent as those persons committing a violation. Attempts to violate this Code, including unsuccessful attempts, are prohibited and shall be treated the same as actual violations.

B. Filing an Incident Report

When a Vermont State University faculty, staff, or student member has a complaint or believes a student has violated one or more University policies, they should meet with a member of the Public Safety department to file an official complaint, complete an incident report on the university website, [complete the whistleblower process](#), or meet face-to-face with a university employee such as the Dean of Students, Director of Public Safety, or Director of Residence Life and Housing, or a Residence Life staff member.

When you file an incident report, University staff in the Offices of Public Safety, Housing and Residence Life, and Dean of Students are notified. To file an incident report online about a student related issue, please go to the following link and complete the form: [Public Safety Incident Report - Formstack](#). If you have questions about completing this form, please contact Public Safety at PublicSafety@VermontState.edu for assistance. This report is checked regularly; however, if you need immediate assistance or feel that you or someone else is in danger, please call 911.

C. Application of Code of Conduct

The Code of Conduct applies principally to conduct that occurs on University-owned, leased, or controlled property, at University-related activities, programs or events, or on University-sponsored trips, as well as inappropriate or unsafe behavior in clinical settings related to University educational programs. Off-campus conduct may also subject a student to disciplinary or other appropriate administrative action when it is reasonably perceived to pose an imminent threat of harm or safety of the student or others or reflects on a student’s fitness to continue in the academic program in which they are enrolled, or when it is perceived to have an adverse effect on University/community relations. This includes violation of state, federal, or local law. Any student convicted of a criminal offense (Misdemeanor or Felony) is expected to notify the Dean of Students of said violation prior to resuming attendance in classes.

[VSC Policy 311: Non-discrimination and Prevention of Harassment and Related Unprofessional Conduct](#) and [VSC Policy 311-A: Sexual Misconduct, Domestic Violence, Dating Violence, Sexual Assault and Stalking](#) cover conduct that takes place on University property, as well as conduct that takes place off campus, or through the use of online, electronic, or digital technologies, that may have a nexus to any University education program or activity, for example by creating a hostile environment on campus or representing a threat to the safety of members of the University community or the continuance of normal University operations.

The University may work with law enforcement agencies, to the extent permitted by law, and it reserves the right to discipline students charged or convicted of criminal activity.

Impairment due to the consumption of alcohol or other drugs or ignorance of the Code of Conduct or other University policies shall not be a defense to a finding of responsibility.

Although every effort has been made to assure the accuracy of the information contained in this Student Code of Conduct, laws, rules, and policies do change from time to time. This may be due to legislative action, judicial decisions, new and revised regulations at the state and federal level, as well as the adoption of new or revised policies by the Board of Trustees of the Vermont State Colleges system (VSC), the Office of the Chancellor, or by the President or President's designees. Such changes may alter the information contained in this publication. If there is a conflict between the information in this Code of Conduct and a subsequently amended policy, law, or rule, the subsequently amended policy, law or rule will control.

The University reserves the right to alter or update the Code of Conduct at any time. These updates to the Code will be communicated to the VTSU community through University email.

Students have the opportunity to participate in the formulation of policy directly affecting students through membership on appropriate committees as determined by the President or other recognized groups within the University.

D. Grounds for Discipline

Disciplinary measures may be taken for the following enumerated reasons. However, the following list does not cover every possible circumstance in which disciplinary action may be taken. In general, any act that violates University policies, impermissibly infringes upon the rights of others, or significantly disrupts the normal operation of the University may result in discipline.

Reminder that students who are believed to have assisted others in violating any provision of the Code of Conduct may be charged with violating the Code to the same extent as those persons committing a violation. Attempts to violate this Code, including unsuccessful attempts, are prohibited and shall be treated the same as actual violations.

Any type of misconduct, whether occurring on or off campus, may result in dismissal or in a lesser sanction deemed appropriate by the university. Attempts to commit acts prohibited by the Code of Conduct may be considered as serious as an actual violation.

1. Academic dishonesty, including, but not limited to, cheating or plagiarism.
2. Disorderly, lewd, indecent conduct or expression, or other disruptive or obstructive behavior which interferes with the rights of, or jeopardizes the safety or well-being of, any member of the University community.
3. Behavior which threatens or endangers the health or safety of oneself or others' person or property. This includes actions, implied actions, and threatened actions.
4. Non-physical violence or abuse, including verbal abuse, threats, intimidation, harassment, coercion, and/or other conduct which threatens or endangers the health or safety of any person.
5. Actual or attempted slapping, kicking, shoving, or otherwise striking another person.
6. Failure to abide by any of the University's published policies, rules, and regulations, or any of the published policies of Housing and Residence Life.
7. Harassment or intimidation including through the use of electronic media.
8. Expression that is not protected by the First Amendment, including but not limited to, defamation (libel and slander), obscenity, hate crimes, and fighting words.
9. Falsifying information to the University, such as forgery, alterations or intentional misuse of University documents, records, or identification.
10. Failure to comply with directions given by University employees, including resident assistants, acting in the performance of their duties.
11. Violation of health and safety standards.
12. Tampering with fire safety equipment.
13. Presence on campus under the influence of alcohol and/or those substances defined by Vermont State or Federal Law as illegal (which includes marijuana and cannabis based products).
14. Presence on campus under the influence of alcohol (for those under 21) or other illegal drugs.
15. Possession or use of alcoholic beverages on-campus at other than approved events or under approved conditions.
16. Illegal substances, as defined by Vermont State and/or Federal Law, other than those prescribed by a licensed physician for legitimate medical purposes may not be used, stored, manufactured, dispensed, or solicited on University property or at University-sponsored events or trips.
17. The use, sale, transfer, or possession of illegal substances and/or related paraphernalia on or off University premises.
18. Disruptive behavior exhibited as a result of illegal substance use, whether the use was on or off campus.
19. Possession or display of illegal paraphernalia.

20. Illegal gambling. (Gambling may be permitted in limited circumstances and only with prior University approval as a fund-raising activity for charitable causes).
21. Theft of, or damage to, University or personal property.
22. The use of personal transporters or recreational devices such as skateboards, hoverboards, rollerblades, or bicycles in University buildings or other undesignated areas.
23. Possession or storage of firearms or any other weapon, including replicas or facsimiles, on-campus or at University-sponsored events, unless prior approval has been received.
24. Trespassing in any form, including using windows or balconies for entrance or egress.
25. Possession or use of fireworks or other pyrotechnics on the University campus.
26. Solicitation of any form on campus for non-VTSU services or programs.
27. Willfully inciting or assisting others to commit any of the acts herein prohibited.
28. Failure to comply with the sanctions imposed under the Student Code of Conduct.
29. Discrimination, harassment, or related unprofessional conduct as described in [VSC Policy 311](#).
30. Sexual harassment, sexual exploitation, domestic violence, dating violence, sexual assault, or stalking as described in [VSC Policy 311A](#).
31. Hazing as described in [VSC Policy 313](#).
32. Tobacco use on University property as described in [VSC Policy 314](#).
33. Violations of [VSC Policy 502](#): Computing and Telecommunications Technology Conditions of Use.
34. Violations of [VSC Policy 316](#): Protection of Minors and Mandatory Reporting of Child Abuse and Neglect.

Social Media Posting

Vermont State University encourages and supports the use of social media by individual departments and programs. Social media accounts are meant to drive engagement between students, alumni, faculty, staff, prospective students, friends, and fans of the University. We expect all users of social media accounts representing Vermont State University to operate according to [university policies](#), [social media guidelines](#), and best practices.

All University departments, programs, and recognized student clubs and organizations with social media accounts are required to obtain approval and [register their accounts with the Communications Department](#) and provide administrative access or login credentials. Violations of social media guidelines could result in offending posts being removed, college-affiliated accounts being suspended or terminated, and conduct issues being referred to the Dean of Students.

Student Conduct Procedures and Due Process

A. Correspondence

University email is considered the official avenue for all written correspondence relating to student conduct. Code of Conduct correspondence will be sent via email. Students are responsible for checking their University email accounts regularly and responding to messages in a timely manner.

In matters of serious allegations, in addition to email, letters can also be delivered in person, sent through campus mail, or sent to the student via registered mail.

B. Scheduled In-Person Meetings

Students are expected to attend scheduled meetings. If a student is unable to attend a meeting, a hearing officer will work with them to reasonably reschedule. Sanctions may be determined in a student's absence if they do not attend their scheduled hearing.

C. Informational Disclosure and Hearings

Students accused of violating the Code of Conduct or other University policies will be provided with Conduct Meeting letter via email describing their alleged offense(s) including:

- The time and place of the alleged policy violations.
- A specific statement of which policies were allegedly violated and by what actions.
- The date, time, and place of the meeting.
- A copy of, or a link to the due process and disciplinary process being used at the time of the hearing.

A hearing officer will schedule a hearing with a student based on their academic class schedule. A hearing may take place virtually or in person.

At their hearing, students will have an opportunity to respond to the allegations and provide their side of the story.

Students will be given a fair opportunity to present a response to the allegations at the hearing.

Under normal circumstances, the accused will receive their conduct meeting letter no later than 10 business days from the date of the incident report.

*** If new information is discovered, the timeline for receiving their meeting letter will reset. Students will be notified of the hearing officer's decision within 5 business days through an outcome letter from the hearing officer. The student will have the opportunity to appeal any decision where they are suspended or removed from the University or removed from the residence halls. (Business days do not include University breaks).**

The University's disciplinary process is not equivalent to a criminal prosecution. The University uses the "preponderance of evidence" standard and, accordingly, must determine whether it is "more likely than not" that the

violation occurred. If the evidence presented meets this standard, then the student will be found responsible.

NOTE: The investigatory and adjudicatory process for alleged violations of VSC Policy 311: *Non-discrimination and Prevention of Harassment and Related*

Unprofessional Conduct is set forth at [Chancellor's Implementing Procedures for Policy 311](#).

Similarly, the adjudicatory process for alleged violations of VSC Policy 311-A; *Sexual Misconduct, Domestic Violence, Dating Violence, Sexual Assault and Stalking* are set forth at [Chancellor's Implementing Procedures for Policy 311-A](#).

An overview of the investigatory procedures for Policy 311 and Policy 311-A can be found [here](#). See generally [RESOLVE website](#) for the most recent information on Policy 311 and Policy 311-A.

Student Rights and Responsibilities in Disciplinary Proceedings

Each student has the right to tell their side of an incident before a sanctioning decision is made, unless the student resists all reasonable and good-faith efforts of the University to obtain the student's participation in the disciplinary process.

In those circumstances where a student presents an imminent threat to the health or safety of the student or others, a student may be placed on interim suspension from the residence halls or University pending a hearing. Such decision will normally be made by the Dean of Students, or their designee, in consultation with appropriate University officials. In such cases, the hearing will be held as soon as reasonably possible.

When questioned about a potential policy violation, students are encouraged to respond politely, provide identification promptly upon request, and comply with the directions of the University officials involved. Failure to cooperate in an investigation into an alleged Code of Conduct or policy violation may be taken into consideration during sanctioning.

Students are expected to respond promptly to any request to meet with or provide information to a University official. Failure to comply with a direction from a University official, or providing false information in connection with an investigation, or failure to appear at any disciplinary hearing may result in disciplinary action.

Peer Conduct Board

The Dean of Students may delegate less serious matters to a duly constituted trained peer conduct board composed of members of the SGA Student Court. The accused student will be presented with the charges against them and the evidence for those charges and will be given the opportunity to respond to the charges and evidence as well as to present evidence in their defense. The peer conduct board follows Code of Conduct due process procedures. Under normal circumstances, the accused is informed of the outcome of the proceedings at the conclusion of the hearing. This body is required to abide by written principles governing the conduct of hearings.

Person of Support

During the conduct process, students may have a person of support of their choosing present at any hearing or meeting. A person of support is any member of the community who can be present during a student's hearing and whose purpose is to support the student through the hearing. A person of support may advise the student privately during hearings and/or meetings and students may request a brief recess to consult with their person of support. However, a person of support cannot participate as speaking advocates at any hearings or meetings and may not ask questions directly of anyone, attempt to present evidence, or speak on behalf of the student. A hearing officer may ask any person of support who fails to comply with these instructions to leave the meeting or hearing.

Sanctions

Students found responsible for violating the Code of Conduct, [other University policies](#), or [VSC system policies](#) may be subject to the imposition of sanctions. The University generally applies progressive discipline, whereby a student's past disciplinary history and the severity of any violation is taken into consideration in determining the appropriate sanction(s). The following factors are not an exhaustive list and additional factors may be considered:

- Prior offenses.
- The nature and severity of the offense and any resulting damage or injury.
- The student's honesty, or lack of thereof, and level of cooperation with University officials during the investigation of the incident and the disciplinary process.
- Potential threat posed to the community.

Disciplinary Sanctions in Order of Severity

Sanctions can be assigned individually or in combination, as appropriate. Disciplinary sanctions are cumulative and remain on a student's records throughout their attendance at VTSU.

1. **Written Warning:** An official written notification that a student's behavior has violated University policies, including expectations for future behavior. Further misconduct may be treated with more serious sanctions.
2. **Educational Sanctions:** Educational sanctions are used with the understanding that many students are still developing and learning during their time at VTSU. Some educational sanctions may include, but are not limited to: a formal apology, in writing and/or in person; mandatory counseling; a public presentation; reading books; watching videos; or reflective essay or research paper on a designated topic.
3. **Community Restitution:** Sanctions may require performance of a specified number of community restitution hours. This sanction may be fulfilled either on or off campus. In some cases, the University may require the student to perform Community Restitution hours with a specific program or in a specific place, as a type of Educational Sanction.

4. **Monetary Restitution/Fines:** When appropriate, a student may be required to pay restitution for damages, or other expenses incurred as a result of the student's actions and/or their non-student guests' actions. Monetary restitution may be required to the University, a specific department, or an individual.
5. **Parental Notification** FERPA allows parents and/or legal guardians of students under the age of 21 to be notified, without the student's consent, when a student is found responsible for a violation of the University's alcohol or drug policy. Vermont State University reserves the right to notify parents if deemed necessary. Disclosure may also be made to parents or legal guardian, or other appropriate parties, without the student's consent, if there is a concern of imminent risk of health or safety of the student or to the community.
6. **Mandated Assessment:** Student may be required to participate in an assessment (typically with a licensed mental health provider) to help determine the appropriate path for students to continue at VTSU. During a Mandated Assessment, special conditions may be put into place for that student for them to be able to attend VTSU.
7. **Restrictions:** Denial of access to classrooms, residence halls, computer labs, campus activities, and/or the elimination of other privileges.
8. **Hall Probation:** An indication that a student is no longer in good standing in the residence hall community. Further violations may result in immediate loss of eligibility to live in or visit the residence halls. Probationary status is issued for a stated period of time and may include specific restrictions on the student.
9. **Disciplinary Probation:** An indication that a student is no longer in good standing with the University community. Further violations may result in immediate suspension. Probationary status is typically issued for a stated period of time and may include specific restrictions.
10. **Suspension from the Residence Halls:** A student may be prohibited from residing in or visiting any University residence hall on a temporary basis. Specific restrictions on access to residence halls during the period of suspension may be invoked. Suspension includes forfeiture of any fee rebate for the remainder of the housing contract.
11. **Termination of Residence Hall Contract:** A student will be given due notice to vacate their residence hall room upon termination of contract. The student forfeits any fee rebate for the remainder of the contract.
12. **Disciplinary Suspension:** Suspension separates the student from the University for a specified period of time. While under disciplinary suspension, students are prohibited from entering the University grounds or buildings or attending any classes or University-sponsored events of any kind. The student may not register and/or enroll until the stated period of suspension (a maximum of two [2] years) is completed, and all other requirements are met. Suspended students will receive no refund of tuition, room, board, or other fees as a result of their suspension.
13. **Expulsion:** Student is permanently dismissed from the University and may not re-enroll. Students who have been expelled are prohibited from entering the University grounds, buildings, or attending University-sponsored events of any kind. Expelled students will receive no refund of tuition, room, board, or other fees as a result of their expulsion.

The University official who assigns any sanction that requires specific action(s) to be taken by the student will follow up to ensure conditions have been met. Non-completion of a sanction may result in further disciplinary actions which could include a fine, a hold being placed on the student's records; in some cases, failure to complete a sanction may result in suspension or expulsion.

Confiscated Items

Any items, confiscated by Residence Life or Public Safety may be claimed by the student at the end of the semester, unless an exception is granted by the University. It is the student's responsibility to claim the item. Students may meet with the professional staff and pick up any such items as they leave for break. If an item is not picked up by the end of the semester that it was confiscated, it will be disposed of. Items that are illegal to possess in the State of Vermont will not be returned.

Appeals

Any appeal of a conduct decision must be made in writing and must meet one of the criteria for grounds for an appeal. The appeal must explain in detail the reason(s) for the appeal. In order for an appeal to be considered, an appeal must be submitted no later than five (5) business days from the date of the outcome letter from the hearing. A business day is defined as any day between Monday-Friday while the University is open (school breaks are not business days).

The student has a right to appeal if one of the following criteria are met. If the criteria for appeal is not met then there is no basis for an appeal and the original outcome will stand.

The criteria are as follows for a valid appeal:

1. **New, relevant information that was unavailable at the time of the hearing:** A request for consideration on grounds that a student found responsible believes new information is now available.
2. **A procedural error occurred:** A request for consideration on grounds that a student found responsible believes that a procedural error occurred that was so substantial it effectively denied the student a fair hearing.
3. **A sanction was greatly out of proportion to the conduct infraction and/or disciplinary record.**
4. **Due Process:** A student's right to due process was violated.

Appeal process

Any party may request an appeal of the decision of a conduct board or administrative hearing (in the case of suspension, expulsion or housing removal only). Appeals will be heard by the Dean of Students, their designee, or an appeals hearing board. The Dean of Students has discretion in determining how appeals are handled.

All decisions made by the appeal hearing officer are final.

University Disciplinary Board

Appeals of a suspension or dismissal (whether academic or disciplinary in nature) may be heard by a University Disciplinary Board (Board) either in-person or by virtually.

- The University Disciplinary Board is at least a three-member board, composed of University employees and a student when possible. The Board will select one of its members to act as its spokesperson.
- The Board has access to all student records and material related to the appeal.
- Board members with a potential conflict of interest are expected to recuse themselves.
- The student shall be notified of the composition of the Board prior to the hearing.
- The student may raise an objection to the selection of a particular Board member if they believe there is a conflict of interest and/or demonstrable or reasonably perceived bias on the part of the member. Any such objections must be raised upon receipt of notice of the Board's composition. The Dean of Students, or the Dean's designee, shall have final authority in the appointment of members of the Board.
- The Dean of Students, or the Dean's designee, will preside over the hearing as a non-voting member.

The University Disciplinary Board process is as follows:

1. The Dean of Students or designee shall preside at the hearing as a non-voting member. **The hearing does not follow trial court procedure.**
2. The student has the following rights:
 - to present their side of the story;
 - to present relevant witnesses and evidence on their behalf (character references are generally not considered relevant); to examine witnesses and the evidence against the student (when possible); and
 - to exercise their right against self-incrimination (the intentional or unintentional act of providing information that will suggest your involvement in a policy violation).
3. A transcript will be made of the proceedings, which will be retained in the Dean of Students Office.
4. The student will have an opportunity to question witnesses who appear against them at the hearing.
5. The student will have the opportunity to respond to the evidence against them, including written statements and oral testimony.
6. The student shall have the right to invite witnesses to support their position.
7. The student must appeal the suspension or dismissal to the Dean of Students, in writing, within 5 business days of receiving notice of the sanction.

8. The Dean of Students, or the Dean's designee, then contacts members of the Board to schedule a hearing. Reasonable efforts will be made to schedule a hearing within 5 business days of receipt of the notice of appeal, however, this may not be possible if the University is not in normal academic session or when the circumstances indicate that special expertise is necessary to assure fairness.
9. No student who has been suspended or dismissed will be allowed to attend classes, be on Vermont State University property, or attend an internship, clinical affiliation etc. while the appeal is in process.
10. The student will be notified by email (at their University email account) of the date, time, and location of the hearing. **Note:** Students are responsible for checking their University email account. Failure to appear at the hearing will result in denial of the appeal, absent extraordinary circumstances.
11. The student may bring an advisor to the hearing. See above discussion on Advisors.
12. The Board may request witnesses to appear and testify in order to provide background information.
13. At the conclusion of the hearing, the student will be excused and the Board will deliberate the merits of the appeal. On occasion, the Board may conclude that additional information is needed and may schedule a follow-up hearing.
14. Once the Board has reached a decision, its chosen spokesperson will notify the Dean of Students, in writing, of the Board's recommendation(s).
15. The Dean of Students is the final arbiter and makes the final determination. The Dean may accept the recommendations of the Board, accept the recommendations with modifications, or reject the recommendations. The Dean of Students will send the final determination to the student, with copies to members of the Board, the Registrar, the Director of Financial Aid, and the Academic Dean.
16. Usually, the student will be notified of the decision by email within three (3) business days of the hearing. A copy of the final determination may also be mailed to the student's last known home address on file.

Guidelines for Students as Citizens in the Community

Vermont State University students represent the University whether they live on or off campus and are expected to be good citizens and to treat their communities with respect. Specifically, students are expected to:

- Follow all health and safety guidelines and best practices established by the University or federal, state, and/or local authorities.
- Communicate frequently with their landlord and neighbors, introducing themselves and providing contact information in order to foster clear, mutually beneficial communication.
- Notify neighbors of any and every planned social gathering. Be respectful of neighbors' property and comfort. Be responsive to complaints about excessive noise.
- Avoid noise, no matter what time of the day, which disrupts the comfort of the individuals living within the general vicinity.

- Be responsive for all problematic and detrimental behavior exhibited by their guests; be willing to cooperate when requests from neighbors are made.
- Obey all local ordinances (e.g., noise ordinance, leash law, etc.).

In the event that guideline violations are brought to the attention of the Dean of Students, appropriate disciplinary action may be taken in accordance with the Code of Conduct.

Substance Abuse

All community members are encouraged to become informed about substance abuse and its harmful effects. It is a serious problem that may require professional assistance and treatment. Students in need of assistance can seek information and confidential guidance at the Student Affairs office. Staff in this office can also make referrals to outside agencies within the community.

There are significant secondary effects for roommates and friends of those who drink excessively. Roommates and friends report that sometimes they cannot study or sleep because they are worried when a friend gets so drunk that they do not return home until the next morning. If a student is worried about a friend, and this concern affects living habits, they have the right and responsibility to seek help both personally and for that other person without concern for their privacy.

Disciplinary Procedures Specific to Cases of Sexual Misconduct, Domestic Violence, Dating Violence, Sexual Assault and Stalking

In addition to those policies listed above, the following disciplinary procedures will apply in all cases where incidents of domestic violence, dating violence, sexual assault, sexual harassment, or stalking are reported. Reported incidents of domestic violence, dating violence, sexual assault, sexual harassment, and stalking will be investigated and adjudicated in a prompt, fair, and transparent manner consistent with VSC policies. Students who believe that they have been discriminated against on the basis of a disability may file a complaint, pursuant to VSC Policy 311: *Non-discrimination and Prevention of Harassment and Related Unprofessional Conduct* and the Chancellor's Implementing Procedures for Policy 311, with:

Amy Daviarz (she/her/hers)

Title IX and Protected Rights Coordinator
Vermont State University
P.O. Box 500, Randolph Center, VT 05061

Amy.Daviarz@vsc.edu

802.279.2808

Sexual Misconduct

Sexual Misconduct is prohibited. Sexual Misconduct includes behaviors that have been determined to constitute discrimination under Title IX of the Education Amendments of 1972 and/or Vermont law. These behaviors consist of:

Sexual Harassment—Sexual Harassment takes two forms:

- **Quid pro quo sexual harassment**, also known as “something for something”, occurs when a person in authority causes a Student to believe that he or she must submit to unwelcome sexual conduct in order to participate in a school program or activity.
- **Hostile environment sexual harassment** is unwelcome conduct determined by a reasonable person to be so severe or pervasive, as well as subjectively and objectively offensive that it effectively denies a person equal access to a VSC education program or activity. **Sexual Assault** is nonconsensual physical sexual contact and/or penetration A person is incapable of giving consent when incapacitated or under unlawful coercion or threat of violence..

Dating Violence and/or Domestic Violence is violence committed by a person who is or has been in a social relationship of a romantic or intimate nature sexual or physical abuse or the threat of such abuse.

Stalking means more than one instance of monitoring, observing, surveilling, threatening, or communicating with a person. This list is not all inclusive.

Sexual Exploitation occurs when a person takes sexual advantage of another person for the benefit of anyone other than that other person without that other person’s consent, and attempted sexual exploitation. This can look like forced sex work, recording/capturing images/video/audio of someone in a sexual manner without consent, sharing/distributing images/video/audio without consent, viewing or aiding others in viewing someone’s sexual activity, body, or nudity without their consent, or sexual exhibitionism/exposure of genitalia without another’s consent.

Other Forms of Misconduct—Misconduct that does not fall within Policy 311-A definitions, may fall within the scope of Policy 311: *Prevention of Discrimination*, which prohibits among other things certain types of discrimination and harassment on the basis of sex, pregnancy and related condition, sex, stereotyping, sex characteristics, gender identity, and sexual orientation, can also be reported and addressed through the Policy 311 and related procedures.

If you’re unsure whether something should be reported, err on the side of caution and file a report.



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