

SETTLEMENT AGREEMENT

This Agreement is made by and between the University of Vermont (“UVM” or “the institution”) of Burlington, Vermont (OPE ID # 00369600) and the United States Department of Education (Department), Federal Student Aid (FSA), acting through its Director, Administrative Actions and Appeals Service Group, and is effective the latest date opposite the signatures below.

A. On March 9, 2012, the Department sent a letter to UVM informing the institution that the Department intended to impose a fine of \$65,000 (hereafter “the proposed fine action”) based on the Department’s findings that UVM had failed to comply with the requirements of the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (the Clery Act) included in §485(f) of the Higher Education Act of 1965, as amended. Under the Clery Act, institutions of higher education are required to report and distribute accurate and complete campus crime statistics to the Department and to the institution’s students, their parents and the public and to disclose the institution’s policies in certain areas relating to campus crime and security.

B. The proposed fine action was based on a program review conducted in July 2009, which resulted in a Final Program Review Determination (FPRD) issued by FSA and dated April 25, 2011. The FPRD concluded that UVM had violated the Clery Act by: failing to accurately report crime statistics in its Annual Security Report (ASR) for the 2007 calendar year; failing to properly update and maintain an accurate crime log; omitting a required statement of victim’s rights in disciplinary proceedings in the sexual assault policy statement in its 2007 ASR; and failing to include an exact url with notice of the ASR for 2008.

C. In accordance with the Department’s regulations, UVM appealed the proposed fine action and requested a hearing on March 28, 2012. The appeal was assigned to the Department’s Office of Hearings and Appeals and docketed as In the Matter of University of Vermont, Docket No. 12-30-SF.

D. UVM and the Department have now agreed to resolve the proposed fine action without any further administrative procedures.

E. Nothing in this Agreement constitutes an admission of liability or wrongdoing by UVM.

In consideration of the mutual covenants and conditions contained in this Agreement, and intending to be legally bound, the parties agree as follows:

1. UVM agrees to pay \$55,000 to the Department to resolve the proposed fine action. UVM will present a check for \$55,000 made payable to the U.S Department of Education with duplicate originals of this Agreement signed by an authorized official of UVM.

2. UVM hereby withdraws its appeal of the proposed fine action. The Department and UVM agree that the proposed fine action is fully resolved. The parties agree to file a motion to dismiss the pending appeal upon full execution of this Agreement and the Department's receipt of UVM's payment under this Agreement.

3. The Department agrees not to initiate any further administrative action against UVM based on the findings included in the FPRD issued on April 25, 2011.

4. UVM agrees not to challenge FSA's proposed fine in any other proceeding.

5. The Department acknowledges that the actions taken by UVM in response to receiving notice of the violations found in the course of the 2009 program review were prompt and effective and that UVM's response indicates a commitment to safety and security of the UVM community. The Department further acknowledges that UVM fully cooperated in the program review process.

6. UVM agrees to continue to take appropriate action to fully comply with the Clery Act and to ensure that all future Clery Act reports are accurate and complete. UVM


acknowledges that this Settlement Agreement cannot be used to demonstrate the institution's compliance with the Clery Act at any time after the date of this agreement.

7. This Agreement does not waive, compromise, restrict, or settle:

- a. Any past, present, or future violation of the criminal or civil fraud laws of the United States.
- b. Any presently pending or future action taken by the United States under the criminal laws or civil fraud laws of the United States. The Department is not aware of any such actions pending against UVM based on the issues addressed in the FPRD and this Settlement Agreement.

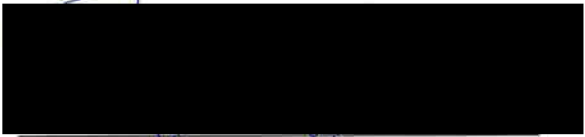
UVM and the Department each warrant that the undersigned representative is authorized to sign this Agreement on its behalf.

Dated: 10-1-12, 2012



E. Thomas Sullivan
President
University of Vermont

Dated: Oct. 11, 2012



Mary E. Gust
Director, Administrative Actions
and Appeals Service Group
Federal Student Aid/Program Compliance
for the United States Department of Education