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Overview of University of New England (UNE)

UNE is a private institution of higher education offering undergraduate and graduate programs in liberal arts and sciences, education and health professions. The scenic 125 acre Biddeford Campus is located in a rural area along the southern coast of Maine, 20 miles south of Portland and 90 miles north of Boston. The historic Portland Campus of the University of New England is located in suburban Portland. The one-of-a-kind Tangier campus of the University of New England is for students studying abroad and located in suburban Tangier, Morocco.

How This Report Is Prepared

Each year, the Director of Safety & Security and the Associate Director of Safety review the Annual Security

Sex Offender Registry

Information pertaining to the existence of registered sex offenders on campus or anywhere in the State Maine can be found by accessing the Maine State Police Sex Offender Registry at: http://sor.informe.org/sor/

Reporting Criminal Actions or Emergencies

UNE encourages every member of the community to report all crimes promptly and accurately. These reports should be directed to the Department of Safety & Security, any designated Campus Security Authority (CSA) or directly to local law enforcement when the victim of crime elects to or is unable to make such a report. The Department of Safety and Security is the main unit responsible for safety, security, and coordination of emergency services at the Biddeford and Portland campuses. Campus Safety and Security is located on the Biddeford Campus at 605 Pool Road, the Facilities Building.

recognized student organizations. UNE does, however, have campus properties that are not of officially recognized student organizations and those properties are patrolled by local law enforcement.

UNE Department of Safety and Security

UNE Security Officers have no arrest authority. The Biddeford, Portland, and Westbrook Police Departments share concurrent jurisdiction over UNE property with the York County Sheriff's Office, Cumberland County and Maine State Police. Response times

Maintenance and Security of Campus Facilities, Fire Alarms

The University is committed to maintaining a safe level of exterior lighting. Security Officers routinely survey lighting and recommend maintenance and repositioning of existing lights and additional illumination, as required. Members of the campus community are encouraged to report any lighting deficiencies to the nearest Department of Safety and Security Office. Security Officers also survey and routinely report problems with doors. This task is given a high priority. If the problem represents a security hazard, a maintenance person is immediately called in to make necessary repairs or adjustments.

Smoke detectors are installed in buildings throughout campus. The alarms are connected to a system that sound interior and exterior horns and strobe lights. The fire alarm system also has local pull stations on each floor. All of the primary residence halls of the University have sprinkler systems. Students are required to participate in fire drills several times each year.

Enforcement Authority and Interagency Relationships

Officers of the Department of Safety and Security do not carry firearms and have no law enforcement powers. Officers are equipped and trained in the use of pepper spray and handcuffs for their personal safety.

The Department of Safety and Security maintains close working relationships with local law enforcement agencies as well as other security and law enforcement agencies on campuses throughout Maine and New England. In general, these jurisdictions are our primary providers of law enforcement services and there are

Police Department and Sexual Assault Response Services of Southern Maine (SARSSM) with

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campus email and iversity will withhold as

by either the Director of Safety & Security or the Associate Director of Safety & Security. In the event both parties are unavailable, a designated member of the Office of Communications will send the timely warning.

II. Immediate Emergency Notifications:

Upon confirmation by the Director or Assistant Director of Safety & Security of a significant campus emergency or dangerous situation involving an immediate threat to the health or safety of students or employees, the UNE Department of Safety and Security will initiate the university emergency notification process. The Director or Associate Director will make this decision considering the safety of the community and determine who needs to be notified, the content of the message, and send the notificati unless the notification will, in the professional judgment of responsible authorities, compromise efforts t assist victims or to contain, respond to, or otherwise mitigate the emergency. In the absence a member of Safety & Security leadership, the emergency notification will be sent by a designated member of the Offi of Communications. All community members, regardless of location, will receive the emergency notification to ensure, as best possible, the intended audience is reached.

The University encourages all members of the community to register and regularly update their emerger Compass who have listed their contact information (phone numbers, e-mail addresses, text numbers, etc.) will receive the emergency notification by any one or all of the sources. The emergency notification system is tested at least once each year by activating the system and email information concerning tests before they occur. Results of the test including date and time of the test will be reported to University administratio UNE does not conduct unannounced tests. This emergency notification process is explained on the UNE Safety & Security website.

The University leadership also has a Campus Crisis Response Guidelines and periodically holds ann table top exercises to assess and evaluate emergency the emergency notification process and debrief incidents. On an annual basis, the Director of Safety & Security will publicize emergency response an

Missing Student Policy

Life. The Office of Title IX and Civil Rights Compliance also posts materials in online communications to the faculty, staff and student populations about the policies, processes and resources on an annual basis related policies in their entirety can be found below and online at www.une.edu/titleix, in the University of New England Student Handbook and Conduct Code, the University of New England Personnel Handbook and the University of New England Faculty Handbook

What You Should Do If You Are a Reporter of Sexual Assault

If you are a victim/survivor of sexual assault, your first priority should be to get to a place of safety. You should then obtain necessary medical treatment. The UNE Department of Safety and Security strongly advocates that a reporter of sexual assault report the incident in a timely manner. An assault should be reported directly to any of the following UNE personnel: The Title IX Coordinator, Deputy Title IX Coordinators, UNE Counseling Services, outside agency Victim Advocate, a Housing and Residential/Commuter Life staff member, the Dean of Students and Assistant Provost for Student Affairs, Assistant Dean of Students Graduate and Professional Student Affairs, or a Department of Safety and Security Officer. Should a reporter prefer to speak to someone of the same gender, every reasonable effort will be made to accommodate ervation. Ideally, a reporter of sexual assault should not wash, douche, use the toilet, or change clothing prior to a medical/legal exam.

It is important to be aware that reports may also be submitted by others who have knowledge of an incid but did not themselves experience the assault.

Many reports of sexual assault may not be disclosed until some time has passed after the incident. Individu are encouraged to come forward at the point at which they feel most comfortable and able to. There are m

IX Compliance Officers. All university employees receive an annual online training regarding their obligations and resources under Title IX. The Title IX Coordinator and the Title IX Investigator and Prevention Specialist receive annual training from national organizations on investigations, compliance, and other resources. Faculty and staff who serve on the University Student Conduct Board receive annual training specifically around Title IX cases. The Title IX Coordinator, Deputy Coordinators, and Investigative staff meet regularly to discuss campus concerns, trends and ongoing training on Title IX related issues. The University of New England has two policies to address sexual harassment and misconduct. The **Grievance Policy for Addressing Formal Complaints of Sexual Harassment Under the Title IX Regulations** addresses formal complaints filed that meet the criteria and jurisdictions outlined in the **Non-Discrimination, Anti-Harassment, and Sexual Misconduct Policy** addresses related conduct that does not meet the criteria and jurisdictions

NON-DISCRIMINATION, ANTI-HARASSMENT, AND SEXUAL MISCONDUCT POLICY

environment for living, work, and study. To that end, and in accordance with federal and state law, and University policy, the University prohibits any member of the faculty, staff, administration, trustees, student

the Portland and the Biddeford campus. Dial 207-780-0176 from any non-campus phone. Local Law

At the University of New England, discriminatory harassment is defined as:

Unwelcome verbal or physical conduct based on race, sex, sexual orientation, gender identity and expression, ethnicity or national origin, religion, age, creed, color, genetic information, physical or mental disability, HIV status, or status as a veteran, when:

educational performance;
Such conduct creates or has the intent or effect of creating an intimidating, hostile, or offensive working and/or learning environment; and/or

educational program or activity.

SEXUAL HARASSMENT

Sexual harassment includes two distinct, but overlapping definitions. Depending on the nature of the sexual harassment alleged and the status of the parties, the grievance procedures may differ as described above in the accompanying policies and processes.

The Title IX regulations define Sexual Harassment as conduct on the basis of sex that must satisfy one or more of the following:

a. A University employee conditions the provision of an aid, benefit, or service of University on an

b. Unwelcome conduct that is determined by a reasonable person to be so severe, pervasive, and objectively

c. Sexual Assault, Dating Violence, Domestic Violence, Stalking and Retaliation as defined below.

In addition, pursuant to the Maine Human Rights Act and Title VII of the Civil Rights Act of 1964, the University defines Sexual Harassment here and in the University Personnel Handbook to include any:

Unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature, when:

a. employment or status in a course, program or activity;
b. Submission or rejection of such conduct by an individual is used as the basis for employment or educational decisions affecting such individual; and/or
c. Such conduct has the purpose or effect:
   - o
   - o of creating an intimidating, hostile, or offensive working and/or learning environment; and/or
   - o

coercion.

b. Direct or implied threats that submission to sexual advances will be a condition of employment, wor status, compensation, promotion, grades, or letters of recommendation.

c.

Dating Violence is violence by a person who has been in a romantic or intimate relationship with th

instead of dating is not determinative. Emotional and psychological abuse are not encompassed in th
definition. Dating violence also does not include incidents of Domestic Violence.

E. Domestic Violence

Domestic Violence includes asserted violent misdemeanor and felony offenses committed by the

g. Consent to one form of sexual activity does not constitute consent to all forms of sexual activity, an consent to sexual activity with one person does not equal consent to engage in sexual activity with anyone else.

h. The failure to obtain consent is never excused by the consumption of alcohol or drugs.

H. Coercion or Force:

Coercion is verbal or physical conduct that would reasonably place an individual in fear of immediate o future harm and that is employed to compel someone to engage in sexual contact. Force is the use or th

contact.

I. Incapacitation

Incapacitation is defined as the inability to make rational, reasonable decisions because the individual lac

F. Responsible Employees

Any employee of the University who is responsible in any way for student welfare, or who a student cou reasonably believe is responsible for student welfare, and who is not by law, licensure or University regulation designated as a confidential resource, must forward any report of discrimination, harassment, or sex misconduct to the Title IX Coordinator or a Deputy Title IX Coordinator as soon as possible after receiving

advisors, staff, RAs, and other student employees involved in promoting student welfare.

If a responsible employee receives or becomes aware of a report or incident covered by this Policy, if possibl before hearing it fully, the responsible employee should be clear with the Complainant that (1) they are no confidential resource, if they are not so designated, and (2) they are obligated to report any incident to the Title IX Coordinator.

G. Clery Act Reporting:

Pursuant to the Clery Act, the University includes statistics about Clery Act crimes in its daily crime log an Annual Security Report and provides those statistics to the United States Department of Education; in all th instances, the information is reported in a manner that does not include personally identifying information about persons involved in an incident (including incidents disclosed to Confidential Resources). Th University will also issue a timely warning to the community for reports of Clery-defined conduct that may constitute a serious and ongoing threat, as outlined in the Annual Security Report https://www.une.edu/studentlife/security/safety-reports.

RESOURCES FOR REPORTING AND RESPONDING PARTIES

In the event that a student experiences sexual misconduct in any form, they should treat it seriously and someone. There are long-term effects, even if the immediate effects may not appear obvious. Help is important Which service one starts with is not important. Each service is designed to address the speci concerns of a situation. These resources are not isolated, but cooperate to provide a web of support for student who has experienced discrimination, harassment, or sexual misconduct. After the first contact, there is help for deciding who else might be of assistance.

If students experience discrimination, harassment, and/or sexual misconduct, including sexual assault, da violence, domestic violence, or stalking, on or off campus, and have questions or need help, contact any o these resources below:

On-Campus Confidential Resources

confidential resource, information disclosed related to a report of discriminatory harassment or sexua

prompt, equitable, and impartial review, investigation and resolution of the report. The University will attempt to protect the privacy interests of the parties involved in a report under this Policy, but cannot ass confidentiality unless disclosure is limited to a confidential resource.

Confidential campus professionals are those individuals with the statutorily granted ability to maintain information as privileged and who cannot reveal such information unless they receive the express permiss of the individual, there is an imminent threat of harm to self or others, the conduct involves suspected abuse of a minor under the age of 18, or as otherwise required by law. Confidential resources on campus include

i. **Student Counseling Services** for the University of New England.

For general Counseling Services support:
Biddeford Campus: 207-602-2549/toll-free 1-866-743-2230, or on the Portland Campus: 207-221-4550 or toll-free: 1-866-798- -call counselor may be reached by calling 207-602-2549 and then

Confidential and free to students.
http://www.une.edu/studentlife/counseling

ii. Student Health Care - Petts Center (Biddeford Campus) and Linnell Hall (Portland Campus)
207-602-2358 (Biddeford Campus) or 207-221-4242 (Portland Campus)
During routine Health Center hours, staff can provide immediate emergency and ongoing medical care, S (sexually transmitted disease) testing, and pregnancy testing and prevention. With the compla they will make arrangements with local hospitals, municipal Police Departments, and Campus Safety a Security for transportation and medical protocol used to provide evidence for prosecution. They will als provide referral and advice regarding campus and community resources.

iii. Confidential Resource Advisor (CRA) Support
The University has a designated Confidential Resource Advisor (CRA) process. This individual can recei disclosures or a report from an individual and maintain the information in a confidential way. The CRA at UNE is a partnership of the UNE Counseling Services and Sexual Assault Support Services of Southern Ma (SARSSM). A student can contact the CRA and make a disclosure. The CRA can assist the student accessing on-campus supportive resources and can do a direct referral to SARSSM for full advocacy suppo services. The CRA and SARSSM staff have received
training on sexual violence, intimate partner violence and stalking; Training regarding unconscious bias related to race, gender and sexuality; Training regarding awareness and prevention of sexual violence, intim partner violence or stalking, relevant federal policies, the institution's policy and the support resourc available on and off campus, and trauma-informed response.

Ann Barton, 207-602-2549. abarton4@une.edu is the designated UNE employee to provide this confidential resource.

ON-CAMPUS RESOURCES FOR STUDENTS

The Title IX Coordinator for the University of New England is Angela Shambarger, 207-221-4554, ashambarger@une.edu, Human Resources Office, both campuses, 11 Hills Beach Road, Biddeford, ME 04005 and 716 Stevens Avenue, Portland, Maine 04103.

The Deputy Title IX Coordinators are:
Hahna Patterson, Assistant Vice President for Student Affairs at 602-2372 or hpatterson@une.edu;
Ray Handy, Associate Dean of Student Affairs at 221-4213 or

University Safety and Security: In case of an **emergency**, University Safety and Security for both the Portland and Biddeford campuses may be reached by **dialing 366** from any campus phone and by dialing (207)-283-0176 from any non-campus phone. In all emergencies, 911 can be dialed from any on-campus phone to reach local law enforcement or emergency medical services. University Safety and Security can also assist a student in reaching local emergency services.

In non-emergency situations, University Safety and Security may be reached at: 207-602-2298.

Housing and Residential/Commuter Life Staff, Biddeford Campus, (Biddeford Campus)
Professional Staff)
207-602-2272 (Biddeford Campus only); Area Coordinator Duty Phone 207-468-2389
This office can provide immediate support and response, make arrangements as necessary for emergency services, provide advice regarding university and community resources, and provide intervention to assure safety.

Intercultural Student Engagement
Biddeford Campus: Campus Center 100, 207-602- 2461 or Portland Campus: 02 Proctor Hall, 207-221-4212. Online: http://www.une.edu/ise This Office can help connect students to resources and support

providing connections to spiritual or faith communities.

Student Access Center
Biddeford Campus: 207-602-2815, **bcstudentaccess@une.edu**
Portland Campus: 207-221-4438, **pcstudentaccess@une.edu**

This office can be a resource for students with documented disabilities who may need accommodations in the investigation process. It may also be a resource in collaboration with the Title IX Coordinator in assisting students with temporary or new needs as a result of the complaint.

OFF-CAMPUS RESOURCES

Police Department (911)
Any individual who experiences sexual misconduct can contact the Police Department or Department of

Biddeford Police Department		Portland Police Department
39 Alfred Street Biddeford, ME 04005 https://www.biddefordmaine.or /2198/Police Phone: 207-282-5127		109 Middle Street Portland Maine, 04101 https://www.portlandmaine.gov/436/Police Non-Emergency: 207-874-8497
Saco Police Department		**Tangier Morocco Emergency Numbers**
20 Storer Street Saco, Maine 04072 https://www.sacomaine.org/dep rtments/police_department/inde x.php Non-Emergency Dispatch: (207) 284-4535 Police Administration: (207)-282-8214		Campus Address Rue Abi Chouaib Doukkali Tangier 90000, Morocco Campus Director Ms.Douaa Imran 212 636 93 62 77 Police 190 Fire/Ambulance 150 US Embassy American Citizen Services 212 26 71 51 US Embassy After-Hours Emergencies 212 66 13 19 39 US Embassy in Rabat 212 537 76 22 65 US Embassy in Rabat after Hours Emergen 212 537 76 96 39

Hospital Emergency Departments

Maine Medical Center at 207-662-2381 or Southern Maine Health Care at 207-294-5000

These health care units can provide imm

SEXUAL MISCONDUCT/RELATIONSHIP VIOLENCE/STALKING SPECIFIC OFF-CAMPUS RESOURCES

Sexual Assault Response Services of Southern Maine (SARSSM)
24 Hours: 1-800-871-7741, 207-828-

their own conduct. Thus, a student who reports sexual misconduct, either as a Complainant or as a witn will not be subject to disciplinary action by the University for their own personal consumption of alcohol or drugs at or near the time of the incident, provided that any such violations did not and do not place the hea or safety of any other person at risk. The University may, however, initiate an educational discussion or pursue other educational remedies regarding alcohol or other drugs. Alcohol and/or drug use may affect the memory of involved parties and may affect the outcome of the complaint. Further, immunity from disciplinary action has no effect on action

https://www.une.edu/studentlife/handbook

TIMELINE FOR REPORTING

Complaints and reports of sexual misconduct, including sexual assault, dating violence, domestic violence stalking, and/or sexual harassment should be reported as soon as possible after the incident(s) in order t most effectively investigated though there is no time limit on reporting violations under this Policy. If a Respondent is no longer affiliated with the University (as a student or employee), the University may st provide reasonably available supportive measures to the complainant, assist the complainant in identifying external reporting options, and take other appropriate action to address the reported conduct.

INITIAL ASSESSMENT UPON RECEIPT OF A REPORT AND FILING OF COMPLAINT BY TITLE IX COORDINATOR

When the Title IX Coordinator receives a report, the Title IX Coordinator will reach out to the Complainant to explain options for informal and formal resolution of a complaint, offer supportive measures, and condu an initial assessment of the reported information. The initial assessment seeks to gather information only to determine whether this Policy applies and what form of resolution is reasonably available and appropria The initial assessment is not an investigation of responsibility. The initial assessment may also include a determination as to whether a timely warning pursuant to the Clery Act is necessary to protect the safety the Complainant or any other individuals.

In receiving a report under this policy, the University will make reasonable efforts to protect the privacy

legal obligations to investigate, to take appropriate action, and to comply with any discovery or disclosu obligations required by law.

request for conf -
discriminatory environment for the entire University community. The University may also be severely limited in its ability to take action against a Respondent if confidentiality is maintained. The Title IX Coordinator, the Director of Safety and Security, the Chair of the CARE Team, and/or their designee(s) sh be responsible for evaluating all requests for confidentiality and will consider the severity of the alleged conduct, the ages of the parties, any pattern of misconduct, and the rights of the Respondent in asses whether such a request can be honored In limited circumstances, typically where a risk of imminent harm an individual or others or a threat to the physical health and safety of the campus is determined to exist, th University may need to take immediate action upon a receipt of a report under this Policy and/or a Title I Coordinator may need to initiate a formal complaint against a Compl
IX Coordinator will notify the Complainant and keep the Complainant informed of the status of the investigation and resolution of the complaint at reasonable intervals.

As part of the initial assessment phase, th

If the alleged conduct falls outside of the definition of sexual harassment and/or the geographic scope of Title IX,

assessment, the Title IX Coordinator will determine whether the University has jurisdiction and which policy (or policies) and grievance process applies. The Complainant may be asked to provide a statement of the allegations in writing.

b. If the allegations in the complaint would constitute a violation of the discriminatory harassment or sexual misconduct provisions of this Policy and/or the Student Conduct Code if proved, then the Title IX Coordinator will meet with the Respondent.
    i. The Title IX Coordinator will issue a letter to the Respondent outlining the specific sections of the Policy and/or Student Conduct Code, and/or applicable professional codes of conduct the Respondent is alleged to have violated. The Title IX Coordinator may also meet with the Respondent in person to inform the Respondent of the allegations and provide access to resource for support prior to issuing written notice of allegations.

c. A Respondent may elect not to participate in the University process as that is their legal right However, failure to provide information to the Title IX Coordinator or to otherwise not participate in the process as it
grievance process from proceeding according to the provisions of this policy.

B. Investigation of Alleged Violations of Discriminatory Harassment and Sexual Misconduct
    a. All allegations of discriminatory harassment and sexual misconduct will be investigated

    b. The Investigator will attempt to be expeditious in conducting interviews, gathering evidence, and producing a final report but will not sacrifice thoroughness for a specific time frame for completion. Generally, however, investigations will range in length from 30-90 days.
    c. The Investigator will be provided with the information obtained from the Complainant and/or the Respondent. The Investigator will meet with and interview both parties and will provide both parties with the opportunity to identify witnesses and documents such as texts or other electronic media that either party would like the investigator to interview or to consider as evidence.
        i. The Investigator may meet with the Complainant, the Respondent, and any witnesses deemed to have relevant information in any order the Investigator deems appropriate. The Investigator may also meet with either party or any of the witnesses more than once.
        ii. During the interviews, the Complainant and the Respondent may both choose to have an advisor and/or a support person with them. The advisor may be a member of the UNE community or if the violations asserted against the Respondent include allegations of sexual misconduct covered under the Clery Act/Title IX, they may be an attorney. The advisor is there for support and may not address the Investigator. If the advisor is in any way disruptive of the investigatory process, the investigator shall ask the advisor to leave the room and the process shall not continue until they have done so.
    d. The investigator will gather other relevant information or evidence, including documents, photographs, communications, card swipe records, video evidence, and electronic records. The investigator may visit relevant sites and locations. The Investigator may also consider publicly available social media or online sources, though will generally not actively monitor online information. The investigatorce.

posed and therefore which questions to ask. There is a presumption that all investigatory

before the Panel. They may also choose to submit a statement in writing to the Hearing Panel and to not appear in person.

i. An appearance by either the Complainant or the Respondent is voluntary and not required. If either or both choose to appear they may each have an advisor with them. The advisor may be a member of the UNE community or if allegations involve conduct covered by the Title IX or Clery Act, they may have an advisor of their choice (who may be an attorney). The advisor is there for support and may not address the Hearing Panel. If the advisor is in any way disruptive of the Hearing process, the Director of the Office for Student Resolutions shall ask the advisor to leave the room and the process shall not continue until they have done so. The proceedings of the Hearing shall not be recorded in any manner.

c. At the conclusion of the Hearing, the parties and their advisors shall leave the meeting room and the Panel shall begin deliberations in order to make a determination of responsibility and if the Respondent is found responsible, what, if any, sanctions should be assigned for the violations of the provisions of this Policy. The determination of responsibility and sanctioning portions of the Hearing may be bifurcated.

i. If the Respondent is found responsible and is an undergraduate, graduate, or professional student in a program with a professional code of conduct, a faculty

address applicable professional code of conduct issues and serve as an additional decision maker on sanctioning only.

ii. In determining sanctions, the Panel shall consider the final investigation report, the statements made by the parties in the hearing, and any previously adjudicated violations of the Student Conduct Code and any related sanctions.

iii. Once the Panel has reached its decision, the Director of the Office for Student Resolutions shall report the decision of the Panel to the Title IX Coordinator who shall inform the Complainant and the Respondent of the decision in writing.

E. Appealing a Decision of the Hearing Panel

a. Within seven (7) business days of the receipt of the written decision letter from the Title IX Coordinator, both Complainant and the Respondent shall have the right to appeal the decision on sanctions to the Vice President of Student Affairs (VPSA) or designee. The appeal may

Specifically, our University has a **Non-Discrimination, Anti-Harassment, and Sexual Misconduct Policy** that defines certain behavior as a violation of campus policy, linked here: https://uwec.edu/title-ix-civil-rights-compliance.

To the extent that alleged misconduct falls outside the Title IX Grievance Policy, or misconduct falling outside the Title IX Grievance Policy is discovered in the course of investigating covered Title IX misconduct, the institution retains authority to investigate and adjudicate the allegations under the policies

The requirements and protections of this policy apply equally regardless of sex, sexual orientation, gender identity, gender expression, or other protected classes covered by federal or state law. Plea -Discrimination, Anti-Harassment, and Sexual Misconduct Policy linked here:https://www.une.edu/titleix-civil-rights-compliance. All requirements and protections are equitably provided to individuals regardless of such status or status as a Complainant, Respondent,

https://ocrcas.ed.gov/contact-ocr.

Definitions

Covered by Sexual Harassment:

conduct on the basis of sex that satisfies one or more of the following:

1. An employee conditioning educational benefits on participation in unwelcome sexual conduct (i.e., quid pro quo);
2. Unwelcome conduct that a reasonable person would determine is so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the educational
3. Sexual assault (as defined in the Clery Act), which includes any sexual act directed against another person, without the consent of the victim including instances where the victim is incapable of giving consent;
4. Dating violence (as defined in the Violence Against Women Act (VAWA) amendments to the Clery Act), which includes any violence committed by a person: (A) who is or has been in a social relationship of a romantic or intimate nature with the victim; and (B) where the existence of such a relationship shall be determined based on a consideration of the following factors: (i) The length of the relationship; (ii) The type of relationship; (iii) The frequency of interaction between the persons involved in the relationship.
5. Domestic violence (as defined in the VAWA amendments to the Clery Act), which includes any felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under Maine domestic or family violence laws or by 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 Maine.
6. Stalking (as defined in the VAWA amendments to the Clery Act), meaning engaging in a course of conduct directed at a specific person that would cause a reasonable person to:
    a. (A) fear for their safety or the safety of others; or (B) suffer substantial emotional distress.

Note that conduct that does not meet one or more of these criteria may still be prohibited under the -Discrimination, Anti-

University Conduct Policy.

Consent

(207) 221-4554

Such a report may be made at any time (including during non-business hours) by using the telephone number or electronic mail address, or by mail to the office address listed for the Title IX Coordinator.

Confidential Reporting

-Discrimination, Anti-Harassment, and Sexual Misconduct Policy for information regarding confidential reporting.

IV. Non-Investigatory Measures Available Under the Title IX Grievance Policy

Supportive Measures

Complainants (as defined above), who report allegations that could constitute covered sexual harassment under this policy, have the right to receive supportive measures from the University regardless of whether they elect to file a complaint. Supportive measures are non-disciplinary and non-punitive. Please see the -Discrimination, Anti-Harassment, and Sexual Misconduct Policy for a full description of all available supportive measures.

To file a Formal Complaint, a complainant must provide the Title IX Coordinator a written, signed complaint describing the facts alleged. Complainants are only able to file a Formal Complaint under this Policy if they are currently participating in, or attempting to participate in, the education programs or activities of the University of New England, including as an employee. For complainants who do not meet this criteria, the University will utilize the existing policy in the Non-Discrimination, Anti-Harassment, and Sexual Misconduct Policy. For the latest version of this policy please refer to https://www.une.edu/title-ix-civil-rights-compliance

If a complainant does not wish to make a Formal Complaint, the Title IX Coordinator may determine a Formal Complaint is necessary. The Title IX Coordinator or another University designee will inform the complainant of this decision in writing, and the complainant need not participate in the process further but will receive all notices issued under this Policy and Process.

-Discrimination, Anti-Harassment, and

seeking the assistance of state or local law enforcement alongside the appropriate campus process.
A complainant who files a Formal Complaint may elect, at any time, to address the matter through the

https://www.une.edu/title-ix-civil-rights-compliance.

Multi-Party Situations

The institution may consolidate Formal Complaints alleging covered sexual harassment against more than one respondent, or by more than one complainant against one or more respondents, or by one party against the other party, where the allegations of covered sexual harassment arise out of the same facts or circumstances.

VI. Determining Jurisdiction

At any point, the Title IX Coordinator, the Associate Vice President of Human Resources & Chief Human Resources Officer, the Title IX Investigator, or designee will determine if the instant Title IX Grievance Process should apply to a Formal Complaint. The Process will apply when all of the following elements are met, in the reasonable determination of the Title IX Coordinator:

1. The conduct is alleged to have occurred on or after August 14, 2020;
2. The conduct is alleged to have occurred in the United States;
3. The conduc
4. The institution has control over the respondent; and
5. The alleged conduct, if true, would constitute covered sexual harassment as defined in this policy.

If all of the elements are met, the University will investigate the allegations according to the Grievance Process.

Allegations Potentially Falling Under Multiple Policies

If the alleged conduct, if true, includes conduct that would constitute covered sexual harassment and conduct that would not constitute covered sexual harassment, the Title IX Grievance Process will be applied in the investigation and adjudication of all of the allegations. This includes conduct that falls under employee policies, the student code of conduct, and other professional codes of conduct (student and employee).

The University cannot access, consider, or disclose medical records without a waiver from the party (or parent, if applicable) to whom the records belong or of whom the records include information. The University will provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence, (i.e. evidence that tends to prove and disprove

student. Any evidence obtained in the investigation that is kept from disclosure or appropriately redacted
heir advisors, if any.

X. Investigation

The Title IX Coordinator and/or an investigator designated by the Title IX Coordinator will create an Investigative Report that fairly summarizes relevant evidence.

The Investigative Report is not intended to catalog all evidence obtained by the investigator, but only to provide a fair summary of that evidence.

Only relevant evidence (including both inculpatory and exculpatory – i.e. tending to prove and disprove the allegations – relevant evidence) will be referenced in the Investigative Report.
The investigator may redact irrelevant information from the Investigative Report when that information is contained in documents or evidence that is/are otherwise relevant.

The investigator will not make a determination of responsibility, but may draw reasonable inferences from the evidence; make direct observations regarding the evidence, outline consistencies and inconsistencies the record evidence, and identify potential biases/motives of parties and witnesses.

XI. Hearing

General Rules of Hearings

The University will not issue a disciplinary sanction arising from an allegation of covered sexual harassme without holding a live hearing, unless otherwise resolved through an informal resolution process.

The live hearing may be conducted with all parties physically present in the same geographic location, or, a

hearing virtually through a University-approved video conferencing option, including but not limited to Zoom. This technology will enable participants simultaneously to see and hear each other. At its discretion the University may delay or adjourn a hearing based on technological errors not within a party

All proceedings with the exception of the hearing deliberation will be recorded, which will be made available to the parties for inspection and review. Parties, advisors, and witnesses may not record the hearing.

Prior to obtaining access to any evidence, the parties and their advisors must sign an agreement not to disseminate any of the testimony heard or evidence obtained in the hearing or use such testimony or evidence for any purpose unrelated to the Title IX Grievance Process. Once signed, this Agreement may not be withdrawn.

Continuances or Granting Extensions

The University may determine that multiple sessions or a continuance (i.e. a pause on the continuation of the hearing until a later date or time) is needed to complete a hearing. If so, the University will notify all

as practicable.

Participants in the live hearing

Live hearings are not public, and the only individuals permitted to participate in the hearing are as follows:

Complainant and Respondent (The Parties)

The parties cannot waive the right to a live hearing.

The institution may still proceed with the live hearing in the absence of a party, and may reach a determination of responsibility in their absence, including through any evidence gathered that constitutes a prior statement made by a party. See, Letter to Students, Educators, and other Stakeholders re: *Victim Rights Law Center et al. v. Cardona* (August 24, 2021), available at: https://www2.ed.gov/about/offices/list/ocr/docs/202108-titleix-VRLC.pdf.

The University will not threaten, coerce, intimidate or discriminate against the party in an

The decision-maker cannot draw an inference about the determination regarding

cross-examination or other questions.

https://www.une.edu/titleix.

The Decision-maker

The hearing body will consist of a primary hearing officer and a two person panel of decision makers.

No member of the hearing body will also have served as the Title IX Coordinator, Title IX

to serve in this role for the limited purpose of conducting the cross-examination at no fee or charge to the party.

-

examination on their behalf.

If neither a party nor their advisor appear at the hearing, the University will provide an advisor to appear on behalf of the non-appearing party.

itle IX Grievance Process

Hearings).

Hearing Procedures

For all live hearings conducted under this Title IX Grievance Process, the procedure will be as follows:

The primary hearing officer will open and establish rules and expectations for the hearing;

The Parties will each be given the opportunity to provide opening statements;

The primary hearing officer and the hearing board will ask questions of the Parties and Witnesses;

Parties will be given the opportunity for live cross-examination by advisors after the hearing board

-examination, the hearing board will have the authority to pause cross-examination at any time for the purposes of asking the hearing

s; and any time necessary in order to enforce the established rules of decorum.

-examine a Party or Witness, the Party shall affirmatively waive cross-examination through a written or oral statement to the Hearing Board.

Live Cross-Examination Procedure

-examination of the other party or parties and witnesses. During this live-cross examination the advisor will ask the other party or parties and witnesses relevant questions and follow-up questions, including those challenging credibility directly, orally, and in real time.

Before any cross-examination question is answered, the Hearing Officer will determine if the question is relevant. Cross-examination questions that are duplicative of those already asked, including by the Hearing Board may be deemed irrelevant if they have been asked and answered and will not be permitted.

Review of Transcript

The transcript of the hearing will be a a77.52 543.58 Tm 0 g 0 G [( )] TJ ET Q q 0.00000912 0 612 79

While the opportunity for cross-examination is required in all Title IX hearings, determinations regarding responsibility may be based in part, or entirely, on documentary, audiovisual, and digital evidence, as warranted in the reasoned judgment of the Decision-maker.

Decision-

pes about how a party or witness would or should act under the circumstances.

Generally, credibility judgments should consider the demeanor of the party or witness, the plausibility of their testimony, the consistency of their testimony, and its reliability in light of corroborating or conflicting testimony or evidence.

Decision makers will afford the highest weight relative to other testimony to first-hand testimony by parties and witnesses regarding their own memory of specific facts that occurred. Both inculpatory and exculpatory (i.e. tending to prove and disprove the allegations) evidence will be weighed in equal fashion.

-party knowledge of the facts at issue will be allowed, but will generally be accorded lower weight than testimony regarding direct knowledge of specific facts that occurred.

examination. While the expert witness will be allowed to testify and be crossed as required by the Final Rule, the decision-maker will be instructed to afford lower weight to non-factual testimony of the expert relative to fact witnesses, and any expert testimony that is not directed to the specific facts that occurred in the case will be afforded lower weight relative to fact witnesses, regardless of whether the expert witness testimony is the subject of cross examination and regardless of whether all parties present experts as witnesses. The University is not obligated to provide expert witnesses on behalf of any party.

Standard of Evidence

The standard of evidence the university employs in adjudicating cases involving sexual assault, dati violence, harassment, and stalking is

Prevention and Bystander Training Efforts

- ü Title IX Staff offer a 50-60-minute presentation to incoming undergraduate, graduate, and professiona students at their new student orientations.
- ü Title IX information is covered in several ways as part of the New Student Orientation sessions fo incoming undergraduates: PowerPoints, skits, small groups, etc.
- ü UNE Housing and Residential/Commuter Life staff offer several educational programs for residence halls that specifically address sexual decision making, consent, as well as alcohol or drug use and risk factors for sexual assault.
- ü All faculty and staff are required to take a Title IX training module as part of their annual compliance training.
- ü Campus-wide programs such as Sexpalooza (resource and information fair) and the Sex Show offer information and resources for upwards of 700 undergraduates annually.
- ü A Title IX poster series is posted in key locations on the campus and in the residence halls. The posters include definitions, resources, and bystander information.
- ü The Title IX Coordinator works with outside support agencies and academic programs to provid trainings and workshops for students as part of their academic experience and trainings.
- ü Literature from area advocacy agencies on relationship and sexual violence are posted in key ar around the Biddeford and Portland campuses.
- ü A Title IX informational email is sent to the community at least once per semester.
- ü The Title IX Coordinator provides specialized trainings for groups of student leaders, student staf and various key professional staff groups or departments on campus.
- ü The Office of Title IX and Civil Rights Compliance has implemented the nationally recognized Green Dot Bystander Intervention Strategy across the University and provides multiple 3-hour trainings, 1-hour presentations, and numerous Green Dot themed events each semester.

A more comprehensive list of programming is kept on file with the Office of Title IX and Civil Rights Compliance.

Campus Alert Notifications Pertaining to Sexual Assaults

If the Department of Safety and Security determines that a reported incident of sexual assault represen potential danger to the campus community, the Vice President for Student Engagement and/or the Vice President for Campus Services/Risk Management Office will be contacted. A potential danger to th community is defined as:

- ü A pattern of acquaintance sexual assault
- ü A stranger assault
- ü A violent or sadistic assault

The Vice President for Campus Services, in collaboration with the Director of Campus Safety and Secur will determine if a campus alert notification is warranted and whether it should take the form of an *Emergency* or If so, the Department of Safety and Security will create the

Alcohol and Substance Abuse

UNE does not permit or condone the illicit or unauthorized possession, use, manufacturing, consumptio

	2022	0	0	0	0	0
	2023	0	0	0	0	0

	2023	0	0	0	0	0
Aggravated Assault	2021					

Dating Violence	2021	0	0	0	0	0

Fire Log

The Department of Safety & Security maintains a Fire Log. This log is available to anyone upon request, free of charge. This log can be obtained by requesting a copy from the Director of Safety & Security, Assistant Director of Safety & Security or stopping by the Safety & Security Office in the Support Services Building on the Biddeford Campus.

Reporting Fires That Have Occurred (Not in Progress)

For any fire that has occurred (not in progress), individuals are encouraged to report the incident to any member of Housing and Residential/Commuter Life Staff or any member of the Safety and Security Staff. These incidents can also be reported to anyone designated as a Campus Security Authority (CSA).

Annual Fire Safety Report

The University of New England reports statistics for the previous three years on the annual fire safety repo to include:

1. The number of fires and the cause of each fire in a residential facility.
    a. A fire is an instance of an open flame or other burning in a place not intended to contain burning 0.00dq 0.74<</MCID 11>> BDC q Trnnualdial ffritTJ ET 0.e W4(afet20(&r)-ubty (

University-Wide Protocol for Fire Emergency

The following procedure is the University-wide protocol in cases of fire emergency:

1. Pull the fire alarm as you exit the building.
2. Dial 911 from a safe location.
3. State that you are calling from the University of New England, Biddeford Campus
4. Provide the proper name of the building, floor, and room numbers.
5. Specify fire type (chemical, paper, wood, electrical, etc.).
6. Direct fire/emergency personnel to location.
7. Notify Department of Safety and Security at extension 366.

b. Know all of the exits and evacuation plans to your building.
c. If you discover smoke or fire:
    1. Sound the alarm.
    2. Call the Office of Safety and Security at x 366 or call the local emergency at 911.
d. If you are in a burning building:
    1. Close the window.
    2. Close the door.
    3. Go to the nearest exit or stairs (if you are in a smoke filled area, keep low to the floor).
    4. Leave the residence halls immediately.

The University of New England has installed fire safety systems in all of the residential housing facilities on the Biddeford Campus to detect if a fire is present in the facility, warn the occupants of the fire including if fire extinguishers are present, fire rated doors, horn/strobe notification systems, and sprinkler systems that will extinguish a fire. The University of New England monitors all fire alarms on Biddeford and Portland Campuses in the campus dispatch center and is able to alert the fire department directly in the case of fire.

Along with the types of fire safety systems in each residential housing facility, statistics on the number of fire drills conducted in each facility is provided. A fire drill is a supervised practice of mandatory evacuation of a facility by activating the fire alarm. During this activation, all devices are checked to ensure proper function and devices not operational are repaired or replaced.

Fire Drills

Whenever a fire alarm sounds, day or night, the residence halls or other buildings are to be evacuated immediately. Everyone should particularly note the available exit routes. Fire drills will be held periodically throughout the year in all of the residence halls and administrative classroom buildings. Evacuation is mandatory.

Fire Equipment

Fire extinguishers, smoke detectors, heat detectors, and other related fire protection equipment are provided to protect life in the event of a fire. Any tampering with this equipment, including false alarms, will result in a minimum assessment of two hundred and fifty dollars ($250.00), for the first incident and five hundred dollars ($500.00) for all subsequent events being levied against the individual in addition to other disciplinary sanctions. Tampering with fire alarms or sending false communication of a fire is a Class D Misdemeanor in the State of Maine. Criminal charges may be brought against the violator(s).

Policies on Portable Electrical Appliances, Smoking and Open Flames in a Student Housing Facility

Appliances

All electrical appliances must be UL approved and in good working condition. Electrical appliances are permitted in resident rooms except those appliances, which 1) have exposed heating units or open flames; 2) are used for the specific purpose of cooking food, with the exception of small microwaves and units with

designated areas include residence hall lounge kitchens and kitchenettes in the suite-style buildings. Such items may be stored in rooms as long as they are not used in rooms. Air conditioners, space heaters, halogen lamps, sun lamps/tanning beds and hot plates or any other open coil appliance not provided by the University are not permitted.

The Office Housing and Residential/Commuter Life staff has authority to prohibit and/or remove, without prior notice, all illegal or potentially dangerous appliances/devices for reasons of health and safety.

Furnishings

Curtains, draperies, valances, or other fabric decorations covering or draping the windows must be made of documented fire-retardant material. Students must provide documentation of this retardant quality before items may be hung. Each year, the Residence Hall Council offers a curtain treatment program to help students meet compliance. All non-University provided waste receptacles must be constructed of solid metal (not woven, fabric, plastic, wood, or metal mesh etc.).

Smoking

The University of New England is a tobacco and smoke-free campus. Smoking of tobacco or other substances and use of all tobacco products, including electronic cigarettes or any form of vaping will not be permitted anywhere or anytime on the University campuses. This includes all parking lots, (including personal vehicles) buildings, residence halls and their grounds, clinics, laboratories, classrooms, private offices, balconies, roofs, plazas, vestibules, loading docks, sidewalks, and on any other campus property, as well as within close proximity to or causing the obstruction of any building entrance, covered walkway, or ventilation system.

Holiday Decorations

Students are encouraged to express their observances of holidays within the following guidelines:

1. Live and cut trees and wreaths are prohibited.
2. Candles or other open flames or burning items are not permitted.
3. Lights must be UL rated and the small and non-heat producing type.
4. Decorations in the public areas must be approved for safety.
5. Decorations must be removed prior to leaving for break.
6. Nothing should be hung from smoke or sprinkler heads.

Room Decorations

Students are encouraged to personalize their rooms to make them comfortable while they are on campus. Below are guidelines that must be followed:

1. Hanging posters/pictures, etc., should be done with poster only. Tape and other adhesive materials will remove the paint.
2. No objects or materials may be hung on the walls within 18 inches of the ceiling.
3. Tapestries may be hung under guidelines of the tapestry policy (see below).
4. Tape, stickers or other adhesive materials are not to be placed on ceiling tiles. Students will be charged the replacement cost for each tile damaged in this way.
5. No decorations shou

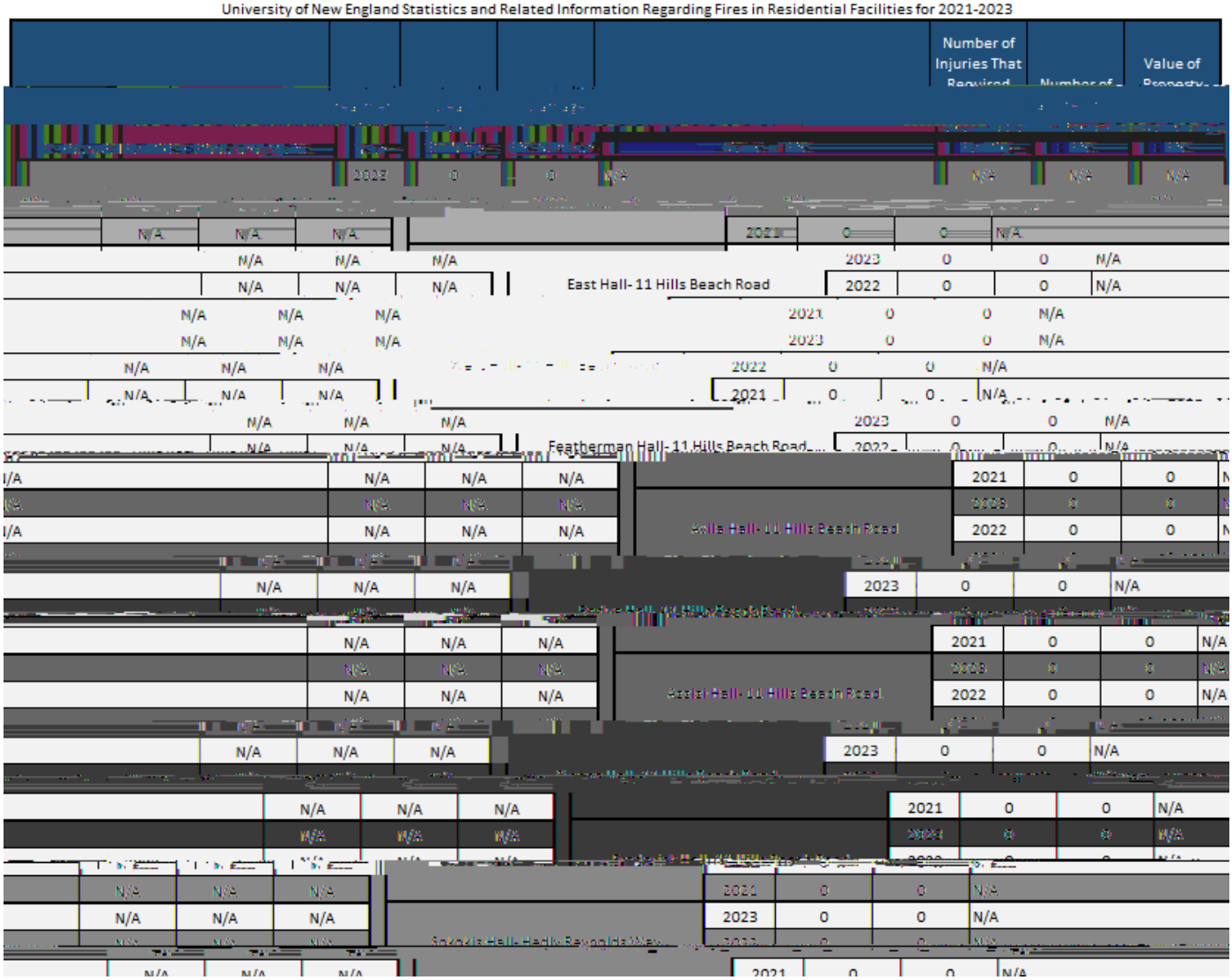
3. The tapestry may not cover or block fire safety or heating equipment.
4. A tapestry hung vertically must be against the wall only. It may not be hung in front of the doorway or to divide the room.
5. The tapestry must be hung at least 18 inches away from the ceiling.
6. Students wishing to hang a tapestry in their room must get the approval of the RA on the floor for i proper location.
7. Failure to abide by these guidelines will result in immediate and permanent suspension of the privilege to hang a tapestry in the room.

This policy is subject to change depending on municipal and state fire codes.

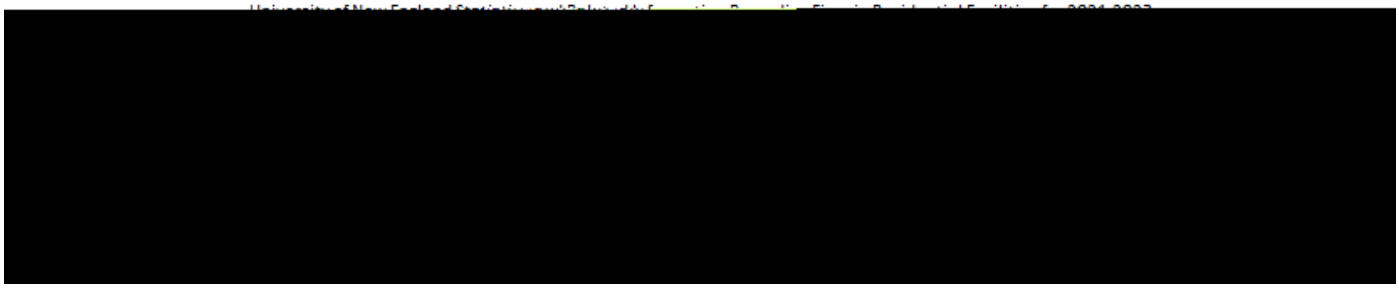
UNE Student Handbook and Conduct Code as They Pertain to Fire Safety Policies in Residence Halls

1. Tampering in any way with fire emergency equipment.
2. Failure to evacuate a building or area at the request of University staff, for safety and/or security reasons, including evacuation during a fire alarm.
3. To give, or cause to be given, false reports of fire or other dangerous conditions.
4. Creation of a fire hazard or other dangerous condition. This includes burning candles, incense, potpourri burners, and other flammable materials.
5. Unauthorized use or possession of explosive components or chemicals such as fireworks, explosiv gas, or compressed air.
6. Possession or use of fireworks or weapons, including firearms, knives, slingshots, or other simil

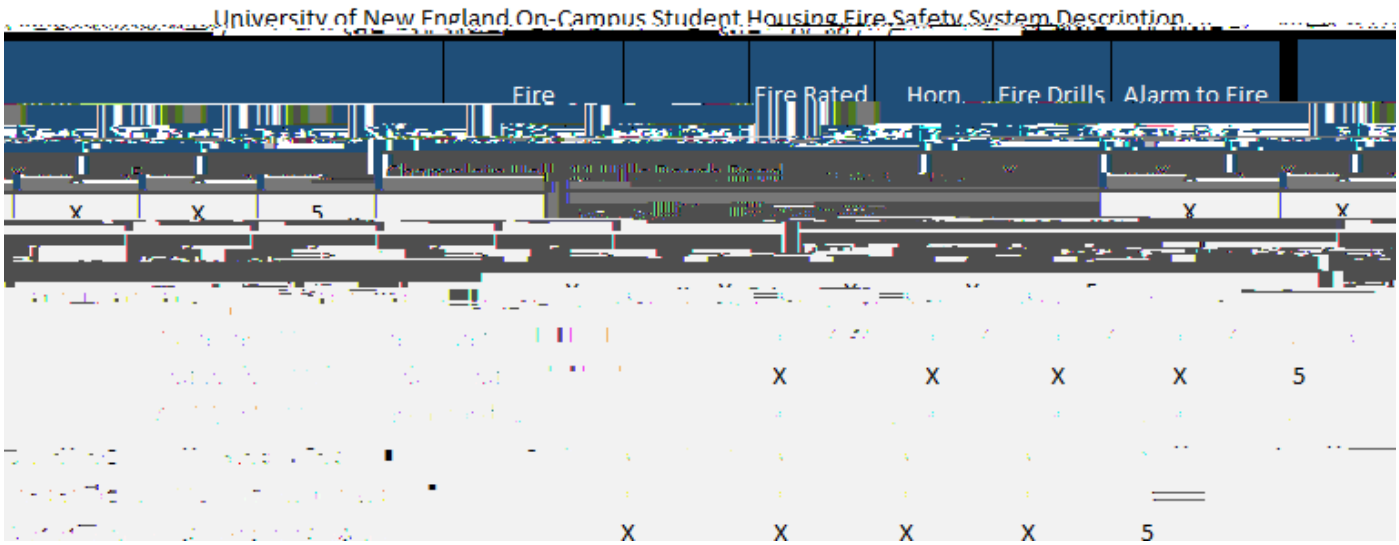
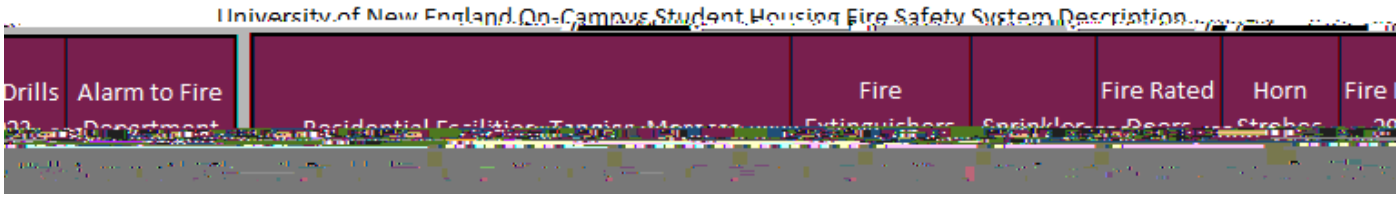
University of New England Statistics and Related Information Regarding Fires in Residential Facilities for 2021-2023



Tangier Campus-Annual Fire Safety Report Statistics 2023



Biddeford Campus-On-Campus Housing Fire Safety Systems 2023



Tangier Campus-On Campus Housing Fire Safety Systems 2023