



INNOVATION FOR A HEALTHIER PLANET

Grievance Policy for Addressing Formal Complaints of Sexual Harassment Under the Title IX Regulations

Last Reviewed August 2026. Please refer to <https://www.une.edu/title-ix-civil-rights-compliance> for the most current policy.

I. Introduction

What is the Purpose of the Title IX Grievance Policy?

Title IX of the Educational Amendments of 1972 prohibits any person in the United States from being discriminated against on the basis of sex in seeking access to any educational program or activity receiving federal financial assistance. The U.S. Department of Education, which enforces Title IX, has long defined the meaning of Title IX's prohibition on sex discrimination broadly to include various forms of sexual harassment and sexual violence that interfere with a student's ability to equally access our educational programs and opportunities.

On May 19, 2020, the U.S. Department of Education issued a Final Rule under Title IX of the Education Amendments of 1972 that:

- Defines the meaning of "sexual harassment" (including forms of sex-based violence)
- Addresses how this institution **must** respond to reports of misconduct falling within that definition of sexual harassment, and
- Mandates a grievance process that this institution **must** follow to comply with the law in these specific covered cases before issuing a disciplinary sanction against a person accused of sexual harassment.

See, 85 Fed. Reg. 30026 (May 19, 2020). The full text of the Final Rule and its extensive Preamble are available here: <http://bit.ly/TitleIXReg>

Based on the Final Rule, the University of New England will implement the following Title IX Grievance Policy, effective August 14, 2020.

How does the Title IX Grievance Policy impact other campus disciplinary policies?

In recent years, "Title IX" cases have become a short-hand for any campus disciplinary process involving sex discrimination, including those arising from sexual harassment and sexual assault. But under the Final Rule, the University of New England must narrow both the geographic scope of its authority to act under Title IX and the types of "sexual harassment" that it must subject to its Title IX investigation and adjudication process. **Only** incidents falling within the Final Rule's definition of sexual harassment will be investigated under this policy and, if appropriate, brought to a live hearing through the Title IX Grievance Policy defined below.

The University of New England remains committed to addressing any violations of its policies, even those not meeting the narrow standards defined under the Title IX Final Rule.

Specifically, our University has a **Policy for Non-Title IX Sex Discrimination and Harassment** that defines certain behavior as a violation of campus policy, linked here: <https://www.une.edu/title-ix-civil-rights-compliance> .

To the extent that alleged misconduct falls outside this Title IX Grievance Policy, or misconduct falling outside this 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 and procedures defined within the University's Policy for Non-Title IX Sex Discrimination and Harassment, the University's Non-Discrimination Policies, Personnel Handbook, and/or the University's Professional Codes of Conduct through the separate grievance proceedings outlined in those policies linked here: <https://www.une.edu/title-ix>.

The elements established in the Title IX Grievance Policy under the Final Rule have no effect and are not transferable to any other policy of the College for any violation of the Code of Conduct, employment policies, or any civil rights violation except as narrowly defined in this Policy. This Policy does not set a precedent for other policies or processes of the College and may not be cited for or against any right or aspect of any other policy or process.

How does the Title IX Grievance Policy impact the handling of complaints?

Our existing Office of Title IX and Civil Rights Compliance and reporting structure remains in place. What has changed is the way our Office of Title IX and Civil Rights Compliance will handle different types of reports arising from sexual misconduct, as detailed in full throughout the next section.

II. THE TITLE IX GRIEVANCE POLICY

General Rules of Application

Effective Date

This Title IX Grievance Policy became effective on August 14, 2020, and will only apply to formal complaints of sexual harassment brought on or after August 14, 2020. Complaints brought prior to August 14, 2020 will be investigated and adjudicated according to the processes contained within **University of New England Policy for Non-Title IX Sex Discrimination and Harassment**.

Revocation by Operation of Law

Should any portion of the Title IX Final Rule, 85 Fed. Reg. 30026 (May 19, 2020), be stayed or held invalid by a court of law, or should the Title IX Final Rule be withdrawn or modified to not require the elements of this policy, this policy, or the invalidated elements of this policy, will be deemed revoked as of the publication date of the opinion or order and for all reports after that date, as well as any elements of the process that occur after that date if a case is not complete by that date of opinion or order publication. Should the Title IX Grievance Policy be revoked in this manner, any conduct covered under the Title IX Grievance Policy shall be investigated and adjudicated under the existing University of New England Policy for Non-Title IX Sex Discrimination and Harassment.

Applicability

The purpose of this Policy is to provide UNE a mechanism to continue its efforts to prevent and remedy discrimination on the basis of sex in its education program and activities, and to also specifically comply with Title IX of the Education Amendments of 1972 and its regulations as well as other applicable state and federal laws. This Policy applies to any person present in the United States who alleges that they were subjected to sex discrimination in UNE's education program or activities, including students, employees, and applicants. The standards for behavior and prohibitions covered by this Policy apply broadly to the entire University community, including all trustees, employees, the student body (graduate and undergraduate), vendors, volunteers, alumni, prospective students, prospective employees, and visitors to campus. This includes guests, patrons, independent contractors, or clients of the University of New England. This Policy prohibits discrimination, harassment, or sexual misconduct discrimination in any University education program or activities, which means all academic, educational, extracurricular, athletic, and other programs.

Jurisdiction of Policy

Education Program or Activity

For the purposes of this Title IX Grievance Policy, the University's "education program or activity" includes locations, events, or circumstances over which UNE exercised substantial control over both the respondent and the context in which the sexual harassment is alleged to have occurred and further includes:

- Any on-campus premises
- Any off-campus premises that the University of New England has substantial control over. This includes buildings or property owned or controlled by a recognized student organization.
- Activity occurring within computer and internet networks, digital platforms, and computer hardware or software owned or operated by, or used in the operations of the University of New England's programs and activities over which the University has substantial control.

All reported behavior that occurs within UNE's Education Program or Activity as defined above is covered under this policy.

Generally, the jurisdiction of the University of New England to take disciplinary action under this Title IX Policy shall be limited to conduct which occurs on University premises, at off-campus University sponsored, supervised, or related activities, at affiliated and clinical sites, and which violates the University Student Conduct Code and/or creates a potentially hostile learning environment.

In addition, any off-campus conduct that does not meet the jurisdictional requirements under this Policy or the Title IX Regulations and contributes to the alleged sex discrimination or sex-based harassment, that disrupts the educational environment and/or the mission or objectives of the University, that occurs on the UNE international campuses or on Study Abroad Programs, or that results in another student being excluded from participating in or enjoying the benefits of UNE's education program or activity may be referred to and acted upon by the University through the appropriate University policy and process. Information posted or shared online, including social media, that violates this Policy, the University Student Conduct Code, the Faculty Handbook, the Personnel Handbook, or any other applicable UNE policy, and/or creates a potentially hostile learning or work environment may also be acted upon by the University. The University reserves the right to complete any investigation and/or disciplinary process started while a student is enrolled, even if a student withdraws, graduates, or otherwise leaves the University. Similarly, UNE reserves the right

to conduct any employment related investigation even if an employee is no longer employed by or working at or for UNE.

Academic Freedom and Freedom of Expression

The University is committed to protecting, maintaining, and encouraging both freedom of expression and the academic freedom of inquiry, teaching, service, and research. However, these freedoms have limits and come with a responsibility that all members of the education community benefit from these freedoms without intimidation. In recognition and support of academic freedom for faculty in the pursuit of teaching, academic freedom and freedom of expression may be considered with all other circumstance when investigating and reviewing complaints and reports of discrimination, harassment, or sexual misconduct. However, academic freedom and freedom of expression never excuses behavior that constitutes a violation of the law or this Policy.

III. NON-DISCRIMINATION AND EQUAL OPPORTUNITY

Consistent with federal and state law and University policy, the University of New England is committed to the fundamental concept of equal opportunity for all of the members of the University community. UNE does not discriminate on the basis of race, creed, religion, color, sex, age, marital status, ancestry, national or ethnic origin, physical or mental disability, sexual orientation; including transgender status and gender expression, citizenship status, veteran status or on any other basis prohibited by applicable law in the administration of its employment practices or in the educational programs or activities that it offers. Therefore, the requirements and protections of this Policy will be applied to all covered by this Policy regardless of such protected status(es) or status as a Complainant, Respondent, or Witness.

This Policy applies to allegations, claims, and complaints of sex discrimination and sex-based harassment. This Policy is enforced by UNE, and to the extent applicable, in accordance with Federal Law under Title IX of the Education Amendments of 1972 and its implementing regulations, the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, as amended by the Violence Against Women Reauthorization Act of 2013, Title VII of the Civil Rights Act of 1964, and Section 504 of the Rehabilitation Act of 1973. It is also enforced under Maine law through the Maine Human Rights Act at 5 M.R.S.A. section 4551 et. seq, as well as other applicable federal and Maine state laws. Inquiries regarding compliance with these statutes may be directed to:

Angela Shambarger <i>Title IX Coordinator</i>	207-221-4554	ashambarger@une.edu	11 Hills Beach Road, Biddeford, ME 04005)
Bobbie Kallner <i>Vice President of Human Resources & Chief Human Resources Officer</i>	207-602-2339	bkallner@une.edu	11 Hills Beach Road, Biddeford, ME 04005)
Office of Civil Rights, Department of Education	202-453-6021	OCR.DC@ed.gov	Office for Civil Rights U.S. Department of Education

			400 Maryland Avenue, SW Washington, D.C. 20202-1475
The Maine Human Rights Commission	207-624-6290	info@mhrc.maine.gov	19 Union Street, 2nd Floor Augusta, ME 04330
The U.S. Equal Employment Opportunity Commission	202-663-4900	info@eeoc.gov	131 M Street, NE, Washington, D.C. 20507

IV. DEFINITIONS

(A) Sex Discrimination

Under this Policy, sex discrimination is defined as treating similarly situated students differently on the basis of sex without appropriate legal justification. It also includes excluding a student from participating in and enjoying the benefits of UNE's education program or activity on the basis of that student's sex. Sex discrimination includes sex-based harassment defined below.

(B) Sexual Harassment

For the purposes of this Title IX Grievance Policy, "covered sexual harassment" includes any conduct on the basis of sex that satisfies one or more of the following:

- A UNE employee conditioning the provision of an aid, benefit, or service of UNE on an individual's participation in unwelcome sexual conduct (i.e., quid pro quo);
- 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 institution's education program or activity, creates an intimidating, hostile, or offensive working and/or learning environment; and/or interferes with or limits one's ability to participate in or benefit from an educational program or activity.;
- Sexual assault," "dating violence," "domestic violence," or "stalking" as defined below.

Examples of conduct that are or could be sexual harassment include, but are not limited to, the following:

- Physical assault and/or physical, sexual acts perpetrated against a person's will or where the actor knew or should have known the person is incapable of giving consent due to the use of drugs or alcohol, or due to an intellectual or other disability and where the Respondent should have known the person to be incapacitated. This includes sexual assault (including rape), sexual battery, and any form of sexual coercion.
- Direct or implied threats that submission to sexual advances will be a condition of employment, work status, compensation, promotion, grades, or letters of recommendation.
- Sexual advances, physical or implied, or direct propositions of a sexual nature. This activity may include inappropriate/unnecessary touching or rubbing against another, sexually suggestive or degrading jokes or comments, remarks of a sexual nature about one's clothing and/or body, preferential treatment in exchange

for sexual activity, and the inappropriate display of sexually explicit pictures, text, printed materials, or objects that do not serve an academic purpose.

- A pattern of conduct, which can be subtle in nature, that is intended to create or has the effect of creating discomfort and/or humiliating another because of the other's sex.
- Remarks speculating about a person's sexual activities or sexual history, or remarks about one's own sexual activities or sexual history that do not serve a medical or academic purpose.
- The taking of non-consensual or abusive sexual advantage of another for one's own benefit or the benefit of anyone other than the individual being exploited, including secretly observing the sexual actions of another or allowing others to secretly observe the sexual activity without the knowledge or consent of the other party; sharing visual images, audio recordings, videos of another individual in a state of undress or of a sexual nature without consent; causing an individual to prostitute themselves through force, intimidation, or coercion; knowingly exposing another individual to a sexually transmitted disease without their knowledge; exposing one's genitalia or causing another person's genitalia to be exposed without effective consent.

Sexual harassment can occur regardless of the relationship, position, and/or respective sex of the parties. Same-sex harassment violates this Policy, as does harassment by a student of a faculty member or a subordinate employee of their supervisor.

(C) Sexual assault

As defined in the Clery Act, sexual assault is any sexual act directed against another person, without consent of the victim, including instances where the victim is incapable of giving consent.

Sexual assault includes attempted sexual assaults and also includes the following:

- Rape: The penetration, no matter how slight, of the vagina or anus, with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. This offense includes the rape of both males and females.
- Criminal Sexual Contact: The intentional touching of the clothed or unclothed body parts without consent of the victim for the purpose of sexual degradation, sexual gratification, or sexual humiliation.

The forced touching by the actor of the victim's clothed or unclothed body parts, without consent of the victim for the purpose of sexual degradation, sexual gratification, or sexual humiliation.

This offense includes instances where the victim is incapable of giving consent because of age or incapacity due to temporary or permanent mental or physical impairment or intoxication for the purpose of sexual degradation, sexual gratification, or sexual humiliation.

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

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

(D) Dating violence

As defined in the Violence Against Women Act (VAWA) amendments to the Clery Act, dating violence includes any violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim; and where the existence of such a relationship shall be determined based on a consideration of the following factors:

- The length of the relationship;
- The type of relationship;
- The frequency of interaction between the persons involved in the relationship.

Dating violence includes, but is not limited to, sexual or physical abuse or threat of such abuse. Dating violence does not include acts covered under the definition of domestic violence.

(E) Domestic violence

As defined in the VAWA amendments to the Clery Act, domestic violence includes any felony or misdemeanor crimes of violence committed by (1) a current or former spouse or intimate partner of the victim, (2) a person with whom the victim shares a child in common, (3) a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, (4) a person similarly situated to a spouse of the victim under Maine domestic or family violence laws or (5) 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.

(F) Stalking

As defined in the VAWA amendments to the Clery Act, is a course of conduct directed at a specific person that would cause a reasonable person to fear for her, his, theirs, or another's safety or to suffer substantial emotional distress.

"Course of conduct" means two or more acts, including but not limited to acts in which the stalker directly or indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person or interferes with a person's property.

"Reasonable person" means a person under similar circumstances and identities with the Complainant.

"Substantial emotional distress" means significant mental suffering or anguish that may but does not necessarily require medical or other professional treatment or counseling. Stalking includes the concept of cyberstalking, a particular form of stalking in which electronic media is used.

(G) Criminal Sexual Contact (includes "Fondling")

Criminal Sexual Contact: The intentional touching of the clothed or unclothed body parts without consent of the victim for the purpose of sexual degradation, sexual gratification, or sexual humiliation.

The forced touching by the victim of the actor's clothed or unclothed body parts, without consent of the victim for the purpose of sexual degradation, sexual gratification, or sexual humiliation.

This offense includes instances where the victim is incapable of giving consent because of age or incapacity due to temporary or permanent mental or physical impairment or intoxication for the purpose of sexual degradation, sexual gratification, or sexual humiliation.

The abovementioned definitions describe conduct prohibited under this policy. Note that conduct that does not meet one or more of these above definitions may still be prohibited under the University of New England's Policy for Non-Title IX Sex Discrimination and Harassment, the University's nondiscrimination policies, the University's Personnel Handbook, the University's Faculty Handbook, the University's professional codes of conduct, and/or any other applicable University conduct policy.

(H) Consent

Consent is the affirmative, unambiguous, and voluntary agreement to engage in a specific sexual activity during a sexual encounter. Consent requires an outward demonstration through mutually understandable words or actions, indicating that an individual has freely chosen to engage in sexual contact and in all sexual activity during the sexual encounter.

- Consent may not be inferred from mere silence.
- Consent is not voluntary if it is induced by force, threat, coercion, or deception. Deception does not include insincere expressions of caring or affection.
- Consent cannot be obtained by taking advantage of the incapacitation of another, such as someone who is incapacitated by drugs or alcohol, who is asleep, unconscious, or otherwise physically or mentally incapacitated.
- Consent may be withdrawn at any time, and if it is, sexual activity of any kind must stop.
- Consent to one form of sexual activity does not necessarily constitute consent to all forms of sexual activity, and consent to sexual activity with one person does not equal consent to engage in sexual activity with anyone else.
- The failure to obtain consent is never excused by the consumption of alcohol or drugs

Maine law states that minors who are 14 or 15 years of age cannot legally consent to sexual activity if the other party is at least 5 years older. Minors under 14 years of age can never legally consent to sexual activity. Such sexual acts are felonies under Maine law.

(I) Coercion or Force

Coercion is the use of pressure to compel another individual to initiate or continue sexual activity against an individual's will or, with respect to dating violence, remain in a relationship or in a place against an individual's will. Coercion can include a wide range of behaviors, including intimidation, manipulation, threats, including threats to harm oneself, and blackmail, including the threat to reveal personal information about a person which that person does not wish to have

revealed. A person's words or conduct are sufficient to constitute coercion if they wrongfully impair another individual's freedom of will and ability to choose whether or not to engage in sexual activity or, with respect to dating violence, remain in a relationship or in a place against an individual's will.

(J) Incapacitation

Incapacitation is defined as the inability to make rational, reasonable decisions because the individual lacks the capacity to give knowing consent (e.g., to understand the "who," "what," "when," "where," "why," or "how" of their sexual interaction.) A person may be incapacitated because of their consumption of drugs/alcohol and/or because they are mentally/physically helpless or disabled, asleep, unconscious, or otherwise unaware that the sexual activity is occurring. Where drugs or alcohol are involved, incapacitation is a state beyond impairment or intoxication and involves an assessment of the person's decision-making ability, awareness of consequences, ability to make informed, rational judgments, capacity to appreciate the nature and quality of the act, and/or level of consciousness. The assessment is based on objectively and reasonably apparent signs of incapacitation when viewed from the perspective of a sober, reasonable person.

(K) Consensual Relations in Regard to Sexual Discrimination, Including Sex-Based Harassment

Any person should be aware of UNE's policy regarding Consensual Intimate Relationships as they pertain to employees and with respect to employees and students. They should be aware that engaging in prohibited relationships may lead to allegations of sex discrimination, including sexual harassment, and could result in disciplinary actions even if the relationship itself was not the product of sex discrimination or sexual harassment. The complete policy is contained in the UNE Personnel Handbook, Section 12.2, <https://www.une.edu/pdfs/une-personnel-handbook>)

(L) Additional Policy Definitions

a. Formal Complaint

For the purposes of this Title IX Grievance Policy, "formal complaint" means a document – including an electronic submission - filed by a complainant with a signature or other indication that the complainant is the person filing the formal complaint, or signed by the Title IX Coordinator, alleging sexual harassment against a respondent about conduct within University of New England's education program or activity and requesting initiation of the procedures consistent with the Title IX Grievance Policy to investigate the allegation of sexual harassment.

b. Complainant

For the purposes of this Title IX Grievance Policy, Complainant means any individual who has reported being or is alleged to be the victim of conduct that could constitute sexual harassment.

c. Relevant evidence and questions

"Relevant" evidence and questions refer to any questions and evidence that tends to make an allegation of sexual harassment more or less likely to be true. Information that does not directly relate to the facts at issue, but instead relates to the reputation, habits, personality, or qualities of an individual is generally not relevant and will not be

considered.

“Relevant” evidence and questions do not include the following types of evidence and questions, which are deemed “irrelevant” at all stages of the Title IX Grievance Process:

- Evidence and questions about the complainant’s sexual predisposition or prior sexual behavior **unless**:
 - They are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or
 - They concern specific incidents of the complainant’s prior sexual behavior with respect to the respondent and are offered to prove consent.
- Evidence and questions that constitute, or seek disclosure of, information protected under a legally-recognized privilege. Legally-recognized privileges include, e.g., attorney client privilege and a medical professional and patient relationship.
- Any party’s medical, psychological, and similar records unless the party has given voluntary, written consent.

d. Respondent

For the purposes of this Title IX Grievance policy, Respondent means any individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

e. Disability Accommodations

This Policy does not alter any institutional obligations under federal disability laws including the Americans with Disabilities Act of 1990, and Section 504 of the Rehabilitation Act of 1973. Parties may request reasonable accommodations for disclosed disabilities to the Title IX Coordinator at any point before or during the Title IX Grievance Process that do not fundamentally alter the Process. The Title IX Coordinator will not affirmatively provide disability accommodations that have not been specifically requested by the Parties, even where the Parties may be receiving accommodations in other institutional programs and activities.

V. TITLE IX COORDINATOR, DEPUTY TITLE IX COORDINATORS, AND CONFIDENTIAL RESOURCE ADVISOR

Making a Report Regarding Covered Sexual Harassment to the Institution

The Title IX Coordinator is the individual designated by the President with responsibility for providing education and training about discrimination, harassment, and sexual misconduct, including sexual assault, dating violence, domestic violence, or stalking, to the University community and for receiving and investigating reports and complaints of discrimination, harassment, and sexual misconduct in accordance with this Policy.

Any person may report sex discrimination, which includes sexual harassment, (whether or not the person reporting is the person alleged to be the victim of the conduct that may constitute sex discrimination, in person, by mail, by telephone, or by electronic mail, using the contact information listed for the Title IX Coordinator, or by any other means that results in the Title IX Coordinator receiving the person’s verbal or written report.

Angela Shambarger <i>Title IX Coordinator; Senior Director, Office of Title IX and Civil Rights Compliance</i>			
ashambarger@une.edu	207-221-4554	<u>Mailing Address:</u> 11 Hills Beach Road Biddeford, ME 04005	<u>Office Locations:</u> <i>Biddeford Campus:</i> HR Building <i>Portland Campus:</i> 111 Ginn Hall

The following officials at the University have been designated as **Deputy Title IX Coordinators** and are trained to receive reports. Deputy Coordinators will provide privacy, but not confidentiality, upon receiving a report of conduct prohibited by Title IX.

Hahna Patterson	<i>Assistant Vice President for Student Affairs</i>	207-602-2372	hpatterson@une.edu
Ray Handy	<i>Associate Dean of Students</i>	207-221-4213	rhandy@une.edu
Shane Long	<i>Assistant Dean of Students</i>	207-602-2372	slong11@une.edu
Heather Davis	<i>Director of Athletics</i>	207-602-2629	hdavis@une.edu
Janna Merritt	<i>Director of Human Resources</i>	207-602-2281	jmerritt2@une.edu
Shaylah Kelly	<i>Assistant Director, Employee Relations and Talent Development</i>	207-602-2524	skelly14@une.edu

The Title IX Coordinator/ Deputy Title IX Coordinators will:

- Provide oversight of any investigation of claims of discrimination, harassment, or sexual misconduct in violation of this Policy;
- Be available to assist any individual in accessing the resources of the University or the community in the event of any complaint under this Policy;
- Assist anyone who wishes to report a crime to local law enforcement;
- Be responsible for all training and education programs and monitoring the campus climate with regard to discrimination, harassment, and sexual misconduct; and
- Complete required annual reports to government agencies.

Confidential Resource Advisor (Confidential Reporting)

The University has a designated **Confidential Resource Advisor (CRA)**. This individual can receive disclosures or a report from an individual and maintain the information in a confidential way. A student can contact the CRA and make a disclosure. The CRA can assist the student in accessing on-campus supportive resources and can do a direct referral to SARSSM for full advocacy support services.

Natalie Western	<i>Counselor and Confidential Resource Advisor</i>	207-602-2549	nwestern@une.edu
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In addition, **Student Counseling Services** may be reached at 207-602-2549 on the Biddeford campus and 207-221-4550 on the Portland campus. Choosing “6” from their voicemail menu will connect you to their on-call counselor. **In case of an emergency**, dial 366 from any campus phone for both the Portland and the Biddeford campuses. Dial 207-

283-0176 from any non-campus phone. Local Law enforcement can be reached by dialing 911.

As noted above, individuals may disclose incidents and seek support in a confidential manner to a designated confidential resource. A disclosure to a confidential resource in that person's capacity as a confidential resource does not constitute a report to the University or a complaint that will trigger an investigation or adjudication under this Policy unless the person who reveals the alleged misconduct consents to the further disclosure to UNE. Individuals may also file anonymous reports that can be anonymous on the University's Title IX webpage using the anonymous reporting feature here: <https://www.une.edu/title-ix/reporting>. Individuals filing an anonymous report must understand that while UNE will act on such reports, UNE's investigation may be impacted by the fact that a report is anonymous

VI. Provision of Information

Mandatory Reporting to Title IX Coordinator:

Any employee who is not a "confidential employee" (defined below) and who either has authority to institute corrective measures on behalf of UNE or has responsibility for administrative leadership, teaching, or advising in UNE's education program or activity is required to notify the Title IX Coordinator when the employee has information about conduct that reasonably may constitute sex discrimination.

Mandatory Reporting to Title IX Coordinator or Provision of Title IX Coordinator Contact Information:

All other employees who are not "confidential employees" are required to either:

- Notify the Title IX Coordinator when the employee has information about conduct that reasonably may constitute sex discrimination or sexual harassment; or
- Provide the contact information of the Title IX Coordinator and information about how to make a complaint of sexual harassment to any person who provides the employee with information about conduct that reasonably may constitute sex discrimination or sexual harassment.

No UNE community member should assume that an official of the University of New England knows about any particular situation of concern involving discrimination, harassment, or sexual misconduct. When required to report to the Title IX Coordinator, an employee should report all incidents to the Title IX Coordinator.

A "confidential employee" is:

- A UNE employee whose communications are privileged or confidential under Federal or State law. The employee's confidential status, for purposes of this part, is only with respect to information received while the employee is functioning within the scope of their duties to which privilege or confidentiality applies;
- A UNE employee whom UNE has designated as confidential under this Policy purpose of providing services to persons related to sexual harassment. If the employee also has a duty not associated with providing those services, the employee's confidential status is only with respect to information received about sex discrimination or sexual harassment in connection with providing those services; or
- A UNE employee who is conducting an Institutional Review Board-approved human-subjects research study designed to gather information about sex discrimination or sexual harassment, but the employee's confidential status is only with respect to information received while conducting the study.

Clery Act Reporting

Pursuant to the Clery Act, the University includes statistics about Clery Act crimes in its daily crime log and Annual Security Report and provides those statistics to the United States Department of Education; in all these 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). The 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>

Public Awareness Events

When UNE's Title IX Coordinator is notified of information about conduct that reasonably may constitute sexual harassment under Title IX or this policy that was provided by a person during a public event to raise awareness about sexual harassment that was held on UNE's campus or through an online platform sponsored by it, UNE is not obligated to act in response to the information, unless it indicates an imminent and serious threat to the health or safety of a Complainant, any students, employees, or other persons.

However, in all cases UNE will use this information to inform its efforts to prevent sexual harassment or sexual harassment, including by providing tailored training to address alleged sexual harassment in a particular part of its Education Program or Activity or at a specific location when information indicates there may be multiple incidents of sexual harassment.

Nothing in Title IX or this policy obligates UNE to require its Title IX Coordinator or any other employee to attend such public awareness events.

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

Supportive Measures

Providing Supportive Measures

The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures, which are available to both parties. Supportive measures are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the Complainant or the Respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the UNE's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the UNE's educational environment, or deter sexual harassment. Supportive measures may also be available to provide support to either party during UNE's grievance procedures or during the Informal Resolution process. To be clear, supportive measures must not unreasonably burden either party and must be designed to protect the safety of the parties or UNE's educational environment, or to provide support during the UNE's grievance procedures or during the Informal Resolution process.

UNE will maintain as confidential any supportive measures provided to the Complainant or Respondent, to the extent that maintaining such confidentiality would not impair the ability of UNE to provide the supportive measures.

Supportive measures may be modified or terminated at times, including at the conclusion of the grievance process or the Informal Resolutions process. They may also be continued beyond the conclusion of either process. Either a Complainant or a Respondent may seek additional modification or termination of a supportive measure applicable to them.

Below are examples of Supportive Measures that may be appropriate so long as they consistent with this Policy:

- Facilitating access to counseling and medical services;
- Guidance in obtaining a sexual assault forensic examination;
- Assistance in arranging rescheduling of exams and assignments and extensions of deadlines;
- Academic supports;
- Assistance in requesting accommodations through the appropriate office, if the Complainant or Respondent qualifies as an individual with a disability;
- Changes in class (including the ability to transfer course sections or withdraw from a course), work, housing, or extracurricular or any other activity, regardless of whether there is or is not a comparable alternative;
- Campus escort and other safety planning steps;
- Increased security and monitoring of certain areas of the campus;
- Mutual imposition of a "no contact order," an administrative remedy designed to curtail contact and communications between two or more individuals;
- Voluntary leave of absence;
- Referral to resources to assist in obtaining a protective order;
- Referral to resources to assist with any financial aid, visa, or immigration concerns; or
- Training and education programs related to sexual harassment.
- Any other remedial Supportive Measure that does not unreasonably interfere with either party's access to education or employment opportunities can be used to achieve the goals of this Policy.

The University will also work in good faith to implement the requirements of judicially issued protective orders and similar orders, to the extent that doing so is within its authority.

Emergency Removal

The University retains the authority to remove a student respondent from the University's program or activity on an emergency basis, where the University (1) undertakes an individualized safety and risk analysis and (2) determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of covered sexual harassment justifies a removal.

If the University determines such removal is necessary, the respondent will be provided notice by the University's Title IX Coordinator or designee. The respondent will have an opportunity to challenge the decision immediately following the removal. The challenge should be submitted in writing to either the Vice President for Student Affairs (VPSA) for

student respondents or to the Vice President for Human Resources/Chief Human Resources Officer (CHRO) for employee respondents or their designees. Members of the University's Behavioral Risk Assessment Team or designee will review the respondent's appeal to removal.

Administrative Leave

The University retains the authority to place a non-student employee respondent on administrative leave during the Title IX Grievance Process.

False Claims

It is a violation of this Policy to knowingly make false statements or to knowingly submit false information during the investigation or grievance process, which includes the live hearing if held. Allegations that the Complainant and/or the Respondent knowingly made false statements or knowingly submitted false information during the investigation and grievance process may be adjudicated and determined during the same grievance process, including during the live hearing. Although allegations that a party knowingly made false statements or knowingly submitted false information during the investigation and grievance process including any live hearing may be referred to Student Affairs, Human Resources, or the applicable University school or college for further investigation and adjudication, it need not be. The level of discipline will depend on the severity of the false claim or information as well as professional codes that may apply to the person and may include, but is not limited to, probation, suspension, expulsion, or termination.

Failure to prove a claim of discrimination, harassment, or sexual misconduct does not constitute proof of a false and/or malicious accusation.

UNE will not discipline a party, witness, or others participating in the grievance procedures for making a false statement or for engaging in consensual sexual conduct based solely on a determination whether sex discrimination occurred.

Retaliation

No person, including UNE, may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX, its regulations, or this Policy, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing provided for in this Policy. Intimidation, threats, coercion, or discrimination, including charges against an individual for code of conduct violations that do not involve sex discrimination or sexual harassment, but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or formal complaint of sexual harassment, for the purpose of interfering with any right or privilege secured by Title IX, its regulations, or this Policy retaliation.

UNE prohibits all such retaliation, including student to student (peer to peer) relation, in all of its education programs and activities.

While students and some employees are not required to participate in an investigation, UNE does require non-respondent employees or other persons authorized by UNE to provide aid, benefit, or service under UNE's education

program or activity to provide relevant information to assist UNE in adjudicating Formal Complaints under this Policy.

When UNE receives information about conduct that reasonably may constitute retaliation under Title IX or this part, UNE will investigate and apply this Policy as appropriate. Upon receiving a complaint alleging retaliation, UNE will initiate the grievance procedures under this Policy, or, as appropriate, an informal resolution process. If the complaint is consolidated with a complaint of sexual harassment, the grievance procedures initiated by the consolidated complaint will comply with this Policy.

If you believe that you have been or another person has been the subject of retaliation, please contact the Title IX Coordinator or one of the Deputy Title IX Coordinators as soon as possible.

Sanctions for Violation of this Policy

Any party found responsible for violating this Policy may be subject to disciplinary sanctioning. Sanctions are determined on a case-by-case basis. Factors that are considered when determining a sanction include, but are not limited to, precedent for similar conduct violations, impact to the Complainant, severity of the conduct, and, if any, prior conduct history at the University for similar conduct.

Any employee of the University found responsible for any element of this Policy will be referred to and disciplined in accordance with the University Personnel Handbook, the Faculty Handbook, and any other applicable policy. See <https://www.une.edu/hr/policies>

Any student found responsible for violating this Policy is subject to the following sanctions:

- *Disciplinary Dismissal*: permanent separation of the student from the University.
- *Time-Limited Disciplinary Suspension*: separation for a stated period of time, which could include:
 - Exclusion from classes, University functions and University housing for stated period of time.
 - Conditions for readmission may be specified.
- *Deferred Disciplinary Suspension*: a student shall be suspended for a specific period of time and have that suspension stayed with the understanding that any verified violations occurring within the period of jeopardy will result in a suspension or dismissal level hearing. Specific restrictions may also include, but are not limited to:
 - Ineligibility to hold an office in a campus organization, and/or;
 - Ineligibility to represent the University in any on or off campus event.
- *Ineligibility to participate in a University-approved Study Abroad experience*.
- *Denial of Privilege*: the student is allowed to finish the current academic term under probation. The student's records are encumbered and the individual is prevented from re-enrolling until certain conditions have been met.
- *Residence Hall Dismissal*: permanent separation of the student from the residence halls. In matters where a student is subject to the University's Residency Requirement residence hall dismissal may result in suspension from the University.
- *Residence Hall Suspension*: separation of the student from the residence halls for a stated period of time, after which the student is eligible to return. Conditions for readmission may be specified. In matters where a student is subject to the University's Residency Requirement residence hall suspension may result in

suspension from the University.

- *Housing Reassignment*: mandatory change of housing assignment within the Housing system for inappropriate behavior in the current living situation.
- *Disciplinary Probation*: A designated period of time during which a student's conduct will be observed and reviewed. The student must demonstrate the ability to comply with University policies, rules, standards, and sanction(s) assigned for the probational period. A Disciplinary Probation period includes the option of more severe disciplinary sanctions if the student is found to be violating any University regulation(s) during the probationary period. Specific restrictions may also include, but are not limited to:
 - Ineligibility to hold an office in a campus organization,
 - Ineligibility to represent the University in any on or off campus event,
 - Ineligibility to participate in a University-approved Study Abroad experience.
- *Loss of Privileges*: denial of specified privileges for a designated period of time.
- *Discretionary Sanctions*: work assignments, service to the University (Community Restitution), educational programs/assignments, or other related discretionary assignments.
- *Restitution*: compensation for loss, damage, or injury. This may take the form of appropriate service and/or monetary or material replacement.
- *Fines*: a charge levied against an individual.
- *Disciplinary Reprimand*: a written notification to a student following a resolution process that acknowledges that the behavior in question was misconduct.
- *Communication Home*: Letter to Parent(s) or Guardian

Any student found responsible for violating the policy on **Criminal Sexual Contact or Stalking** will likely receive a sanction ranging from probation to expulsion, depending on the severity of the incident and taking into account any previous student conduct code violations.

Any student found responsible for violating the Policies on **Sexual Assault, Dating Violence, or Domestic Violence** will likely face a recommended sanction of suspension or expulsion.

Any student found responsible for violating the Policy on **Sexual Exploitation or Sexual Harassment** will likely receive a recommended sanction ranging from a warning to expulsion, depending on the severity of the incident and taking into account any previous campus conduct code violations.

Applicable Procedures Under this Policy

Reports of sex discrimination, including sexual harassment and sexual misconduct under this Policy, the report may be resolved in any one of the following ways: (1) by the Title IX Coordinator offering or providing supportive measures to the Complainant and/or the Respondent; (2) by the Complainant making a Formal Complaint, which will prompt an investigation and grievance process; (3) by the Title IX Coordinator filing a Formal Complaint and initiating an investigation and grievance process; or (4) by both parties voluntarily and mutually entering into an Informal Resolution process, as deemed appropriate by the Title IX Coordinator, after the filing of a complaint.

The nature of the reported conduct, the location of the reported conduct, and the role of the Respondent determine the procedures that will be used to investigate and resolve complaints under this Policy. The goal of the University in

utilizing these procedures is to provide the appropriate framework for the investigation and, if necessary, the adjudication of these complaints and to provide Complainants and Respondents with a fundamentally fair process for the resolution of such complaints.

- **For Conduct Covered by this Policy**, please see the process below.
- **For Conduct involving sex discrimination, sexual harassment or sexual misconduct that is not covered by this policy**, please see the University's Policy for Non-Title IX Sex Discrimination and Harassment. Reported conduct may also implicate other University policies and/or professional codes of conduct and, where applicable, will be referred to the applicable grievance procedures for resolution.

VIII. The Title IX Grievance Process

Filing a Formal Complaint and Estimated Time Frames for Grievance Process

The timeframe for the Title IX Grievance Process begins with the filing of a Formal Complaint. The Grievance Process will be concluded within a reasonably prompt manner, and generally within one hundred (100) business days (approximately 60-75 days to conduct the investigation, 10 business days for the party to inspect and review evidence, and approximately 15 days for the investigator to complete the investigation report) after the filing of the Formal Complaint.

The Grievance Process may be temporarily delayed or extended for a limited time for a good cause, including but not limited to the absence of a party, a party's advisor, or a witness; concurrent law enforcement activity; the need to replace an advisor due to the violation of the rules of decorum (see the University's Rules of Decorum Policy for Title IX Grievance Process at <https://www.une.edu/title-ix-civil-rights-compliance>); or the need for language assistance or accommodation of disabilities. The procedure for applying for extensions is described below. If the Grievance Process is delayed or extended, the Title IX Coordinator, Investigator, or other appropriate UNE official will provide written notice to the Complainant and the Respondent of the delay or extension and the reasons for the action.

To file a Formal Complaint, a complainant must provide the Title IX Coordinator a written, signed complaint describing the facts alleged.

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.

Nothing in the Title IX Grievance Policy or the UNIVERSITY OF NEW ENGLAND'S Policy for Non-Title IX Sex Discrimination and Harassment, or any of the University's Codes of Conduct prevents a complainant from seeking the assistance of state or local law enforcement at the same time they participate in this Policy's Grievance Process or other applicable and available policy or procedure.

A complainant who files a Formal Complaint may elect, at any time, to address the matter through the Institution's Informal Resolution Process. Information about this process is available here: <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.

a. Determining Jurisdiction

At any point, the Title IX Coordinator, the 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:

- The conduct is alleged to have occurred on or after August 14, 2020;
- The conduct is alleged to have occurred against a person in the United States;
- The conduct is alleged to have occurred in the University's education program or activity;
- The institution has or had control over the respondent and the context in which the sexual harassment is alleged to have occurred; and
- 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).

Mandatory Dismissal

A Formal Complaint must be dismissed under the following circumstances:

- If the conduct alleged in the Formal Complaint would not constitute sexual harassment as defined above even if proved;
- If the conduct alleged in the Formal Complaint did not occur in UNE's education program or activity, or
- If the conduct alleged in the Formal Complaint did not occur against a person in the United States.

If it is discovered at any time during the investigation that the determination of Title IX jurisdiction at the beginning of the investigation was based on a factual error and that the alleged conduct does not fall within the jurisdiction of this Policy, the Title IX Formal Complaint will be dismissed. Dismissal of the Formal Complaint does not preclude UNE from taking action under other policies, such as the Student Handbook or the Personnel Handbook.

Discretionary Dismissal

The Title IX Coordinator or designee may dismiss a Formal Complaint brought under the Title IX Grievance Policy, or any specific allegations raised within that Formal Complaint, at any time during the investigation or hearing, if:

- A complainant notifies the Title IX Coordinator in writing that they would like to withdraw the Formal Complaint or any allegations raised in the Formal Complaint;
- The respondent is no longer enrolled or employed by the University; and/or,
- If specific circumstances prevent the University from gathering evidence sufficient to reach a determination regarding the Formal Complaint or allegations within the Formal Complaint.

Notice of Dismissal

Upon reaching a decision that the Formal Complaint will be dismissed, UNE will promptly send written notice of the dismissal of the Formal Complaint or any specific allegation within the Formal Complaint, and the reason for the dismissal, simultaneously to the parties through their institutional email accounts. It is the responsibility of parties to maintain and regularly check their email accounts.

Appeal of Dismissal

Any party may appeal a dismissal determination using the process set forth in “Appeals” below.

Notice of Removal

Upon dismissal for the purposes of Title IX, the University retains discretion to determine if a violation of one or more of the policies or standards set forth in the **University’s Policy for Non-Title IX Sex Discrimination and Harassment**, Student Code of Conduct, Professional Codes of Conduct, Personnel Handbook, and Faculty Handbook(s) has occurred. If so, the University will promptly send written notice of the dismissal of the Formal Complaint under the Title IX Grievance Process and removal of the allegations to the appropriate conduct process.

IX. Notice of Allegations

The Title IX Coordinator will draft and provide the Notice of Allegations to any party to the allegations of sexual harassment. Such notice will occur within 5 business days, unless extended for good cause, after the institution receives a Formal Complaint of the allegations, if there are no extenuating circumstances.

The parties will be notified by their institutional email accounts if they are a student or employee, and by other reasonable means if they are neither.

The institution will provide sufficient time for the parties to review the Notice of Allegations and prepare a response before any initial interview.

The Title IX Coordinator or designee may determine that the Formal Complaint must be dismissed on the mandatory

grounds identified above, and will issue a Notice of Dismissal. If such a determination is made, any party to the allegations of sexual harassment identified in the Formal Complaint will receive the Notice of Dismissal in conjunction with, or in separate correspondence after, the Notice of Allegations.

Contents of Notice

The Notice of Allegations will include the following:

- Notice of the institution's Title IX Grievance Process, including any informal resolution process, and a hyperlink to a copy of the process.
- Notice of the allegations potentially constituting covered sexual harassment, and sufficient details known at the time the Notice is issued, such as the identities of the parties involved in the incident, if known, including the complainant; the conduct allegedly constituting covered sexual harassment; and the date and location of the alleged incident, if known.
- A statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process.
- A statement that the parties may have an advisor of their choice, who may be, but is not required to be, an attorney.
- A statement that before the conclusion of the investigation, the parties may inspect and review evidence obtained as part of the investigation that is directly related to the allegations raised in the Formal Complaint, including the evidence upon which the institution does not intend to rely in reaching a determination regarding responsibility, and evidence that both tends to prove or disprove the allegations, whether obtained from a party or other source.
- A statement that knowingly making or submitting false statements during the investigation and grievance process is prohibited by this Policy and UNE's Student Code of Conduct

Ongoing Notice

If, in the course of an investigation, the institution decides to investigate allegations about the complainant or respondent that are not included in the Notice of Allegations and are otherwise covered "sexual harassment" falling within the Title IX Grievance Policy, the institution will notify the parties whose identities are known of the additional allegations by their institutional email accounts or other reasonable means.

The parties will be provided sufficient time to review the additional allegations to prepare a response before any initial interview regarding those additional charges.

X. Advisor of Choice and Participation of Advisor of Choice

The University will provide each party equal access to one advisor of their choice, who may be but is not required to be an attorney. Each party may also have one support person of their choice, who may not be an attorney. If a party chooses a relative as a support person and that relative is an attorney, that relative may not have an attorney-client relationship with the party and may not act in their professional capacity as an attorney.

The University has a long-standing practice of having students participating in the process directly and not through an advocate or representative. Students are not required to participate in the process, but once they decide to participate, they are expected to participate directly and not indirectly through an advocate or representative. Each party participating as Complainant or Respondent in this process may be accompanied by an Advisor of Choice to any meeting or hearing to which they are required or are eligible to attend. The Advisor of Choice is not an advocate. The Advisor of Choice can be, but does not have to be an attorney. Except where explicitly stated by this Policy, as consistent with the Final Rule, Advisors of Choice shall not participate directly in the process as per standard policy and practice of the University and as outlined in the University's **University of New England Policy for Non-Title IX Sex Discrimination and Harassment**.

During interviews or any meeting related to this process, including a live hearing if one is held, 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 any individual of the party's choosing, including an attorney. Either party is entitled to one attorney, either as an advisor or a support person. Parties cannot have two attorneys in meetings. If a parent of a party is an attorney, that parent can serve as either an advisor or support person but cannot serve in the capacity as an attorney if the party is represented by another attorney. The advisor is there for support and may not address the Investigator. If the advisor and/ or the support person 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.

The University will not intentionally schedule meetings or hearings on dates where the Advisors of Choice for all parties are not available, provided that the Advisors act reasonably in providing available dates and work collegially to find dates and times that meet all schedules.

The University's obligations to investigate and adjudicate in a prompt timeframe under Title IX and other college policies apply to matters governed under this Policy, and the University cannot agree to extensive delays solely to accommodate the schedule of an Advisor of Choice. The determination of what is reasonable shall be made by the Title IX Coordinator or designee. The University will not be obligated to delay a meeting or hearing under this process more than five (5) business days due to the unavailability of an Advisor of Choice, and may offer the party the opportunity to obtain a different Advisor of Choice or utilize one provided by the University.

Notice of Meetings and Interviews

The University will provide written notice to a party whose participation is invited or expected, of the date, time, location, participants, and purpose of all hearings, investigative interviews, or other meetings with a party, with sufficient time for the party to prepare to participate.

Delays

Each party may request extensions in the Grievance Process, which may be granted or denied in the sole judgment of the Title IX Coordinator, the Vice President of Human Resources/Chief Human Resources Officer, the Title IX Investigator, or designee. The requestor should provide reasonable notice and the delay must not overly inconvenience other parties.

For example, a request to take a five day pause made an hour before a hearing for which multiple parties and their advisors have traveled to and prepared for shall generally not be granted, while a request for a five day pause in the

middle of investigation interviews to allow a party to obtain certain documentary evidence shall generally be granted.

The Title IX Coordinator, the Vice President of Human Resources & Chief Human Resources Officer, or designee shall have sole judgment to grant further pauses in the Process.

XI. Evidence

General Rules of Investigations

The Title IX Coordinator and/or an investigator designated by the Title IX Coordinator will perform an investigation under a reasonably prompt timeframe (as designated above) of the conduct alleged to constitute covered sexual harassment after issuing the Notice of Allegations.

The University and not the parties, has the burden of proof and the burden of gathering evidence, i.e. the responsibility of showing a violation of this Policy has occurred. This burden does not rest with either party, and either party may decide not to share their account of what occurred or may decide not to participate in an investigation or hearing. This does not shift the burden of proof away from the University and the University may not draw an adverse inference from a party's lack of participation. UNE, however, does not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence.

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 the allegations) as described below.

Inspection and Review of Evidence

Prior to the completion of the investigation, the parties will have an equal opportunity to inspect and review the evidence obtained through the investigation. The purpose of the inspection and review process is to allow each party the equal opportunity to meaningfully respond to the evidence prior to conclusion of the investigation.

Evidence that will be available for inspection and review by the parties will be any evidence that is directly related to the allegations raised in the Formal Complaint. It will include any:

1. Evidence that is relevant, even if that evidence does not end up being relied upon by the institution in making a determination regarding responsibility;
2. Inculpatory or exculpatory evidence (i.e. evidence that tends to prove or disprove the allegations) that is directly related to the allegations, whether obtained from a party or other source.

All parties must submit any evidence they would like the investigator to consider, including expert witnesses and their statements, as soon as possible during the course of the investigation, and prior to when the parties' time to inspect and review evidence begins unless it was not discovered or reasonably available at that time.

The evidence will be made available to each party and each party's advisor, if any, to inspect and review through an

electronic format or hard copy. UNE is not under an obligation to use any specific process or technology to provide the evidence and shall have the sole discretion in terms of determining format and any restrictions or limitations on access.

The parties will have ten (10) business days to inspect and review the evidence and to submit a written response by email to the investigator. The investigator will consider the parties' written responses before completing the Investigative Report. Parties may request a reasonable extension as their designated extension request.

UNE will provide copies of the parties' written responses to the investigator to all parties and their advisors, if any.

Any evidence subject to inspection and review will be available at any hearing, including for purposes of cross-examination.

The parties and their advisors must sign an agreement not to disseminate any of the evidence subject to inspection and review or use such evidence for any purpose unrelated to the Title IX grievance process.

The parties and their advisors agree not to photograph or otherwise copy the evidence.

Inclusion of Evidence Not Directly Related to the Allegations.

Evidence obtained in the investigation that is determined in the reasoned judgment of the investigator not to be directly related to the allegations in the Formal Complaint will not be disclosed, or may be appropriately redacted before the parties' inspection to avoid disclosure of personally identifiable information of a student. Any evidence obtained in the investigation that is kept from disclosure or appropriately redacted will be documented in a "privilege log" that may be reviewed by the parties and their advisors, if any.

XII. 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 Report will be provided at least ten (10) business days before the Hearing, if a hearing is required.

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 in the record evidence, and identify potential biases/motives of parties and witnesses.

XIII. Hearing

General Rules of Hearings

The University will not issue a disciplinary sanction arising from an allegation of covered sexual harassment 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, at the University's discretion, any or all parties, witnesses, and other participants may appear at the live 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's control.

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 participants and endeavor to accommodate all participants' schedules and complete the hearing as promptly 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 attempt to secure the party's participation.
- The decision-maker cannot draw an inference about the determination regarding responsibility based solely on a party's absence from the live hearing or refusal to answer cross examination or other questions.
- The parties shall be subject to the University's Rules of Decorum, found here: <https://www.une.edu/title-ix>.

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 investigator, or advisor to any party in the case, nor may any member of the hearing body serve on the appeals body in the case.
- No member of the hearing body will have a conflict of interest or demonstrated bias in favor of or against complainants or respondents generally, or in favor or against the parties to the particular case.
- The hearing body will be trained on topics including how to serve impartially, issues of relevance, including how to apply the rape shield protections provided for complainants, and any technology to be used at the hearing.
- The parties will have an opportunity to raise any objections regarding a decision-maker's actual or perceived conflicts of interest or bias prior to the commencement of the live hearing. Objections must be submitted in writing to the VPSA or VPHR/CHRO or designee within three days of receiving the Notice of Hearing.

Advisor of choice

- The parties have the right to select an advisor of their choice, who may be, but does not have to be, an attorney.
- The advisor of choice may accompany the parties to any meeting or hearing they are permitted to attend, but may not speak for the party, except for the purpose of cross-examination.
- In addition to selecting an advisor to conduct cross-examination, the parties may select a process advisor and/or support person who may accompany the parties to any meeting or hearing they are permitted to attend, but may not speak for the party.
- The parties are not permitted to conduct cross-examination; it must be conducted by the advisor. As a result, if a party does not select an advisor, the institution will select an advisor to serve in this role for the limited purpose of conducting the cross-examination at no fee or charge to the party.
- If a party does not attend the live hearing, the party's advisor may appear and conduct cross-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.
- Advisors shall be subject to the institution's Rules of Decorum, and may be removed upon violation of those Rules (see the University's Rules of Decorum and may be removed upon violation of those rules, <https://www.une.edu/title-ix-civil-rights-compliance>.)

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 conducts its initial round of questioning; During the Parties' cross-examination, the hearing board will have the authority to pause cross-examination at any time for the purposes of asking the hearing board's own follow up questions; and any time necessary in order to enforce the established rules of decorum.
- Should a Party or the Party's Advisor choose not to cross-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

Each party's advisor will conduct live cross-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 available for review (though copies will not be provided) by the parties within 10 business days, unless there are any extenuating circumstances.

XIV. Determination Regarding Responsibility

Standard of Proof

The University uses the preponderance of the evidence standard for investigations and determinations regarding responsibility of formal complaints covered under this Policy. This means that the hearing panel determines whether it is more likely than not that a violation of the Policy occurred.

General Considerations for Evaluating Testimony and Evidence

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-makers shall objectively evaluate of all relevant evidence—including both inculpatory and exculpatory evidence—and shall not make credibility determinations based on a person's status as a complainant, respondent, or witness. Nor shall decision-makers base their judgments on stereotypes 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 may give greater to first-hand testimony by parties and witnesses regarding their own memory of specific facts that occurred relative to other testimony.

Except where specifically barred by the Title IX Final Rule, a witness' testimony regarding third-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.

The Final Rule requires that the University allow parties to call "expert witnesses" for direct and cross 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.

Retaliation, witness tampering, intimidation, harassment, or other conduct that interferes with the integrity of the resolution process is prohibited. If a party, witness, advisor, support person, parent, guardian, or any other individual participating in the process engages in such conduct, the Hearing Board and/or University may consider that conduct when assessing credibility and may impose reasonable restrictions on the individual's participation in the process, including exclusion from meetings, interviews, hearings, or other proceedings as appropriate.

Components of the Determination Regarding Responsibility

The written Determination Regarding Responsibility will be issued simultaneously to all parties through their institution email account, or other reasonable means as necessary. The Determination will include:

1. Identification of the allegations potentially constituting covered sexual harassment;
2. A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held;
3. Findings of fact supporting the determination;
4. Conclusions regarding which section of the Student Conduct Code, Professional Codes of Conduct, the Personnel Handbook and/or the Faculty Handbook, if any, the respondent has or has not violated.
5. For each allegation:
 - a. A statement of, and rationale for, a determination regarding responsibility;
 - b. A statement of, and rationale for, any disciplinary sanctions imposed on the respondent; and
 - c. A statement of, and rationale for, whether remedies designed to restore or preserve equal access to UNE's education program or activity will be provided to the complainant; and
6. UNE's procedures and the permitted reasons for the complainant and respondent to appeal (described below in "Appeal").

Timeline of Determination Regarding Responsibility

If there are no extenuating circumstances, the determination regarding responsibility will be issued by the University within ten business days of the completion of the hearing.

Finality

The determination regarding responsibility becomes final either on the date that the institution provides the parties with the written determination of the result of the appeal, if an appeal is filed consistent with the procedures and timeline outlined in "Appeals" below, or if an appeal is not filed, the date on which the opportunity to appeal expires.

XV. Appeals

For appeals resulting from dismissal of a Complaint, please see the section on "Notice of Dismissal" ..

Each party may appeal (1) the dismissal of a formal complaint or any included allegations and/or (2) a determination regarding responsibility. To appeal, a party must submit their written appeal to the Vice President of Student Affairs, Vice President of Human Resources, or designee, within **ten (10) business** days of being notified of the decision,

indicating the grounds for the appeal.

An appeal must be based on claims of the following:

- Procedural irregularity that affected the outcome;
- New evidence that would change the outcome and that was not reasonably available when the determination regarding responsibility was made; and/or
- The Title IX Coordinator, investigator, or decisionmaker(s) had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter.

If a party appeals, the institution will as soon as practicable notify the other party in writing of the appeal, however the time for appeal shall be offered equitably to all parties and shall not be extended for any party solely because the other party filed an appeal.

Appeals may be no longer than ten (10) pages with no more than twenty (20) pages of attachments. Appeals that do not comply with these limits will be returned to the submitting Party and will not be considered until the appeal complies with this Policy.

Appeals will be decided by an Appeal Officer selected from a pool of trained appeal hearing officers who will be free of conflict of interest and demonstrated bias, and will not serve as investigator, Title IX Coordinator, or hearing decision maker in the same matter. The outcome of the appeal will be provided in writing, including via email, simultaneously to both parties, and include rationale for the decision.

Supportive measures and remote learning opportunities remain available during the pendency of the appeal.

XVI. INFORMAL RESOLUTION

Except when a UNE employee is alleged to have harassed a UNE student, at any time prior to determining whether sex-discrimination, including sexual harassment, occurred under this Grievance Procedure, including prior to making a Formal Complaint, either party may seek UNE's assistance to resolve allegations of sex discrimination or sex-based harassment, and may elect to enter the Informal Resolution process. UNE has discretion to determine whether it is appropriate to offer an informal resolution process when it receives information about conduct that reasonably may constitute sex discrimination or when a complaint of sex discrimination is made, and may decline to offer informal resolution despite one or more of the parties' wishes. Reasons for UNE declining to allow an informal resolution include, but are not limited to, when it determines that the alleged conduct would present a future risk of harm to others.

Any participating in the Informal Resolution process must be voluntary and mutual. The Parties will be required to provide their written consent, which will include all terms of the elected alternative process, including a statement that any agreement reached through the process is binding on the Parties.

No Party will be required or pressured to participate in the Informal Resolution process. UNE will not require waiver of the right to an investigation and determination of a complaint as a condition of enrollment or continuing enrollment, or employment or continuing employment, or exercise of any other right. UNE will not condition enrollment, employment, or enjoyment of any other right or privilege upon agreeing to Informal Resolution.

The Parties may elect to leave the Informal Resolution process at any point before the Informal Resolution process is concluded. If a Party elects to leave the Informal Resolution process, the Grievance Procedure that the Parties paused will continue. In participating in the Informal Resolution process, the Parties understand that the timeframes governing the Grievance Procedure will temporarily cease, and only be reinstated upon reentry into the Grievance Procedure.

Supportive Measures will be available, or continue to be available if already provided, during an Informal Resolution process, if elected to proceed. The Title IX Coordinator will also, to the extent necessary, take other appropriate prompt and effective steps to ensure that sex discrimination or sex-based harassment does not continue or recur within UNE's Education Program or Activity.

Before initiation of an informal resolution process, UNE will provide to the parties notice that explains:

- (i) The allegations;
- (ii) The requirements of the informal resolution process;
- (iii) That, prior to agreeing to a final informal resolution, any party has the right to withdraw from the informal resolution process and to initiate or resume the UNE's grievance procedures;
- (iv) That the parties' agreement to a final formal resolution at the conclusion of the informal resolution process would preclude the parties from initiating or resuming grievance procedures arising from the same allegations;
- (v) The potential terms that may be requested or offered in an informal resolution agreement, including notice that an informal resolution agreement is binding only on the parties; and
- (vi) What information UNE will maintain and whether and how UNE could disclose such information for use in the applicable grievance procedures, if grievance procedures are initiated or resumed.

The facilitator for the informal resolution process will not be the same person as the investigator or the decisionmaker in the grievance procedures. Any person designated by UNE to facilitate an informal resolution process will not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent. Any person facilitating informal resolution will also have received training required by the current Title IX regulations.

Potential terms that may be included in an informal resolution agreement include but are not limited to:

- (i) Restrictions on contact; and
- (ii) Restrictions on the respondent's participation in one or more of UNE's programs or activities or attendance at specific events, including restrictions UNE could have imposed as remedies or disciplinary sanctions had UNE determined at the conclusion of UNE's grievance procedures that sex discrimination occurred.

XVII. RESOURCES FOR REPORTING AND RESPONDING PARTIES

In the event that a student experiences sexual misconduct in any form, they should treat it seriously and tell 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 specific concerns of a situation. These resources are not isolated but cooperate to provide a web of support for the student or employee who has experienced discrimination, harassment, or sexual misconduct. After the first contact, there is help in deciding who else might be of assistance.

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

On-Campus Confidential Resources

Confidentiality is distinguished from “privacy.” For the purposes of this Policy, unless shared with a confidential resource, information disclosed related to a report of discriminatory harassment or sexual misconduct will be shared with a limited number of individuals who “need to know” in order to ensure the 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 assure confidentiality unless disclosure is limited to a confidential resource.

Employees providing the following services are “confidential employees.” These confidential campus professionals are individuals with the statutorily granted ability to maintain information as privileged and who cannot reveal such information unless they receive the express permission 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:

[Student Counseling Services](#)

For general counseling services support for students:

Biddeford Campus:	Portland Campus:
Phone: 207-602-2549 Email: bcstudentcounseling@une.edu Petts Health Center	Phone: 207-221-4550 Email: pcstudentcounseling@une.edu Second Floor Linnell Hall
UNE’s on-call counselor may be reached by calling 207-602-2549 and then pressing “6”. Confidential and free to students. For more information, visit: http://www.une.edu/studentlife/counseling	

[Student Health Center](#)

During routine Health Center hours, staff can provide students immediate emergency and ongoing medical care, STD (sexually transmitted disease) testing, and pregnancy testing and prevention for students. With a student complainant’s consent, they will make arrangements with local hospitals, municipal Police Departments, and Campus Safety and Security for transportation and medical protocol used to provide evidence for prosecution. They will also provide

referrals and advice regarding campus and community resources.

Biddeford Campus:	Portland Campus:
Phone: 207-602-2358 Lower Level Petts Health Center	Phone: 207-221-4242 Second Floor Linnell Hall

Confidential Support Resources

The University has designated a Confidential Resource Advisor (CRA) specifically for students. The CRA serves as a confidential resource for students who wish to disclose or discuss concerns related to sexual misconduct, relationship violence, stalking, or other forms of prohibited conduct. Information shared with the CRA is maintained confidentially and is not reported to the University without the student's permission, except as required by law.

At UNE, the CRA program is a partnership between UNE Counseling Services and Sexual Assault Response Services of Southern Maine (SARSSM). Students who contact the CRA can receive information about available options, assistance accessing on-campus supportive resources, and direct referrals to SARSSM for comprehensive advocacy and support services.

The CRA process is not available to employees. Employees seeking confidential support will be referred directly to SARSSM, the University's Employee Assistance Program (EAP), or other appropriate confidential community resources.

CRA and SARSSM staff receive specialized training in sexual violence, intimate partner violence, and stalking; trauma-informed response; awareness and prevention strategies; unconscious bias related to race, gender, and sexuality; relevant federal and state laws; the University's policies; and available on- and off-campus support resources.

UNE Confidential Resource Advisor for students:
The designated UNE Employee who serves as a confidential resource advisor for students is: Natalie A. Western, MA, NCC, LCPC Phone: 207-602-2549 Email: nwestern@une.edu

On-Campus Resources (Private Resources)

Title IX Coordinator and the Deputy Title IX Coordinators

The Title IX Coordinator and Deputy Title IX Coordinators are trained to address issues of discrimination, harassment, and sexual misconduct. The Title IX Coordinator and/or the Deputy Coordinator can assist UNE community members with accessing resources, provide reporting options, and assist in accessing supportive measures.

The Title IX Coordinator for the University of New England is:

The Title IX Coordinator for the University of New England is:
Angela Shambarger <i>Title IX Coordinator; Senior Director, Office of Title IX and Civil Rights Compliance</i>

Phone: 207-221-4554 Email: ashambarger@une.edu	
Mailing Address: 11 Hills Beach Road Biddeford, ME 04005	Office Locations: <i>Biddeford Campus:</i> HR Building <i>Portland Campus:</i> McDougall Hall 102

Deputy Title IX Coordinators:			
Hahna Patterson	<i>Assistant Vice President for Student Affairs</i>	207-602-2372	hpatterson@une.edu
Ray Handy	<i>Associate Dean of Student Affairs</i>	207-221-4213	rhandy@une.edu
Shane Long	<i>Assistant Dean of Students</i>	207-602-2372	slong11@une.edu
Heather Davis	<i>Director of Athletics</i>	207-602-2629	hdavis@une.edu
Janna Merritt	<i>Director of Human Resources</i>	207-602-2281	jmerritt2@une.edu
Shaylah Kelly	<i>Director, Employee Relations and Talent Development</i>	207-602-2524	skelly14@une.edu

University Safety and Security:

In case of **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.

Biddeford Campus:	Portland Campus:
Facilities Building Hills Beach Road Biddeford, ME 04005 Phone: (207) 602-2298	Security Building 716 Stevens Avenue Portland, ME 04103 Phone: (207) 602-2298
Online: https://www.une.edu/studentlife/security	

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

UNE Community members may also download the RAVE Guardian app to their mobile devices as an additional tool to access on and off campus emergency support quickly. More information on this app can be found at <https://www.une.edu/emergency/emergency-notifications>.

Housing and Residential/Commuter Life Staff (Biddeford Campus)

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.

Biddeford Campus:
Office Phone: 207-602-2272 Area Coordinator Duty Phone: 207-468-2389 Email: housing-office@une.edu Maine Office located in East Residence Hall

Office of Community and Belonging

This Office can help connect UNE Community members to resources and support regarding the intersectionality of support needs related to an individual's identities and needs, as well as providing connections to spiritual or faith communities.

Biddeford Campus:	Portland Campus:
Phone: 207-602-2826 Ripich Commons	Phone: 207-221-4212 02 Proctor Hall
Online: http://www.une.edu/ise .	

Student Disability Access Center

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.

Biddeford Campus:	Portland Campus:
Phone: 207-602-2815 Email: bcstudentaccess@une.edu Student Access Center Building	Phone: 207-221-4212 Email: pcstudentaccess@une.edu Linnell Hall, First Floor

Human Resources Benefits and Leave

This office can be a resource for employees in connecting with support resources and coordinating any leave time. The Associate Director and their team can assist employees in navigating their options and resources. Leave related questions can be sent to HRLeaveSupport@une.edu. Many support resources can be found online at: <https://www.une.edu/hr/benefits/employee-assistance-program>

Biddeford Campus:	Portland Campus:
Phone: 207-602-2394 Email: cmartins@une.edu Human Resources Building	Phone: 207-602-2834 Email: cschry@une.edu 108 Ginn Hall

Off-Campus Resources

Police Department (911)

Any individual who experiences sexual misconduct can contact the Police Department or Department of Safety and Security for assistance in obtaining medical attention and/or to initiate an investigation of the crime. The University will assist any individual who wishes to report to the police. Those departments can summon medical resources and criminal investigators, act as a liaison with local law enforcement, County Attorney, and Victim/Witness Advocate, and provide referrals and advice regarding University and community resources. The University will make reasonable efforts to protect and secure the complainant's rights, and the complainant will have input into the course of the investigation.

The Biddeford, Saco, and Portland Police and Fire Departments are the primary providers of law enforcement, fire protection, and ambulance services for our campuses. To report a crime in progress, fire, or medical emergency at any UNE campus or facility, dial 911 (there is no need to dial a prefix number). If there is time and it is safe to do so, then dial (207) 283-0176 for UNE Safety and Security. If you are using a campus phone, dial 366 for UNE Safety and Security. A number of marked and conveniently located call boxes are available throughout both campuses. The call boxes have a blue light on the top and are generally found at the entrance of residence halls and campus parking lots. You may use the boxes to report a criminal incident, a fire, or other type of emergency or to request assistance from the Department of Safety and Security. An interactive map of call box locations can be found online at <https://www.une.edu/parking>. The University also supports the RAVE Guardian App as a resource for UNE community members to access support and to be notified in case of an emergency. Individuals can learn more about RAVE at <https://www.une.edu/emergency/emergency-notifications>.

Biddeford Police Department	Portland Police Department
39 Alfred Street Biddeford, ME 04005 Emergency: 911 Non-Emergency Phone: 207-282-5127 Website: https://www.biddefordmaine.org/2198/Police	109 Middle Street Portland, ME 04101 Emergency: 911 Non-Emergency: 207-874-8497 Website: https://www.portlandmaine.gov/436/Police
Saco Police Department	Tangier Morocco Emergency Numbers
20 Storer Street Saco, ME 04072 Non-Emergency Dispatch: (207) 284-4535 Police Administration: (207)-282-8214 Website: https://www.sacomaine.org/departments/police_department/index.php	Campus Address: Rue Abi Chouaib Doukkali University of New England Tangier 90000, Morocco Director of UNE Tangier: Ms. Douaa Ben Imran Phone: 212 636 93 62 77 Email: dimran@une.edu Police: 19 Fire/Ambulance: 115 US Embassy American Citizen Services:

	05376-37200 US Consulate for Emergencies: 05226-42000
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Hospital Emergency Departments (Confidential Resource)

MaineHealth Maine Medical Center Portland and MaineHealth Maine Medical Center are healthcare units that can provide immediate medical care, STD (sexually transmitted disease) testing, pregnancy testing, and preventive care. The successful prosecution of sexual assault/rape cases often depends on physical evidence collected soon after the assault. Each hospital has healthcare providers trained to treat individuals who have experienced sexual assault/rape, with attention to collecting physical evidence. In order to ensure the collection of evidence, individuals who have experienced sexual assault/rape are advised not to wash or change clothes prior to seeking immediate medical treatment.

Individuals who seek medical care following an assault may request support from a trained advocate at any point. SARSSM Advocates are available 24-hours a day to go with you to any emergency room in York or Cumberland County. Advocates are trained to offer information and support. You can call the free, confidential, 24-hour helpline at **1-800-871-7741** to ask for an advocate to meet you or ask the hospital to call for you. There is no cost associated with requesting an advocate.

Portland: Maine Medical Center	Biddeford: Southern Maine Health Care
22 Bramhall Street Portland, ME 04102 Phone: 207-662-0111 Website: https://www.mainehealth.org/maine-medical-center	1 Medical Center Drive Biddeford, ME 04005 Phone: 207-294-5000 Website: https://www.mainehealth.org/southern-maine-health-care

Maine State Crisis Number (Confidential Resource)

The Maine Crisis Line is the state's crisis telephone response service for individuals or families experiencing a behavioral health crisis or having thoughts of suicide and/or self-harm. Trained crisis call specialists answer the line and provide free and confidential telephone support and stabilization 24 hours a day, 7 days a week.

Maine State Crisis Line
Call/Text: 1-888-568-1112 Chat: https://heretohelpmaine.com/resources/

National Crisis Text Line (Confidential Resource)

Crisis Text Line serves anyone, in any type of crisis, providing access to free, 24/7 support via Text, Chat, or WhatsApp.

Crisis Text Line

Text: Text "TALK" to 74174

Chat: <https://www.crisistextline.org/text-us/>

WhatsApp: <https://www.crisistextline.org/text-us/>

988 Lifeline (Confidential Resource)

988 Lifeline(formerly called the National Suicide Prevention Lifeline) offers free, confidential, 24/7 access to trained crisis counselors who can help people experiencing mental health-related distress.

988 Lifeline

Call/Text: 988

Chat: 988lifeline.org

Sexual Misconduct/Relationship Violence/Stalking Specific Off-Campus Resources

[Sexual Assault Response Services Of Southern Maine \(SARSSM\) \(Confidential Resource\)](#)

Provides confidential hotline counseling and referrals for victims of sexual misconduct. They may accompany you to a medical facility and stay with you during an examination if you wish.

Sexual Assault Response Services of Southern Maine

24/7 Helpline: 1-800-871-7741

Website: <https://www.sarssm.org/>

[Maine Coalition Against Sexual Assault \(MECASA\) \(Confidential Resource\)](#)

MECASA provides information and referrals to the Sexual Assault Support centers throughout the state of Maine as well as other key resources, including for immigrants and native populations.

Maine Coalition Against Sexual Assault

24/7 Helpline: 1-800-871-7741

Website: <https://www.mecasa.org/>

[Caring Unlimited \(Confidential Resource\)](#)

York County's Dating/Domestic Violence Program. 24-hour confidential hotline counseling and referral, free court advocates for help obtaining orders for Protection from Abuse, and confidential emergency shelter. Supports and Resources are also available for Stalking.

Caring Unlimited

24/7 Hotline: 1-800-239-7298

Chat Online: <https://www.caring-unlimited.org/helpline> (Mondays 1:00PM-5PM)

Website: <https://www.caring-unlimited.org/>

[Through These Doors\(Confidential Resource\)](#)

Cumberland County Domestic Violence Services. 24-hour confidential hotline counseling and referral, free court advocates for help obtaining orders for Protection from Abuse, and confidential emergency shelter. Supports and Resources are also available for Stalking.

Through These Doors
Call: 1-800-537-6066, or 207-874-1973 Website: https://www.throughthesedoors.org/

[Planned Parenthood Of Maine \(Confidential Resource\)](#)

Confidential services and can provide information about emergency contraception and information about sexually transmitted diseases.

Biddeford Location	Portland Location
275 Main St, Suite 102, Biddeford, ME 04005 Phone: 207-282-6620	443 Congress Street, Portland, ME 04101, Phone: 1-800-230-7526, or 207-221-4242
Website: https://www.plannedparenthood.org/planned-parenthood-northern-new-england	

[Rape, Abuse, And Incest National Network \(Rainn\) \(Confidential Resource\)](#)

RAINN (Rape, Abuse & Incest National Network) is the nation's largest anti-sexual violence organization. RAINN created and operates the National Sexual Assault Hotline. RAINN also carries out programs to prevent sexual violence, help survivors, and ensure that perpetrators are brought to justice. The National Sexual Assault Hotline

RAINN
Call: 800-656-4673 Chat: online.rainn.org Website: https://www.rainn.org/

[National Sexual Violence Resource Center \(Nsvrc\) \(Confidential Resource\)](#)

NSVRC maintains a directory of organizations that lists state and territory sexual assault coalitions, victim/survivor support organizations, and local communities of color sexual assault organizations. You can contact your state or territory's coalition to find local resources that provide services to survivors.

National Sexual Violence Resource Center:
Website: https://www.nsvrc.org/

[STALKING PREVENTION, AWARENESS, RESOURCE CENTER \(SPARC\)](#)

SPARC is a federally funded project providing education and resources about the crime of stalking. SPARC aims to enhance the response to stalking by educating the professionals tasked with keeping stalking victims safe and holding offenders accountable. SPARC ensures that allied professionals have the specialized knowledge to identify and respond to the crime of stalking.

Stalking Prevention, Awareness, Resource Center:
Website: https://www.stalkingawareness.org/

Transportation Resources

The University offers a variety of options for students to access transportation if they do not have their own vehicle. These can be used for emergency room visits or access to appointments, agency visits, police departments, etc.

Emergency Room Transportation:

Ambulance Service, 911: In case of an Emergency, individual students, UNE Security Officers, Student Health Care Staff, and members of the public can contact an ambulance service.

On the Biddeford Campus, students can use the UNE Lyft program (see below) or can contact UNE Security Dispatch (207-602-2298) to coordinate a ride back to campus if necessary.

Transportation to the General Biddeford/Saco/Old Orchard Beach and Portland Areas:

- **Silver and Local Connections:**

Offering a regular schedule seven days a week, BSOOB Transit's Silver Line transports UNE faculty, professional staff, and students to and from the Biddeford Campus and the Saco Transportation Center. From there, you can switch to several local buses to provide more flexibility for your commute. You just need to present a UNE ID card. Visit the BSOOB Transit website, <https://bsoobtransit.org/>, for routes, schedules, and the new bus locator tool.

- **Greater Portland Metro and South Portland Buses**

UNE students, faculty, and professional staff can ride the Greater Portland Metro, <https://gpmetro.org/>, and South Portland buses, <https://southportland.org/departments/bus-transportation/bus-schedule/>, for free with University ID cards. Greater Portland Metro services Westbrook, Falmouth, the Portland peninsula, and as far north as Freeport and Brunswick. South Portland buses service the Southern Maine Community College and Willard Beach areas, the Maine Mall area, and in between, and they connect with GP Metro on the Portland peninsula.

Lyft Ride Share

In addition to offering free Lyft credits as an incentive for first-year students to leave their cars at home, UNE encourages students to use Lyft for trips that don't coincide with the bus schedule.

The Biddeford Campus has two designated Lyft pickup and drop-off locations, at the Campus Center and Alford Forum bus shelters. The app is free and can be used to hail a ride, connect with your driver, and pay for the ride. For more information about transportation options, go to: <https://www.une.edu/studentlife/security/transportation>

Maine Crime Victims' Compensation Program

In some instances, an individual victim may incur expenses related to their assault. A Victim's Advocate from a Sexual Assault support center can assist with accessing free services or reimbursement for some medical-related expenses. Additionally, the State of Maine offers a Victims' Compensation Program. For more information on this, please contact:

Victims' Compensation Program
Maine Office of the Attorney General
6 State House Station
Augusta, Maine 04333-0006
Tel: (207) 624-7882, or (800) 903-7882
https://www.maine.gov/ag/crime/victims_compensation/index.shtml

If a student has financial concerns related to their assault, there may be resources and support available through UNE as well. They should contact the Title IX Coordinator for more information.