University of New England
Department of
Safety and Security

Report for
Calendar Year 2025

Compliance Document
for
Crime Awareness
and
Fire Safety Report

October 1, 2026

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This information is provided as part of the University of New England's commitment to safety and security on campus and is the compliance document for the Crime Awareness and Campus Security Act of 1990.

Overview of University of New England (UNE)

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



How This Report Is Prepared

Each year, the Senior Director of Safety & Security and the Associate Director of Safety & review the Annual Security Report (ASR) for updates and any necessary changes. The statistics of reportable crimes and incidents are gathered by the Senior Director of Safety and Security and reviewed for inclusion in this report. Sources include:

- Surveys and reports of incidents made by any individual on the campus who has significant responsibility for student and campus activities
- Campus security reports
- Statistics reported by the Student Conduct Office
- Statistics reported by the Office of Title IX and Civil Rights Compliance
- Statistics reported by the Global Affairs Office
- Statistics reported by the Biddeford Police Department
- Statistics reported by the Portland Police Department
- Statistics reported by the Westbrook Police Department
- Statistics reported by the Tangier Police Department

This report is completed by the Senior Director of Safety & Security and posted electronically at the University's website under Student Life and the Department of Safety and Security. A printed copy of this report is available to anyone at no cost by contacting the Department of Safety and Security at (207) 602-2298.

Formal Report or Investigation of a Crime Is Not Required

It is not necessary for a reporter or witness of a crime to file a formal report of that incident with the police or the Office of Safety and Security in order for that crime to be published/counted in this annual report. Any member of the community can make a voluntary, anonymous report (to the extent permitted by law) of a crime by contacting the Office of Title IX at (207) 221-4554 for any campus. The community member should inform the Office of Title IX that they request to make an anonymous complaint at the beginning of any conversation. Anonymous complaints can also be reported using an online form through the Office of Title IX and Civil Rights Compliance at https://www.une.edu/title-ix/reporting. The Office of Title IX will report that statistic to the Department of Safety and Security for inclusion in this document.

Open Campus Log

The UNE Office of Safety and Security maintains an electronic "Campus Crime Log" of significant events and any crimes or fires occurring on campus. Copies of these logs are available to any member of the community, or the public during normal business hours of 8a-4p Monday-Friday. Please contact the Senior Director of Safety and Security at (207) 602-2298. Please specify the date or range of dates you would like to see. We can e-mail the log to you or provide a hard copy, whichever you prefer. There is no cost for this service.

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

Reporting Criminal Actions or Emergencies
UNE encourages every member of the community to report all crimes promptly and accurately. These reports should be directed to the Office of Safety & Security, any designated Campus Security Authority (CSA) or directly to local law enforcement when the victim of crime elects to or is unable to make such a report. The Office of Safety and Security is the main unit responsible for safety, security, and coordination of emergency services at the Biddeford and Portland campuses. Campus Safety and Security is located on the Biddeford Campus at 605 Pool Road, the Facilities Building, and 79 College Street on the Portland Campus. Security may be reached twenty-four hours a day from either the Portland Campus or the Biddeford Campus by dialing extension 366 from any on-campus phone. The non-emergency line for Safety & Security is (207) 602-2298 and the emergency line is (207) 283-0176 from any private phone. Please use (207) 468-9984 during power outages. A University Dispatcher will relay your request to a Security Officer at either campus, at any time of the day or night. Officers are ready to respond to calls for service twenty-four hours a day, every day.

Full-time and part-time University employees provide security staffing. Security Officers make routine vehicle and foot patrols of the campus grounds, academic buildings, and residential halls, particularly during hours of darkness. It is preferred that any report of criminal activity be directed to the Office of Safety & Security first. Members of the community may contact the Biddeford or Portland Police Department at any time to report a crime. UNE Security Officers will assist you upon request.

The Biddeford, Saco, Portland, Westbrook and Tangier Police and Fire Departments are the primary providers of law enforcement, fire protection, and ambulance services. 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 Office of Safety and Security. An interactive map of call box locations can be found online at https://www.une.edu/parking. We also strongly encourage all community members to download the Rave/Guardian mobile app for smart phones to help community members connect and engage with Safety & Security wherever they are on campus.

Tangier Morocco Emergency Numbers
Campus Address-Rue Abi Chouaib Doukkali
Tangier 90000, Morocco
Campus Director Ms. Douaa Imran 212 636 93 62 77
Police 190
Fire/Ambulance 150
US Embassy American Citizen Services 212 522 26 71 51
US Embassy After-Hours Emergencies 212 661 13 19 39
US Embassy in Rabat 212 537 76 22 65
US Embassy in Rabat after Hours Emergencies 212 537 76 96 39

This is a gated community with private security hired for campus safety & security.

Reporting Emergencies or Crimes Occurring Off-Campus

The UNE Office of Safety and Security does not respond to calls for service, crimes, or emergencies at public properties. The University of New England does not have any non-campus properties of officially recognized student organizations. UNE does, however, have non-campus properties that are not of officially recognized student organizations and those properties are patrolled by local law enforcement.

UNE Department of Safety and Security



UNE Security Officers have no arrest authority. The Biddeford, Portland, and Westbrook Police Departments share concurrent jurisdiction over UNE property with the York County Sheriff's Office, Cumberland County Sheriff's Office and Maine State Police. Response times will vary according to the nature of the call and the location of the closest available responder(s).

The UNE Office of Safety and Security is not a law enforcement agency and responds to calls for service on campus only. The department provides safety and security services to the UNE community including coordinating responses to campus by city police, fire, and medical agencies. Any member of the community may call UNE Safety and Security at any time of the day or night, any time of the year for any emergency, or any time police/fire or medical assistance is needed. The non-emergency phone number for UNE Safety and Security is (207) 602-2298. The emergency phone number for UNE Safety & Security is (207) 283-0176 from any personal or campus phone. Trained Safety and Security Officers will be pleased to assist by contacting city police/fire or medical assistance when needed. Community members may also call city police, fire, or medical services directly by dialing 911 from any campus phone or by cell phone. If it is safe and there is time then dial (207) 283-0176 for UNE Safety and Security.

Access to Campus Facilities

Most campus buildings and facilities are accessible to the campus, guests, and visitors from 6:00 AM to 8:00 PM, Monday through Friday. Exterior doors are secured each evening following their usage. Security Officers and designated staff members check campus buildings and residence halls throughout the night ensuring facilities are secured as needed. It is important to note that designated academic buildings on both the Biddeford and Portland campuses are full-time ID use only.

Exterior Residence Hall doors are locked 24 hours a day and only accessible via an electronic ID card with the appropriate permissions. Residence halls and other buildings on the Morocco campus are accessible via hard key only. All other academic, administrative and non-residence facilities are secured following building usage.

Students and staff/faculty members are given keys/electronic access cards, which open exterior doors and secured interior doors for which they have the appropriate permissions. Electronic access is coordinated through the Office of Safety & Security and is granted based upon a legitimate work/study need, place of residence, or program enrollment requirement. Guests and visitors to the residence halls may gain admittance by calling a student living in the residence hall and then must be escorted by that individual at all times while in that facility.

All key requests or lock changes are processed through Facilities Management with designated ones approved by the Senior Director of Safety & Security. All lost or stolen keys/electronic access cards must be reported promptly to the Safety and Security Department who will deactivate the card or re-core the effected doors, as

required. Persons living in a residence hall must report lost or stolen keys/electronic access cards immediately to their Resident Advisor or Area Coordinator who will make the necessary notifications to Safety & Security.

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

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

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

The Office of Safety and Security maintains close working relationships with local law enforcement agencies as well as other security and law enforcement agencies on campuses throughout Maine and New England. In general, these jurisdictions are our primary providers of law enforcement services and there are several Memorandum of Understandings (M.O.U.'s) with local law enforcement including the Biddeford Police Department and Sexual Assault Response Services of Southern Maine (SARSSM) with the University outlining the processes and supports offered when relationship violence complaints are filed as well as between the University and Biddeford and Portland Police Departments to provide local law enforcement ID cards that activate should either campus go into a lockdown.

Security Awareness and Crime Prevention Programs
Security administrators meet with first year resident students at the beginning of each school year to explain Maine Law, safety procedures and offer crime prevention tips. The Department of Safety and Security administers the program, "Active Threat, Run-Hide-Fight" throughout the year. Resident Advisors can initiate safety programs for their resident students by contacting the Office of Safety and Security. Safety and Security administrators conduct safety and security training sessions with the Housing and Residential/Commuter Life Staff. Some other programs include:

Green Dot Bystander Program: Conducted by the Title IX department periodically throughout the school year. Management of Aggressive Behavior: Conducted by Safety and upon request. Basic Self-Defense Tactics: Conducted by the Safety & Security Department upon request. Our "Say Something" campaign encourages the UNE community to speak up and report concerning behavior, safety issues, or potential threats so that Safety & Security can intervene early and help keep campus safe.

Printed Crime Prevention Materials
The Student Affairs Office, Title IX Office, and the Office of Safety and Security distribute educational materials addressing Title IX, sexual harassment/assault, dating/domestic violence, stalking, survivor's rights, drug and alcohol abuse, fire safety, and safety on campus.

Reporting a Crime or Emergency to the Community

Considerable effort is made to advise members of the UNE community about campus crime and emergency situations. Each semester the community is advised of the existence of the Emergency Notification System by e-mail and postings throughout both campuses of the university. These efforts include the following:

I. Timely Warnings:

The decision to send a timely warning to the community is made on a case-by-case basis. Circumstances that would trigger the sending of a timely warning would be the occurrence or report to the UNE Department of Safety and Security of a "Clery Act" crime on Clery reportable geography that represents a serious or continuing threat to students and or employees. Clery Act crimes are listed in the "Crime Statistics" portion of this report. A Timely Warning would appear in any one or all of the following forms: campus email and campus websites. When issuing a "Timely Warning" the university will withhold as "confidential", reporters' names. Timely warnings are sent through the Office of Safety and Security by either the Senior Director of Safety & Security or designee. In the event Safety & Security is unavailable, a designated member of the Office of Communications will send a timely warning.

II. Immediate Emergency Notifications:

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

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

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

***Selected UNE Campus Emergency protocols can be found on the UNE Website. Follow this link* http://www.une.edu/emergency/emergency-procedures.**

Campus Evacuation

The UNE Office of Safety and Security staff conduct evacuation drills in the residence halls at least once per semester. The purpose of the drills is to prepare occupants for an organized evacuation in the event of an emergency. During these evacuation drills occupants become familiar with the location of exits and the sights and sounds of the fire alarm system. Occupants can learn where their "muster stations" are by looking at the Fire Report at the end of this document. Evacuation drills are monitored and evaluated by Office of Safety and Security staff. Evacuation drills provide the opportunity to make certain all evacuation equipment is

operating properly and that any necessary repairs are made promptly. Students receive instruction about evacuation drills at regular residence hall floor meetings. Should a long-term evacuation of the campus ever become necessary, UNE Department of Safety and Security would coordinate evacuation efforts with local and state Emergency Management authorities.

Missing Student Policy

UNE has established a procedure to investigate when a student is reported missing for more than 24 hours. Each residential student has the option to designate a confidential contact by submitting a form to the Office of Housing and Residential/Commuter Life. Only authorized campus officials and law enforcement officers may have access to that confidential information and only then, in the furtherance of a missing person investigation. The University will contact the designated person when it has been determined that a student is considered missing. Any person receiving a report of a student missing more than 24 hours should immediately report that information to the UNE Office of Safety and Security by dialing (207) 283-0176 or for on campus phones, Extension 366. Law enforcement officials will also be notified of a student's absence after the student has been deemed missing within 24 hours and will follow their own investigation procedures. For students who are minors (under 18 and not emancipated), the University is obligated to notify parent(s) and/or guardian(s) that the student is missing within 24 hours of being determined missing. Housing and Residential/Commuter Life and Office of Safety and Security staff will gather as much information as possible about the missing student and share all appropriate information with law enforcement officials engaged in the search. University staff will interview roommates, make phone calls, and post information regarding the missing student using the campus electronic information system(s).

POLICIES RELATED TO CAMPUS CRIME

Sexual Assault Prevention and Response

The University educates the student community about sexual assault and date rape through programming on both campuses. As part of the on-campus new student orientations offered in January, May, June, and August, students receive a 50-60 minute in-person and/or online interactive presentation from a member of the Title IX Staff, which provides information on policies, definitions, on and off-campus support resources, and University Processes. The University offers various prevention programming opportunities for students to access.

Prevention and Bystander Training Efforts

The following programs focused on raising awareness around relationship violence; educating on topics relating to consent and sexuality; and bystander intervention through the UNE bystander initiative, Green Dot:

- Title IX Staff offer a 50-60-minute presentation to incoming undergraduate, graduate, and professional students at their new student orientations.
- Title IX information is covered in several ways as part of the New Student Orientation sessions for incoming undergraduates: PowerPoints, skits, small groups, etc.
- UNE Housing and Residential/Commuter Life staff offer several educational programs for residence halls that specifically address sexual decision making, consent, as well as alcohol or drug use and its risk factors for sexual assault.
- All faculty and staff are required to take a Title IX training module as part of their annual compliance training.
- A Title IX poster series is posted in key locations on the campus and in the residence halls. The posters include definitions, resources, and bystander information.
- The Title IX Coordinator works with outside support agencies and academic programs to provide trainings and workshops for students as part of their academic experience and trainings.
- Literature from area advocacy agencies on relationship and sexual violence are posted in key areas around the Biddeford and Portland campuses.

- A Title IX informational email is sent to the community at least once per semester.
- The Title IX Coordinator provides specialized trainings for groups of student leaders, student staff, and various key professional staff groups or departments on campus.
- The Office of Title IX and Civil Rights Compliance has implemented the nationally recognized Green Dot Bystander Intervention Strategy across the University and provides multiple 3-hour trainings and 1-hour presentations.
- Examples of prevention programs held on campus included:
  - Green Dot Month & Green Dot Sponsored Athletic Games with accompanying team training
  - *Nor'easter Relationship Violence Awareness Week* with events including Relationship Red Flag Movie Night; Don't Touch My Pumpkins: Costumes and Consent; Never Have I Ever installation; Purple-Palooza office decorating for Awareness; Build-a-Boo Healthy Relationship Program; and Hosted Caring Unlimited Survivor Story Night.
  - Sex-a-palooza (resource and information fair) and the Sex Show offer information and resources for upwards of 700 undergraduates annually.
  - Mocktails with a Twist
  - Sexual Assault Awareness Week with events including Take Back the Night March; Awareness Activity Fair; library collaboration on featured materials; Whisking Up Awareness Pop-Up; and the Take Back the Night Community Dinner

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

Additionally, the Office of Title IX and Civil Rights Compliance provide programmatic support to campus departments such as in the residence halls, student engagement, and academic programs by providing resources, bringing programs into the residence halls, co-sponsoring events, and facilitating connections with off-campus resources. This office also provides program-specific training for employees and student employees on an annual basis as well as by request.

The UNE Athletics Department offers several educational outreach programs to both Athletes and the general student body as part of their compliance with NCAA regulations. The Title IX Coordinator and the Office of Student Affairs serve as resources for additional information about sexual assault education and risk reduction. Literature on date rape education, risk reduction, and University response is available through the Office of Title IX and Civil Rights Compliance, Student Affairs, and the Office of Housing and Residential/Commuter Life. The Office of Title IX and Civil Rights Compliance also posts materials in online communications to the faculty, staff and student populations about the policies, processes and resources on an annual basis. The related policies in their entirety can be found below and online at: www.une.edu/title-ix, in the University of New England Student Handbook and Conduct Code, the University of New England Personnel Handbook, and the University of New England Faculty Handbook

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

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

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

Many reports of sexual assault may not be disclosed until some time has passed after the incident. Individuals are encouraged to come forward at the point at which they feel most comfortable and able to. There are many options for support and response available including academic supports, resource referrals, change in room and class section assignments, and other supports. These supports and accommodations are available to anyone regardless of whether or not they file a formal discipline complaint or report to campus safety or local law enforcement.

You may contact the local police department directly by dialing 911. UNE Safety and Security Officers will provide assistance contacting the police upon request. UNE Safety and Security can be reached twenty-four hours a day, seven days a week at (207) 283-0176. Should a student wish to file a confidential report, they can do so by contacting University Counseling Services Biddeford: (207) 602-2549, Portland: 207-221-4550, Crisis Response, 24 hours a day, 1 (888) 568-1112. The crisis number is answered by Maine Crisis Response Hotline. This hotline will put you in touch with the closest or most appropriate crisis organization. A student may also contact any number of local and national sexual assault response services such as Sexual Response Services of Southern Maine (SARSSM) 24 hours: 1-(800) 871-7741.

Reports can be made directly to the Title IX Coordinator in person, by phone (207) 221-4554, by email at ashambarger@une.edu, and the Title IX Office also provides a link on its website for individuals to submit a report online. While this online report cannot be guaranteed to remain confidential, it can be submitted anonymously. The form is located at https://www.une.edu/title-ix/reporting.

Standard of Evidence

The standard of evidence the university employs in adjudicating cases involving sexual assault, dating violence, harassment, and stalking is "Preponderance of the Evidence". That means "It's more likely than not" that the incident occurred.

Protection Orders and "No Contact Orders"

- Complainants may seek protection from their abusers by obtaining restraining orders, protective orders and the like through the local courts. Reporters may contact the court directly. The Maine District Court in Biddeford is located at 515 Elm Street and the phone number is (207) 283-1147. The Maine District Court in Portland is located at 205 Newbury Street and the phone number is (207) 822-4200. Police or university staff can also provide information on how to do that. Should an abuser violate a court order, that person could be subject to arrest or further action by the court.
- If the complainant chooses to seek assistance through the university, the university may issue a "No Contact Order" directing the accused not to have any contact with the reporter.
- If the accused is an employee and violates a "No Contact Order" issued by the university, that person could be subject to internal disciplinary action which could include sanctions up to and including dismissal or termination and banning from university property.
- If the accused is a student and violates a "No Contact Order" issued by the university, the student could be subject to the student conduct process and banning from university property.
- If the accused is a non-UNE guest, campus visitor, or third-party contractor, they will be banned from University property and services.
- If, after an investigation, there is insufficient information to result in a responsibility finding as defined by the University's preponderance of the evidence standard, the No Contact Order will remain in effect so long as the involved individuals remain active students or employees.

Full and most current procedures are available in the University of New England Student Handbook http://www.une.edu/studentlife/handbook and also http://www.une.edu/title-ix/reporting as well in the Appendix to this document.

Campus Alert Notifications Pertaining to Sexual Assaults
If the Office of Safety and Security determines that a reported incident of sexual assault represents a potential danger to the campus community, the Vice President of Finance & Administration will be contacted. A potential danger to the community is defined as:

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

The Vice President of Finance & Administration, in collaboration with the Senior Director of Safety and Security will determine if a campus alert notification is warranted and whether it should take the form of an *"Immediate Emergency Notification"* or *"Timely Warning."* If so, the Office of Safety and Security will create the notification and distribute it widely on the campus to protect and educate the community while respecting the student's right to anonymity.

For a complete, more detailed explanation of the current UNE Sexual Misconduct Policies, students and employees can refer to the UNE Student Handbook online at http://www.une.edu/studentlife/handbook/.

ON-CAMPUS RESOURCES

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

The Deputy Title IX Coordinators

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

Confidential Resource Advisor
Natalie Western, Director for Counseling Services, 207-602-2549, nwestern@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 Emergency:	Portland Campus Emergency:
Campus Services Building 605 Pool Street Biddeford, ME 04005 **Phone:** (207) 283-0176	**Security Building** 716 Stevens Avenue Portland, ME 04103 Phone: (207) 283-0176
Online: https://www.une.edu/studentlife/security	

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

Student Counseling Services for the University of New England.
For general Counseling Services support:
Biddeford Campus: 207-602-2549/toll-free 1-866-743-2230, or on the Portland Campus: 207-221-4550 or toll-free: 1-866-798-9201. UNE's on-call counselor may be reached by calling 207-602-2549 and then pressing "6". Confidential Resource Advisor (CRA): 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, Director for Counseling Services, 207-602-2549, nwestern@une.edu .

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

Student Health Care
207-602-2358 (BC) or 207-221-4242 (PC)
During routine Health Center hours, staff can provide immediate emergency and ongoing medical care, STD (sexually transmitted disease) testing, and pregnancy testing and prevention. With the 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 referral and advice regarding campus and community resources.

Housing and Residential/Commuter Life Staff, Biddeford Campus, (BC)
(Resident Advisor or Professional Staff)
Individual R.A. extension or 207-602-2272 (BC) for Housing
This office can provide immediate support and response, make arrangements as necessary for emergency services, provide advice regarding university and community resources, and provide intervention to assure safety.

Intercultural Student Engagement
Biddeford Campus: Campus Center 100, 207-602- 2461 or Portland Campus: 02 Proctor Hall, 207-221-4212. Online: http://www.une.edu/ise. Can help connect students to resources and support regarding spiritual or faith communities as well as provide information on gender expression and inclusivity.

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

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 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 referral 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.

Hospital Emergency Department
Maine Medical Center at 207-662-2381 or Southern Maine Medical Center at 207-294-5000
These health care units can provide immediate medical care, STD (sexually transmitted disease) testing and pregnancy testing and prevention. The successful prosecution of sexual assault/rape cases often depends on physical evidence collected soon after the assault. Each hospital has health care providers trained to treat individuals who have experienced sexual assault/rape with attention to collecting physical evidence. In order to assure 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.

Maine State Crisis Number
1-888-568-1112

National Crisis Text Line
Text "TALK" to 74174

National Suicide Prevention Lifeline
1-800-273-TALK (8255)

SEXUAL MISCONDUCT SPECIFIC OFF-CAMPUS RESOURCES

Sexual Assault Response Services of Southern Maine
24 Hours: 1-800-871-7741, 207-828-1035 (Cumberland Administrative Office), or 207-571-3451
Provides confidential hotline counseling and referral for victims of sexual misconduct. They may accompany you to a medical facility and stay with you during an examination if you wish.
https://www.sarssm.org/

Caring Unlimited
1-800-239-7298
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, confidential emergency shelter.
https://www.caring-unlimited.org/

Through These Doors
1-800-537-6066, or 207-874-1973
Cumberland County Domestic Violence Services. 24-hour confidential hotline counseling and referral, free court advocates for help obtaining orders for Protection from Abuse, confidential emergency shelter.
https://www.throughthesedoors.org/

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

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

Rape, Abuse, and Incest National Network (RAINN) (confidential resource)
800-656-HOPE (4673)
https://www.rainn.org/

National Sexual Violence Resource Center (NSVRC)
https://www.nsvrc.org/

For a full list of current resources please refer to the University of New England website for Title IX and Civil Rights Compliance: https://www.une.edu/title-ix-civil-rights-compliance

University Policies Addressing Title IX and Sexual Misconduct

Title IX Compliance

The US Department of Education requires as part of Title IX of the Higher Education Act for every school or school district that receives federal funding (which includes almost all colleges and universities, as well as public elementary, middle, and secondary schools) is required to designate and/or adequately train at least one employee to coordinate the recipient's Title IX responsibilities. Title IX regulations also require that the names and contact information of the Title IX Coordinator and Deputy Title IX Coordinators be made public by the educational institution. If you have been, or think you might be a reporter of harassment (sexual or any other form), bullying, or discrimination in any way, you may contact the University's Title IX Compliance Officers. All university employees receive an annual online training regarding their obligations and resources under Title IX. The Title IX Coordinator and the Title IX Investigator and Prevention Specialist receive annual training from national organizations on investigations, compliance, and other resources. Faculty and staff who serve on the University Student Conduct Board receive annual training specifically around Title IX cases. The Title IX Coordinator, Deputy Coordinators, and Investigative staff meet regularly to discuss campus concerns, trends and ongoing training on Title IX-related issues.

The University of New England maintains policies that are consistent with Federal and State law. As such, the University must ensure that its policies and procedures are consistent with current legal standards and must update them accordingly when those standards change. In alignment with this obligation, between January 1, 2024 and July 31, 2024, the University had grievance policies in alignment with the 2020 Title IX Rule. Beginning August 1, 2024, the university updated its policies to be in alignment with the 2024 Title IX Rule through December 31, 2024. Descriptions of the policies may be found below and the full polices may be found in the Appendix section of this report.

UNIVERSITY OF NEW ENGLAND'S GRIEVANCE POLICY FOR ADDRESSING FORMAL COMPLAINTS OF SEXUAL HARASSMENT UNDER THE TITLE IX REGULATIONS (APPENDIX A) *(effective January 1, 2025 to December 31, 2025)*

This Policy specifically prohibits any and all forms of sex discrimination or sex-based harassment and all forms of sexual misconduct, including sexual assault, dating violence, domestic violence, stalking, and sexual exploitation that "covered sexual harassment" under the 2020 Title IX Rule from January 1, 2024 until the new Title IX Rule went into effect on August 1, 2024.

UNIVERSITY OF NEW ENGLAND NON-DISCRIMINATION, ANTI-HARASSMENT, AND SEXUAL MISCONDUCT POLICY (APPENDIX B) *(effective January 1, 2025 to December 31, 2025)*

This Policy applies to allegedly aggrieved students and employees who allege that they have experienced sex discrimination, which, again, includes sexual harassment, sexual assault, and other forms of sexual misconduct, by any person employed by or affiliated with UNE, including trustees, employees, students, 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 activity, which means all academic, educational, extracurricular, athletic, and other programs when that conduct falls outside of the jurisdiction of Title IX and UNE's Title IX Policy.

Alcohol and Substance Abuse

UNE does not permit or condone the illicit or unauthorized possession, use, manufacturing, consumption, sale, or distribution of illicit drugs, and/or alcohol by students or employees on University owned or controlled property or as part of any University sponsored activity. UNE supports enforcement of State underage drinking laws. UNE officials, including the Department of Safety & Security, will decide if local law enforcement authorities will be contacted or if violators, when applicable, will be referred to Student Conduct or Human Resources. Persons found in violation of this policy will be subject to appropriate disciplinary action consistent with local, state, and federal laws or university policy and procedure. Such disciplinary action may include counseling, mandatory participation in an appropriate rehabilitation program, a verbal or written warning, suspension from school or employment, or termination of student status or employment. In addition, these persons may be referred to proper law enforcement authorities for prosecution.

Any faculty member, staff member or student employee engaged in activities supported by a federal grant or contract must report any criminal conviction related to possession or use of a controlled substance in the workplace to the UNE Office of Human Resources within five calendar days of conviction. The term "conviction" means a finding of guilt (including a plea of nolo-contendere) and/or imposition of a sentence by any Student Conduct body charged with the responsibility to determine violations of state or federal criminal drug statutes. The University is obligated to notify the appropriate federal contracting agency within 10 days of receipt of notice of an employee conviction.

It is a federal crime to distribute a controlled substance (illegal drug) within 1,000 feet of a public or private college or university, 21 U.S.C. sect. 845a. The distribution of controlled substances in or near schools carries lengthy minimum mandatory periods of imprisonment. UNE strongly encourages all members of our community to take an active role in reporting crime and any security or safety problem you become aware of immediately. The University of New England supports the enforcement of Federal and State drug laws. University officials, including the Department of Safety & Security, will decide if local law enforcement authorities will be contacted or if violators, when applicable, will be referred to Student Conduct or Human Resources.

In compliance with the Drug Free Schools and Communities Act and the Drug Free Workplace Act, the University publishes and distributes a *Student Handbook*, to all students and a *Personnel Handbook* to all full-time and part-time employees. Each provides the reader with a more comprehensive presentation of the University's substance abuse, rape and sexual assault, and sexual harassment policies, sanctions for violation of those policies, state and federal alcohol and drug laws, criminal and civil offenses, and sanctions that can be included in this document. Additional copies of the *Student Handbook* and *Personnel Handbook* are available upon request. For more information, please contact Student Affairs, Counseling Services, Student Health Center, Office of Human Resources, or Department of Safety and Security.

The University of New England has standards of conduct that clearly prohibit the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees. The *Student Handbook* and *Personnel Handbook* contain a list of applicable legal sanctions under federal, state, or local laws for the unlawful possession or distribution of illicit drugs and alcohol; a description of the health risks associated with the

abuse of alcohol or use of illicit drugs; a list of drug and alcohol programs that are available to employees or students; and a clear statement that the IHE will impose disciplinary sanctions on students and employees for violations of the standards of conduct as well as a description of those sanctions, up to and including expulsion or termination of employment and referral for prosecution.

Counseling Services
Counseling services are provided on both campuses, and can be reached at (207) 602-2549 (Biddeford Campus) or (207) 221-4550 (Portland Campus) and can choose "6" from the call menu to speak to the on-call counselor service. Another option is the state Crisis Response Hotline, available 24 hours a day, 1-888-568-1112. The crisis number is answered by Maine Crisis Response Hotline. It will put you in touch with the closest or most appropriate crisis organization. These services are free to students, including any student reporter of a rape or assault. It is the policy of the Counseling Center, when and if they deem it appropriate, to encourage the persons they are counseling to report crimes on a voluntary, confidential basis.

Prohibited Items
Firearms, weapons, (including "look alike" firearms and weapons) explosives and other devices, instruments, materials or substances, whether animate or inanimate, which create a substantial risk of death, bodily injury, or threat to the environment are not permitted on property owned and/or controlled by UNE, unless excepted by provision of law or University rule or policy. Violations of these conditions will result in referral to the Office of the Vice President for Student Affairs or the appropriate law enforcement agency or environmental regulatory agency and may result in dismissal from the University.

Scroll Down for Crime Statistics

Crime Statistics
The following statistics, provided in compliance with the Crime Awareness and Campus Security Act of 1990, are for your information. They include statistics from the three main campuses for the 3 prior calendar years, the most recent being from January 1, 2025, through December 31, 2025. The University of New England Department of Safety and Security is not a law enforcement agency and does not "Unfound" any crime.

Hate/Bias Crimes - No reported Hate/Bias Crimes for 2023, 2024 or 2025. All Clery crimes for Clery geographical areas are evaluated for Hate/Bias including race, gender, gender identity, religion, sexual orientation, ethnicity, national origin and disability.

2025 Clery Biddeford Campus Statistics

Offense	Year	On Campus	On Campus Housing	Non-Campus	Public Property	Total
Murder-Non-Negligent Manslaughter	2023	0	0	0	0	0
	2024	0	0	0	0	0
	2025	0	0	0	0	0
Negligent Manslaughter	2023	0	0	0	0	0
	2024	0	0	0	0	0
	2025	0	0	0	0	0
Sex Offenses - Rape	2023	4	3	0	0	4
	2024	2	2	0	0	2
	2025	1	1	0	0	1

Offense	Year	On Campus	On Campus Housing	Non-Campus	Public Property	Total
Sex Offenses - Statutory Rape	2023	0	0	0	0	0
	2024	0	0	0	0	0
	2025	0	0	0	0	0
Sex Offenses - Fondling	2023	1	1	0	0	1
	2024	1	1	0	0	1
	2025	2	2	0	0	2
Sex Offense - Incest	2023	0	0	0	0	0
	2024	0	0	0	0	0
	2025	0	0	0	0	0
Robbery	2023	0	0	0	0	0
	2024	0	0	0	0	0
	2025	0	0	0	0	0
Aggravated Assault	2023	0	0	0	0	0
	2024	0	0	0	0	0
	2025	0	0	0	0	0
Burglary	2023	0	0	0	0	0
	2024	1	0	0	0	1
	2025	0	0	0	0	0
Motor Vehicle Theft	2023	0	0	0	0	0
	2024	0	0	0	0	0
	2024	0	0	0	0	0
Arson	2023	0	0	0	0	0
	2024	0	0	0	0	0
	2025	0	0	0	0	0
Arrests; Weapons Offenses	2023	0	0	0	0	0
	2024	0	0	0	0	0
	2025	0	0	0	0	0
Disciplinary Referrals - Weapons Offenses	2023	0	0	0	0	0
	2024	0	0	0	0	0
	2025	0	0	0	0	0
Arrests; Drug Violations	2023	0	0	0	0	0
	2024	0	0	0	0	0
	2025	0	0	0	0	0
Disciplinary Referrals - Drug Violations	2023	15	15	0	0	15
	2024	33	32	0	0	33

Offense	Year	On Campus	On Campus Housing	Non-Campus	Public Property	Total
	2025	36	36	0	0	36
Arrests; Liquor Law Violations	2023	0	0	0	0	0
	2024	0	0	0	0	0
	2025	2	1	0	0	2
Disciplinary Referrals Liquor Law Violations	2023	94	93	0	0	94
	2024	161	150	0	0	161
	2025	112	109	0	0	112
Domestic Violence	2023	0	0	0	0	0
	2024	1	1	0	0	1
	2025	0	0	0	0	0
Dating Violence	2023	1	1	0	0	1
	2024	2	2	0	0	2
	2025	1	1	0	0	1
Stalking	2023	1	0	0	0	1
	2024	2	2	0	0	2
	2025	2	2	0	0	2
Unfounded Crimes	2023	0	0	0	0	0
	2024	0	0	0	0	0
	2025	0	0	0	0	0
Hazing	2023	N/A	N/A	N/A	N/A	N/A
	2024	N/A	N/A	N/A	N/A	N/A
	2025	0	0	0	0	0

Hate/Bias Crimes – No Hate/Bias Crimes reported on the Biddeford campus in 2023, 2024 or 2025. All Clery crimes for Clery geographical areas are evaluated for Hate/Bias including race, gender, gender identity, religion, sexual orientation, ethnicity, national origin and disability.
Hazing Crimes – No hazing crimes reported on the Portland Campus in 2025. Hazing crime reporting was not required in 2023 and 2024.

2025 Clery Portland Campus Statistics

Offense	Year	On Campus	On Campus Housing	Non-Campus	Public Property	Total
Murder-Non-Negligent Manslaughter	2023	0	0	0	0	0
	2024	0	0	0	0	0
	2025	0	0	0	0	0
Negligent Manslaughter	2023	0	0	0	0	0
	2024	0	0	0	0	0
	2025	0	0	0	0	0

Offense	Year	On Campus	On Campus Housing	Non-Campus	Public Property	Total
Sex Offenses - Rape	2023	0	0	0	0	0
	2024	0	0	0	0	0
	2025	0	0	0	0	0
Sex Offenses - Statutory Rape	2023	0	0	0	0	0
	2024	0	0	0	0	0
	2025	0	0	0	0	0
Sex Offenses - Fondling	2023	0	0	0	0	0
	2024	0	0	0	0	0
	2025	0	0	0	0	0
Sex Offense - Incest	2023	0	0	0	0	0
	2024	0	0	0	0	0
	2025	0	0	0	0	0
Robbery	2023	0	0	0	0	0
	2024	0	0	0	0	0
	2025	0	0	0	0	0
Aggravated Assault	2023	0	0	0	0	0
	2024	0	0	0	0	0
	2025	0	0	0	0	0
Burglary	2023	0	0	0	0	0
	2024	1	0	0	0	1
	2025	0	0	0	0	0
Motor Vehicle Theft	2023	0	0	0	0	0
	2024	0	0	0	0	0
	2025	0	0	0	0	0
Arson	2023	0	0	0	0	0
	2024	0	0	0	0	0
	2025	0	0	0	0	0
Arrests; Weapons Offenses	2023	0	0	0	0	0
	2024	0	0	0	0	0
	2025	0	0	0	0	0
Disciplinary Referrals - Weapons Offenses	2023	0	0	0	0	0
	2024	0	0	0	0	0
	2025	0	0	0	0	0
Arrests; Drug Violations	2023	0	0	0	0	0
	2024	0	0	0	0	0
	2025	0	0	0	0	0

Offense	Year	On Campus	On Campus Housing	Non-Campus	Public Property	Total
Disciplinary Referrals - Drug Violations	2023	0	0	0	0	0
	2024	0	0	0	0	0
	2025	0	0	0	0	0
Arrests; Liquor Law Violations	2023	0	0	0	0	0
	2024	0	0	0	0	0
	2025	0	0	0	0	0
Disciplinary Referrals Liquor Law Violations	2023	0	0	0	0	0
	2024	0	0	0	0	0
	2025	0	0	0	0	0
Domestic Violence	2023	0	0	0	0	0
	2024	0	0	0	0	0
	2025	0	0	0	0	0
Dating Violence	2023	0	0	0	0	0
	2024	0	0	0	0	0
	2025	0	0	0	0	0
Stalking	2023	0	0	0	0	0
	2024	0	0	0	0	0
	2025	0	0	0	0	0
Unfounded Crimes	2023	0	0	0	0	0
	2024	0	0	0	0	0
	2025	0	0	0	0	0
Hazing	2023	N/A	N/A	N/A	N/A	N/A
	2024	N/A	N/A	N/A	N/A	N/A
	2025	0	0	0	0	0

Hate/Bias Crimes - No hate/bias crimes reported on the Portland Campus in 2023, 2024 or 2025. All Clery crimes for Clery geographical areas are evaluated for Hate/Bias including race, gender, gender identity, religion, sexual orientation, ethnicity, national origin and disability.

Hazing Crimes – No hazing crimes reported on the Portland Campus in 2025. Hazing crime reporting was not required in 2023 and 2024.

2025 Clery Tangier Campus Statistics

Offense	Year	On Campus	On Campus Housing	Non-Campus	Public Property	Total
Murder-Non-Negligent Manslaughter	2023	0	0	0	0	0
	2024	0	0	0	0	0
	2025	0	0	0	0	0

Offense	Year	On Campus	On Campus Housing	Non-Campus	Public Property	Total
Negligent Manslaughter	2023	0	0	0	0	0
	2024	0	0	0	0	0
	2025	0	0	0	0	0
Sex Offenses - Rape	2023	0	0	0	0	0
	2024	0	0	0	0	0
	2025	0	0	0	0	0
Sex Offenses - Statutory Rape	2023	0	0	0	0	0
	2024	0	0	0	0	0
	2025	0	0	0	0	0
Sex Offenses - Fondling	2023	0	0	0	0	0
	2024	0	0	0	0	0
	2025	0	0	0	0	0
Sex Offense - Incest	2023	0	0	0	0	0
	2024	0	0	0	0	0
	2025	0	0	0	0	0
Robbery	2023	0	0	0	0	0
	2024	0	0	0	0	0
	2025	0	0	0	0	0
Aggravated Assault	2023	0	0	0	0	0
	2024	0	0	0	0	0
	2025	0	0	0	0	0
Burglary	2023	0	0	0	0	0
	2024	0	0	0	0	0
	2025	0	0	0	0	0
Motor Vehicle Theft	2023	0	0	0	0	0
	2024	0	0	0	0	0
	2025	0	0	0	0	0
Arson	2023	0	0	0	0	0
	2024	0	0	0	0	0
	2025	0	0	0	0	0
Arrests; Weapons Offenses	2023	0	0	0	0	0
	2024	0	0	0	0	0
	2025	0	0	0	0	0
Disciplinary Referrals - Weapons	2023	0	0	0	0	0

Offense	Year	On Campus	On Campus Housing	Non-Campus	Public Property	Total
Offenses	2024	0	0	0	0	0
	2025	0	0	0	0	0
Arrests; Drug Violations	2023	0	0	0	0	0
	2024	0	0	0	0	0
	2025	0	0	0	0	0
Disciplinary Referrals - Drug Violations	2023	0	0	0	0	0
	2024	0	0	0	0	0
	2025	0	0	0	0	0
Arrests; Liquor Law Violations	2023	0	0	0	0	0
	2024	0	0	0	0	0
	2025	0	0	0	0	0
Disciplinary Referrals Liquor Law Violations	2023	0	0	0	0	0
	2024	0	0	0	0	0
	2025	0	0	0	0	0
Domestic Violence	2023	0	0	0	0	0
	2024	0	0	0	0	0
	2025	0	0	0	0	0
Dating Violence	2023	0	0	0	0	0
	2024	0	0	0	0	0
	2025	0	0	0	0	0
Stalking	2023	0	0	0	0	0
	2024	0	0	0	0	0
	2025	0	0	0	0	0
Unfounded Crimes	2023	0	0	0	0	0
	2024	0	0	0	0	0
	2025	0	0	0	0	0
Hazing	2023	N/A	N/A	N/A	N/A	N/A
	2024	N/A	N/A	N/A	N/A	N/A
	2025	0	0	0	0	0

Hate/Bias Crimes - No hate/bias crimes reported on the Portland Campus in 2023, 2024 or 2025. All Clery crimes for Clery geographical areas are evaluated for Hate/Bias including race, gender, gender identity, religion, sexual orientation, ethnicity, national origin and disability.

Hazing Crimes – No hazing crimes reported on the Portland Campus in 2025. Hazing crime reporting was not required in 2023 and 2024.

University of New England Fire Safety Report

Reporting period for this report is January 1, 2025, to December 31, 2025.

The US Department of Education now requires colleges and universities to post to the community, an annual fire safety report. The report must include:

1. Maintain a log of all reported fires that occur in those on-campus student housing facilities;
2. Publish an annual fire safety report that contains fire safety policies and fire statistics for each of those facilities, including a description of each on-campus student housing facility fire safety system and drills on that system; and
   Submit the fire statistics from the fire safety report annually to the Department of Education.

University-Wide Protocol for Fire Emergency

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

1. Pull the fire alarm as you exit the building.
2. Dial 911 from a safe location.
3. State that you are calling from UNE.
4. Provide the proper name of the building, floor, and room numbers.
5. Specify fire type (chemical, paper, wood, electrical, etc.).
6. Direct fire/emergency personnel to location.
7. Notify Office of Safety and Security at extension 366.
8. Proceed to your designated muster location.
9. If you are unable to use the stairs for any reason wait for rescue in the nearest stairwell. Stairwells are designated "areas of refuge."

Do not attempt to extinguish a fire unless trained and in a controlled environment with proper equipment available.

All fires, even if extinguished, must be reported to the Biddeford Fire Department for the Biddeford Campus and Portland Fire Department for the Portland Campus. Additionally, the Office of Safety and Security on your respective campus must be notified.

UNE Safety and Security Conducting Fire Extinguisher Training on the Biddeford Campus





Fire Log

The Office of Safety & Security maintains an electronic copy of the department's combined Crime Log and Fire Log. This log is available to anyone upon request, free of charge. This log can be obtained by requesting

a copy from the Senior Director of Safety & Security, Associate Director of Safety & Security or stopping by the Safety & Security Office in the Support Services Building on the Biddeford Campus.

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

Annual Fire Safety Report

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

1. The number of fires and the cause of each fire in a residential facility.
    a. A fire is an instance of an open flame or other burning in a place not intended to contain burning or in an uncontrolled manner.
    b. The cause of each fire includes the factors that give rise to a fire. This could include but not limited to; cooking, smoking materials, open flames, electrical, hazardous products, natural causes or other causes.
2. The number of persons who received treatment for fire-related injuries at a medical facility or on-campus health center.
3. The number of deaths related to a fire in a residential facility
4. The value of property damaged by fire in a residential facility

Arson

The Clery Act requires universities to report acts of Arson in the Annual Crime Statistics along with the being reported on the Annual Fire Safety Report if it occurs in an on-campus residential facility as a reportable fire with the cause listed as “arson”.

Student Housing Fire Notification and Evacuation Procedure

University-Wide Protocol for Fire Emergency
The following procedure is the University-wide protocol in cases of fire emergency:

1. Pull the fire alarm as you exit the building.
2. Dial 911 from a safe location.
3. State that you are calling from the University of New England, Biddeford Campus.
4. Provide the proper name of the building, floor, and room numbers.
5. Specify fire type (chemical, paper, wood, electrical, etc.).
6. Direct fire/emergency personnel to location.
7. Notify Department of Safety and Security at extension 366.
8. Proceed to your designated muster location.
9. If you are unable to use the stairs for any reason wait for rescue in the nearest stairwell. Stairwells are designated “areas of refuge.”

Do not attempt to extinguish a fire unless trained and in a controlled environment with proper equipment available.
All fires, even if extinguished, must be reported to the Biddeford Fire Department for the Biddeford Campus and Portland Fire Department for the Portland Campus. Additionally, the Department of Safety and Security on your respective campus must be notified.

UNE Fire Safety Polices for the Residence Halls

These policies are posted in the *Housing and Residential/Commuter Life Handbook, Student Handbook,* and *University Conduct Code*.

Fire Safety

1. Unannounced fire evacuation drills will be held throughout the school year in each residence hall. As of the fall 2025 semester, unannounced fire drills will be conducted once per residence hall, per semester (two per academic school year). Students who fail to exit the halls attempt to re-enter the building without the permission of proper authorities or fail to comply with university officials will be subject to disciplinary action and the assessment of fines.
2. Tampering with fire safety equipment or fire alarms is a violation of state law, as well as University policy. People found in violation will be subject to severe disciplinary action.
3. Fire detection units should not be covered or blocked at any time.
4. For reasons of fire safety, the following items are not permitted in student rooms: irons (may be used in laundry areas), space heaters, halogen lamps, non-UL rated lamps, any non-UL rated decorations requiring electricity, sun lamps/tanning beds, toaster ovens, hot plates, candles with or without wicks, decorative candles, incense, candle warmers, tart burners, non-light bulb potpourri burners, scented oil burners, live/cut Christmas trees, and wreaths.
5. Unauthorized possession, storage, or use of hazardous or dangerous weapons, explosive components or substances including, but not limited to, firearms, fireworks, and chemical materials such as gasoline/fuels, kerosene, or compressed gases/air in university residence halls are specifically forbidden and, therefore, subject to severe disciplinary action.
6. The roofs and fire escapes of each building are for emergency purposes only. Under no other conditions should these be used. Failure to comply will lead to disciplinary action.
7. Do not hang anything from the sprinkler heads. This will cause damage to the system that will be charged to the occupants of that suite/room. Additionally, decorations or objects hung on the walls must be at least 18 inches away from the ceiling.
8. For reasons of fire safety, the maximum occupancy may not exceed eight (8) people at any one time for a residence hall room and twelve (12) for a suite.
9. Fire safety tips:
    a. Know where alarm pull stations are in your building.
    b. Know all the exits and evacuation plan for your building.
    c. If you discover smoke or fire:
        1. Sound the alarm.
        2. Call the Office of Safety and Security at x 366 or call the local emergency at 911.
    d. If you are in a burning building:
        1. Close the window.
        2. Close the door.
        3. Go to the nearest exit or stairs (if you are in a smoke-filled area, keep low to the floor).
        4. Leave the residence halls immediately.

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

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

Fire Drills

Whenever a fire alarm sounds, day or night, the residence halls or other buildings are to be evacuated immediately. Everyone should particularly note the available exit routes. Fire drills will be held periodically throughout the year in all of the residence halls and administrative classroom buildings. As of the fall 2025 semester, unannounced fire drills will be conducted once per residence hall, per semester (two per academic school year). Evacuation is mandatory.

Fire Equipment

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

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

Appliances

All electrical appliances must be UL approved and in good working condition. Electrical appliances are permitted in resident rooms except those appliances, which 1) have exposed heating units or open flames; and 2) are used for the specific purpose of cooking food, with the exception of small microwaves and units with enclosed heating elements. Appliances such as coffee pots, hot air popcorn poppers, hot pots, and "George Foreman Grills" are prohibited except with appropriate approval in designated areas. Designated areas include residence hall lounge kitchens and kitchenettes in the suite-style buildings. Such items may be stored in rooms as long as they are not used in rooms. Air conditioners, space heaters, halogen lamps, sun lamps/tanning beds, and hot plates or any other open coil appliance not provided by the University are not permitted.

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

Furnishings

Curtains, draperies, valances, or other fabric decorations covering or draping the windows must be made of documented fire-retardant material. Students must provide documentation of this fire-retardant quality before items may be hung. Each year, the Residence Hall Council offers a curtain treatment program to help students meet compliance. All non-University provided waste receptacles must be constructed of solid metal (no woven, fabric, plastic, wood, or metal mesh etc.).

Smoking

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

Holiday Decorations

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

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

Room Decorations

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

1. Hanging posters/pictures, etc., should be done with poster putty **only**. Tape and other adhesive materials will remove the paint.
2. No objects or materials may be hung on the walls within 18 inches of the ceiling.
3. Tapestries may be hung under guidelines of the tapestry policy (see below).
4. Tape, stickers or other adhesive materials are **not** to be placed on ceiling tiles. Students will be charged the replacement cost for each tile damaged in this way.
5. No decorations should at any time be attached to or cover any fire safety equipment. This includes but is not limited to: stickers on smoke detectors; any items that cover detectors or fire horns; and any items that cover the evacuation map or hang from the sprinkler heads.
6. Decorations may not cover more than 1/3 of the wall.
7. UL approved lights can be hung on the walls but may not be suspended from the ceiling, in front of windows or threaded through mattress springs.
8. Empty beer boxes are prohibited as decoration in student rooms.

Tapestries

Students may hang a tapestry in their rooms under the following guidelines:

1. Tapestries must be fire retardant and registered with the Office of Housing and Residential/Commuter Life (see "Furnishings" section).
2. Tapestries may not be hung from or covering the ceiling in any way.
3. The tapestry may not cover or block fire safety or heating equipment.
4. A tapestry hung vertically must be against the wall only. It may not be hung in front of the doorway or dividing the room.
5. The tapestry must be hung at least 18 inches away from the ceiling.
6. Students wishing to hang a tapestry in their room must get the approval of the RA on the floor for its proper location.
7. Failure to abide by these guidelines will result in immediate and permanent suspension of the privilege to hang a tapestry in the room.

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

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

1. Tampering in any way with fire emergency equipment.
2. Failure to evacuate a building or area at the request of university staff, for safety and/or security reasons, including evacuation during a fire alarm.
3. To give, or cause to be given, false reports of fire or other dangerous conditions.
4. Creation of a fire hazard or other dangerous condition. This includes burning candles, incense, potpourri burners, and other flammable materials.

5. Unauthorized use or possession of explosive components or chemicals such as fireworks, explosives, gas, or compressed air.
6. Possession or use of fireworks or weapons, including firearms, knives, slingshots, or other similar items, as set forth in the "Weapons and Fireworks" section of the *Student Handbook*.

Biddeford Campus Muster Locations

Residential Facilities – Biddeford, Maine	Muster Location
Champlain Hall – 11 Hills Beach Road	Frederick Hall Parking Lot – Keep access road clear for emergency vehicles
East Hall – 11 Hills Beach Road	Parking Lot between Freddy and Campus Center
West Hall – 11 Hills Beach Road	Exit rear of building to the Quad area near Avila
Featherman Hall – 11 Hills Beach Road	Parking lot between Avila and Featherman
Avila Hall – 11 Hills Beach Road	Lawn between Avila and Campus Center
Padua Hall – 11 Hills Beach Road	Avila parking lot
Assisi Hall – 11 Hills Beach Road	Volleyball court between Assisi and Alfond Science
Sienna Hall – 11 Hills Beach Road	Walkway between Library and Commons
Frederick Hall – 11 Hills Beach Road	Lawn in front of Campus Center, near Hills Beach Road
Sokokis Hall – Hedly Reynolds Way	Lawn between Sokokis and Forum

Tangier Campus Muster Location

Residential Facilities – Tangier, Morocco	Muster Location
Residence Hall	Near front gate

Biddeford Campus-Annual Fire Safety Report Statistics 2025

University of New England Statistics and Related Information Regarding Fires in Residential Facilities for 2023-2025

Residential Facilities – Biddeford, Maine	Year	Total Fires in Each Building	Fire Number	Cause of Fire	Number of Injuries That Required Treatment at a Medical Facility	Number of Deaths Related to Fire	Value of Property Damage Caused by Fire
Champlain Hall – 11 Hills Beach Road	2025	0	0	N/A	N/A	N/A	N/A
	2024	0	0	N/A	N/A	N/A	N/A
	2023	0	0	N/A	N/A	N/A	N/A

Residential Facilities – Biddeford, Maine	Year	Total Fires in Each Building	Fire Number	Cause of Fire	Number of Injuries That Required Treatment at a Medical Facility	Number of Deaths Related to Fire	Value of Property Damage Caused by Fire
East Hall – 11 Hills Beach Road	2025	0	0	N/A	N/A	N/A	N/A
	2024	0	0	N/A	N/A	N/A	N/A
	2023	0	0	N/A	N/A	N/A	N/A
West Hall – 11 Hills Beach Road	2025	0	0	N/A	N/A	N/A	N/A
	2024	0	0	N/A	N/A	N/A	N/A
	2023	0	0	N/A	N/A	N/A	N/A
Featherman Hall – 11 Hills Beach Road	2025	0	0	N/A	N/A	N/A	N/A
	2024	0	0	N/A	N/A	N/A	N/A
	2023	0	0	N/A	N/A	N/A	N/A
Avila Hall – 11 Hills Beach Road	2025	0	0	N/A	N/A	N/A	N/A
	2024	0	0	N/A	N/A	N/A	N/A
	2023	0	0	N/A	N/A	N/A	N/A
Padua Hall – 11 Hills Beach Road	2025	0	0	N/A	N/A	N/A	N/A
	2024	0	0	N/A	N/A	N/A	N/A
	2023	0	0	N/A	N/A	N/A	N/A
Assisi Hall – 11 Hills Beach Road	2025	0	0	N/A	N/A	N/A	N/A
	2024	0	0	N/A	N/A	N/A	N/A
	2023	0	0	N/A	N/A	N/A	N/A
Sienna Hall – 11 Hills Beach Road	2025	0	0	N/A	N/A	N/A	N/A
	2024	0	0	N/A	N/A	N/A	N/A
	2023	0	0	N/A	N/A	N/A	N/A
Frederick Hall – 11 Hills Beach Road	2025	0	0	N/A	N/A	N/A	N/A
	2024	0	0	N/A	N/A	N/A	N/A
	2023	0	0	N/A	N/A	N/A	N/A
Sokokis Hall – Hedly Reynolds Way	2025	0	0	N/A	N/A	N/A	N/A
	2024	0	0	N/A	N/A	N/A	N/A
	2023	0	0	N/A	N/A	N/A	N/A

Tangier Campus-Annual Fire Safety Report Statistics 2025

University of New England Statistics and Related Information Regarding Fires in Residential Facilities for 2023-2025

Residential Facilities – Tangier, Morocco	Year	Total Fires in Each Building	Fire Number	Cause of Fire	Number of Injuries That Required Treatment at a Medical Facility	Number of Deaths Related to Fire	Value of Property Damage Caused by Fire
Residence Hall – Avenue Abi Chouaib Doukkali	2025	0	0	N/A	N/A	N/A	N/A
	2024	0	0	N/A	N/A	N/A	N/A
	2023	0	0	N/A	N/A	N/A	N/A

Biddeford Campus-On-Campus Housing Fire Safety Systems 2025

University of New England On-Campus Student Housing Fire Safety System Description

Residential Facilities – Biddeford, Maine	Fire Extinguishers	Sprinkler	Fire Rated Doors	Horn Strobes	Fire Drills 2025	Alarm to Fire Department
Champlain Hall – 11 Hills Beach Road	Yes	Yes	Yes	Yes	4	N/A
East Hall – 11 Hills Beach Road	Yes	Yes	Yes	Yes	4	N/A
West Hall – 11 Hills Beach Road	Yes	Yes	Yes	Yes	4	N/A
Featherman Hall – 11 Hills Beach Road	Yes	Yes	Yes	Yes	5	N/A
Avila Hall – 11 Hills Beach Road	Yes	Yes	Yes	Yes	5	N/A
Padua Hall – 11 Hills Beach Road	Yes	Yes	Yes	Yes	5	N/A
Assisi Hall – 11 Hills Beach Road	Yes	Yes	Yes	Yes	5	N/A
Sienna Hall – 11 Hills Beach Road	Yes	Yes	Yes	Yes	7	N/A
Frederick Hall – 11 Hills Beach Road	Yes	Yes	Yes	Yes	4	N/A
Sokokis Hall – Hedly Reynolds Way	Yes	Yes	Yes	Yes	5	N/A

Tangier Campus-On Campus Housing Fire Safety Systems 2025

University of New England On-Campus Housing Fire Safety System Description

Residential Facilities – Tangier, Morocco	Fire Extinguishers	Sprinkler	Fire Rated Doors	Horn Strobes	Fire Drills 2025	Alarm to Fire Department
Residence Hall – Avenue Abi Chouaib Doukkali	Yes	N/A	N/A	Yes	4	N/A

Appendix A

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

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 **UNIVERSITY OF NEW ENGLAND'S 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 activity, 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 activity, 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 activity, 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, political affirmation, 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 *Title IX Coordinator*	207-221-4554	ashambarger@une.edu	11 Hills Beach Road, Biddeford, ME 04005)
Bobbie Kallner *Vice President of Human Resources & Chief Human Resources Officer*	207-602-2339	bkallner@une.edu	11 Hills Beach Road, Biddeford, ME 04005)
Office of Civil Rights, Department of Education	617-289-0111	OCR.Boston@ed.gov	8th Floor 5 Post Office Square, Boston, MA 02109-3921
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.

Note that conduct that does not meet one or more of these criteria may still be prohibited under the University's **University of New England Policy for Non-Title IX Sex Discrimination and Harassment** the University's Non-Discrimination 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.

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- 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.

Title IX Coordinator; Senior Director, Office of Title IX and Civil Rights Compliance			
ashambarger@une.edu	207-221-4554	Mailing Address: 11 Hills Beach Road Biddeford, ME 04005	Office Locations: *Biddeford Campus:* HR Building *Portland Campus:* McDougall Hall 102

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	*Assistant Vice President for Student Affairs*	207-602-2372	hpatterson@une.edu
Ray Handy	*Associate Dean of Student Affairs*	207-221-4213	rhandy@une.edu
Shane Long	*Assistant Dean of Students*	207-602-2372	slong11@une.edu
Heather Davis	*Director of Athletics*	207-602-2629	hdavis@une.edu
Janna Merritt	*Assistant Director of Human Resources*	207-602-2281	jmerritt2@une.edu
Shaylah Kelly	*Senior Employee Relations and Talent Development Manager*	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 Freiheit	*Counselor and Confidential Resource Advisor*	207-602-2549	nfreiheit@une.edu

In addition, **Student Counseling Services** may be reached at 207-602-2549 on the Biddeford campus and 207-221-4550 on the Portland campus. **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 make 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.
- *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

In response to a report 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 temporary 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 Hearing); 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.

I. 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:

1. The conduct is alleged to have occurred on or after August 14, 2020;
2. The conduct is alleged to have occurred against a person in the United States;
3. The conduct is alleged to have occurred in the University's education program or activity;
4. The institution has or had control over the respondent and the context in which the sexual harassment is alleged to have occurred; and
5. The alleged conduct, if true, would constitute covered sexual harassment as defined in this policy.

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

Allegations Potentially Falling Under Multiple Policies

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

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 OF NEW ENGLAND'S Policy for Non-Title IX Sex Discrimination and Harassmen**t, 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, to a party whose participation is invited or expected, written notice 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. Investigation

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 institution will send 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 AVPHR 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 Policy for Title IX Grievance Process Hearings).

Hearing Procedures

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

- The primary hearing officer will open and establish rules and expectations for the hearing;
- The Parties will each be given the opportunity to provide opening statements;
- The primary hearing officer and the hearing board will ask questions of the Parties and Witnesses;
- Parties will be given the opportunity for live cross-examination by advisors after the hearing board 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.

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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.

Where a party or witness' conduct or statements demonstrate that the party or witness is engaging in retaliatory conduct, including but not limited to witness tampering and intimidation, the Hearing Board may draw an adverse inference as to that party or witness' credibility.

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 Dismissal of Complaints.

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 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 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:

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 immediate emergency and ongoing medical care, STD (sexually transmitted disease) testing, and pregnancy testing and prevention. With the 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 Resource Advisor (CRA) Support

The University has a designated Confidential Resource Advisor (CRA) process for the designation of "confidential employees.". This individual can receive disclosures or a report from an individual and maintain the information in a confidential way. The CRA at UNE is a partnership of the UNE Counseling Services and Sexual Assault Response Services of Southern Maine (SARSSM). 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. The CRA and SARSSM staff have received training on sexual violence, intimate partner violence, and stalking; Training regarding unconscious biases related to race, gender, and sexuality; Training regarding awareness and prevention of sexual violence, intimate partner violence or stalking, relevant federal policies, the institution's policy and the support resources available on and off campus, and trauma-informed response.

UNE Confidential Resource Advisor for students:
The designated UNE Employee who serves as a confidential resource advisor for students is: **Natalie A. Freiheit, MA, NCC, LCPC** **Phone**: 207-602-2549

Email: nfreiheit@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:

Angela Shambarger *Title IX Coordinator; Senior Director, Office of Title IX and Civil Rights Compliance*			
ashambarger@une.edu	207-221-4554	Mailing Address: 11 Hills Beach Road Biddeford, ME 04005	Office Locations: *Biddeford Campus:* HR Building *Portland Campus:* McDougall Hall 102

Deputy Title IX Coordinators:

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

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 East Residence Hall

Intercultural Student Engagement

This Office can help connect students 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 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

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, ME04101 **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

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/

National Suicide Prevention Lifeline (Confidential Resource)
988 (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.

National Suicide Prevention 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)
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 Alfond 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.

Appendix B

UNIVERSITY OF NEW ENGLAND'S POLICY FOR NON-TITLE IX SEX DISCRIMINATION AND HARASSMENT September 2025

Please refer to https://www.une.edu/title-ix-civil-rights-compliance for the most current Policy.

This Policy has several components that can be accessed through the use of the hyperlinks provided below. Those components are:

- **Scope and applicability of this Policy**
- **Resources to address concerns regardless of a complaint is made;**
- **Reporting potential violations of this Policy**
- **Procedures for adjudicating a complaint**

General Rules Application

This Policy applies to reports of sex discrimination, which includes sexual harassment, sexual assault, and other forms of sexual misconduct when allegations of sex discrimination fall outside the jurisdiction of Title IX and UNE's Title IX Policy.

The University of New England ("the University" or "UNE") is committed to maintaining a fair and respectful environment for living, work, and study. To that end, and in accordance with federal and state law and University policy, the University prohibits any member of the faculty, staff, administration, trustees, student body, vendors, volunteers, or visitors to campus, whether they are guests, patrons, independent contractors, or clients, from harassing and/or discriminating against any other member of the University community because of that person's race, sex, sexual orientation, gender identity and/or expression, ethnicity or national origin, religion, age, creed, color, genetic information, physical or mental disability, HIV status, or status as a veteran.

This Policy specifically prohibits any and all forms of sex discrimination or sexual harassment and all forms of sexual misconduct, including sexual assault, dating violence, domestic violence, stalking, and sexual exploitation. This Policy also addresses consensual sexual or romantic interactions where a supervisory relationship exists.

Every member of this University community is expected to uphold this Policy as a matter of mutual respect and fundamental fairness in human relations. Every student of this institution has a responsibility to behave in accordance with this Policy as a condition of enrollment. Further, every University employee has an obligation to observe UNE policies, as well as federal and state law, as a term of employment. Merit and productivity, free from prohibited bias, will continue to guide decisions relating to employment and enrollment. No person will be penalized for good faith utilization of or participation in channels available for resolving concerns dealing with prohibited discrimination, harassment, or sexual misconduct.

Sex discrimination, sexual harassment, and sexual misconduct, including sexual assault, dating violence, domestic violence, and stalking undermine the character and mission of the University and will not be tolerated. Students and employees who engage in conduct prohibited under this Policy may be subject to disciplinary action, including dismissal from the University or termination of employment. In addition, the University will provide remedies to a Complainant designed to restore or preserve equal access to the University's education programs or activities where a determination of responsibility has been made against a Respondent.

sexual.

I. SCOPE OF POLICY

A. 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 activity, and to also specifically comply with applicable state and federal laws. This Policy applies to allegedly aggrieved students and

employees who allege that they have experienced sex discrimination, which, again, includes sexual harassment, sexual assault, and other forms of sexual misconduct, by any person employed by or affiliated with UNE, including trustees, employees, students, 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 activity, which means all academic, educational, extracurricular, athletic, and other programs when that conduct falls outside of the jurisdiction of Title IX and UNE's Title IX Policy.

The term "education program or activity" includes all University operations, including locations, events, or circumstances over which the University exercised substantial control over both the Respondent and the context in which the conduct occurs, and any building owned or controlled by a student organization that is officially recognized by the University.

B. Jurisdiction of Policy

Generally, the jurisdiction of the University of New England to take disciplinary action shall be limited to conduct which occurs on University premises, at off-campus University sponsored, supervised, or related activities, at affiliated and clinical sites, on the UNE international campuses, or on Study Abroad Programs. . In addition, any off-campus conduct that contributes to the alleged sex discrimination or sexual harassment that disrupts the educational environment and/or the mission or objectives of the University, or that results in another student being excluded from participating in or enjoying the benefits of UNE's education program or activity may be acted upon by the University. 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.

Such off-campus programs and activities covered under this Policy include but are not limited to, the Morocco campus, study abroad programs, internships, participation in affiliated programs, clinical programs, student teaching, conferences, and applied learning, such as, but not limited to, online course experiences.

C. 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 in 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.

II. 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. The requirements and protections of this Grievance Procedure apply equally regardless of sex, sexual orientation, gender identity, gender expression, or other protected classes covered by applicable federal, state or local law. All requirements and protections are equitably provided to individuals 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 sexual harassment. This Policy is enforced by UNE, and to the extent applicable, in accordance with Federal Law under Title VII of the Civil Rights Act of 1964, the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, as amended by the Violence Against Women Reauthorization Act of 2013, 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 *Title IX Coordinator*	207-221-4554	ashambarger@une.edu	11 Hills Beach Road, Biddeford, ME 04005)
Bobbie Kallner *Associate Vice President of Human Resources & Chief Human Resources Officer*	207-602-2339	bkallner@une.edu	11 Hills Beach Road, Biddeford, ME 04005)
Office of Civil Rights, Department of Education	617-289-0111	OCR.Boston@ed.gov	8th Floor 5 Post Office Square, Boston, MA 02109-3921
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

III. DEFINITIONS

A. Sex Discrimination

Under this Policy, sex discrimination is defined as treating similarly situated students differently on the basis of sex, which includes sexual orientation, gender identity and/or expression, sex stereotypes, sex characteristics, and pregnancy or related conditions, 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, which includes sexual orientation, gender identity and/or expression, sex stereotypes, sex characteristics, and pregnancy or related conditions. Sex discrimination includes sexual harassment defined below.

B. Sexual Harassment

Sexual Harassment is a form of sex discrimination and means sexual harassment and other harassment on the basis of sex sexual orientation, gender identity and/or expression, sex stereotypes, sex characteristics, and pregnancy or related conditions as described below:

- An employee, agent, or other person authorized by UNE to provide an aid, benefit, or service under UNE's education program or activity explicitly or impliedly conditioning the provision of such aid, benefit, or service on a person's participation in unwelcome sexual conduct (i.e., quid pro quo);
- Unwelcome sexual conduct that, based on the totality of the circumstances, is subjectively and objectively offensive and is so severe or pervasive that it limits or denies a person's ability to participate in or benefit from UNE's education program or activity (i.e., creates a hostile environment). Whether a hostile environment has been created is a fact-specific inquiry that includes consideration of the following:
- The degree to which the conduct affected the complainant's ability to access UNE's education program or activity;
- The type, frequency, and duration of the conduct;
- The parties' ages, roles within UNE's education program or activity, previous interactions, and other factors about each party that may be relevant to evaluating the effects of the conduct;
- The location of the conduct and the context in which the conduct occurred; and
- Other sexual harassment in UNE's education program or activity.

In addition, pursuant to the Maine Human Rights Act and Title VII of the Civil Rights Act of 1964, the University defines Sexual Harassment here and in the University Personnel Handbook to include any unwelcome sexual advances, requests for sexual favors, and other verbal, non-verbal, or physical conduct of a sexual nature when:

- Submission to such conduct is made either implicitly or explicitly a term or condition of an individual's employment or status in a course, program, or activity;
- Submission or rejection of such conduct by an individual is used as the basis for employment or educational decisions affecting such individual; and/or
- Such conduct has the purpose or effect:
- of interfering with the individual's work or educational performance;
- of creating an intimidating, hostile, or offensive working and/or learning environment; and/or
- of interfering with or limiting one's ability to participate in or benefit from an educational program or activity.

Examples of sexual harassment may 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, has sexual overtones and is intended to create or has the effect of creating discomfort and/or humiliating another.
- 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.

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

C. Sexual Assault

For the purposes of this Policy, which means engaging in or attempting to engage in sexual intercourse with another individual, including:

- by use of force or threat;
- without effective consent, as defined below; or
- where the actor knew or should have known the individual is incapacitated by drugs and/or alcohol or was physically or mentally unable to make informed or reasonable judgments or provide consent.

For purposes of this definition, sexual intercourse includes vaginal, anal, or oral penetration, no matter how slight, with any body part or object, or oral penetration involving any form of mouth-to-genital contact. For purposes of these regulations, Sexual Assault includes rape, fondling, incest, or statutory rape, as those crimes are defined by the Federal Bureau of Investigation (FBI) Uniform Crime Reporting Program. This definition conforms to the FBI's Uniform Crime Report and Clery Act definition and also conforms to the definition of rape under Maine law.

D. Dating violence

As defined in the Violence Against Women Act (VAWA) amendments to the Clery Act, which 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 is violence by a person who has been in a romantic or intimate relationship with the Complainant.

The determination of whether there was a "social relationship of a romantic or intimate nature" is based on the Complainant's characterization of the relationship, the length and type of the relationship, and the frequency of interaction between the parties. The use of terms such as "hooking up" or "hanging out" instead of dating is not determinative. Emotional and psychological abuse are not encompassed in this definition unless it is accompanied by physical violence, threats of physical violence, or coercion or force (defined below). Dating violence also does not include incidents 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 a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under Maine domestic or family violence laws or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of Maine.

F. Stalking

As defined in the 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")

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.

H. Sexual exploitation

The taking non-consensual or abusive sexual advantage of another for one's own benefit or the benefit of anyone other than the individual being exploited. Sexual exploitation may include but is not limited to:

- 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.

I. Consent

Whether someone has given consent is based on the totality of the circumstances and is determined by reference to a reasonable person in the same or similar circumstances. Once consent to a sexual act has been given, consent can be withdrawn at any time by communicating words and/or actions to the other person before or during that sexual act. Consent is automatically withdrawn if someone becomes unconscious or falls asleep during a sexual act. Consent cannot be inferred from silence, passivity, or a lack of resistance. Non-verbal communication alone may or may not be sufficient to constitute consent. Furthermore, consent cannot be inferred from a current or previous dating or sexual relationship (or the existence of such a relationship with anyone else), from someone's attire, spending money, or consent previously given. In other words, consenting to one sexual act does not imply consent to another sexual act. Consent may not be inferred from silence or lack of resistance.

- 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.

J. 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.

K. 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.

L. Consensual Relations In Regard To Sexual Discrimination, Including Sexual 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)

M. ADDITIONAL POLICY DEFINITIONS

- ***Admission*** means selection for part-time, full-time, special, associate, transfer, exchange, or any other enrollment, membership, or matriculation in or at an education program or activity operated by the University of New England.
- ***Complainant*** means:
- a Student or employee who is alleged to have been subjected to conduct that could constitute sex discrimination or sexual harassment as defined in this Grievance Procedure and who was participating or attempting to participate in the University's Education Program or Activity; or
- a person other than a Student or employee who is alleged to have been subjected to conduct that could constitute sex discrimination or sexual harassment under this Grievance Procedure and who was participating or attempting to participate in the University's Education Program or Activity at the time of the alleged sex discrimination or sexual harassment.
- ***Complaint*** means an oral or written request to the University that objectively can be understood as a request for the University to investigate and make a determination about alleged sex discrimination or sexual harassment at the institution.
- ***Disciplinary Sanctions*** means consequences imposed on a Respondent following a determination under this Grievance Procedure that the Respondent violated the University's prohibition sex discrimination or sexual harassment.
- ***Party*** means Complainant or Respondent.
- ***Peer Retaliation*** means Retaliation by a Student against another Student.
- ***Relevant*** means related to the allegations of sex discrimination or sexual harassment under investigation as part of this Grievance Procedure. Questions are Relevant when they seek evidence that may aid in showing whether the alleged sex discrimination or sexual harassment occurred, and evidence is Relevant when it may aid a decisionmaker in determining whether the alleged sex discrimination or sexual harassment occurred.
- ***Remedies*** means measures provided, as appropriate, to a Complainant or any other person the University identifies as having had their equal access to the University's Education Program or Activity limited or denied by sex discrimination or sexual harassment. These measures are provided to restore or preserve that person's access to the University's Education Program or Activity after the University determines that sex discrimination or sexual harassment occurred.
- ***Respondent*** means a person who is alleged to have violated the University's prohibition on sex discrimination or sexual harassment
- ***Retaliation*** means intimidation, threats, coercion, or discrimination by any person, by the University, a Student, or an employee or other person authorized by the University to provide aid, benefit, or service under the University's Education Program or Activity, for the purpose of interfering with any right or privileged secured by Title IX, or because the person has reported information, made a Complaint, testified, assisted or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this Grievance Procedure, including an Informal Resolution process.
- ***Student*** means an individual who is enrolled or is seeking to be enrolled at the University is a candidate for a degree or diploma or graduate certificate or has taken a leave of absence as a result of having been a victim of sexual violence, intimate partner violence or stalking.
- ***Employee*** means an individual who is employed by the University, including a full-time, part-time or contracted employee, or an individual who was employed by the University, including a full-time, part-time or contracted employee, but has taken a leave of absence or terminated the employment as a result of having been a victim of sexual violence, intimate partner violence or stalking or for any other reason.

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

Title IX Coordinator and Deputy Title IX Coordinators (Non-Confidential Reporting)

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, including Sexual Harassment (whether or not the person reporting is the person alleged to be the victim of the conduct that may constitute sex discrimination or Sexual Harassment), 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 *Title IX Coordinator; Senior Director, Office of Title IX and Civil Rights Compliance*			
ashambarger@une.edu	207-221-4554	Mailing Address: 11 Hills Beach Road Biddeford, ME 04005	Office Locations: *Biddeford Campus:* HR Building *Portland Campus:* McDougall Hall 102

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	*Assistant Vice President for Student Affairs*	207-602-2372	hpatterson@une.edu
Ray Handy	*Associate Dean of Student Affairs*	207-221-4213	rhandy@une.edu
Shane Long	*Assistant Dean of Students*	207-602-2372	slong11@une.edu
Heather Davis	*Director of Athletics*	207-602-2629	hdavis@une.edu
Janna Merritt	*Assistant Director of Human Resources*	207-602-2281	jmerritt2@une.edu
Shaylah Kelly	*Senior Employee Relations and Talent Development Manager*	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 Freiheit	*Counselor and Confidential Resource Advisor*	207-602-2549	nfreiheit@une.edu

In addition, **Student Counseling Services** may be reached at 207-602-2549 on the Biddeford campus and 207-221-4550 on the Portland campus. **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.

The University has arranged with Sexual Assault Response Services of Southern Maine (SARSSM) to serve as the **Confidential Resource Advisor (CRA)** for employees. This organization can receive disclosures or a report from an individual and maintain the information in a confidential way. An employee can contact the CRA and make a disclosure. The CRA can assist the employee in accessing on-campus supportive resources and can do a direct referral to SARSSM for full advocacy support services.

SARSSM	*Confidential Resource Advisor/Advocacy Services*	800-871-7741	https://www.sarssm.org/

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

A. 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, 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.

V. APPLICABLE PROCESSES

The nature of the alleged conduct, the geographic location in which it occurs, and the status of the parties will dictate the applicable process for investigating and resolving reports. The Title IX Coordinator or Deputy Title IX Coordinator will assess the complaint and submit it to the appropriate University investigation and grievance process, which are all designed to be fair, impartial, prompt, and equitable.

- When a reported behavior involves a student or an employee and is subject to both this Policy and other University policies, which include non-Title IX covered sex harassment and other issues not under this policy and involve allegations based on the same events, generally the University will use this Policy to adjudicate all issues.
- To the extent that alleged misconduct by a student implicates the University's various Professional Codes of Conduct, the matter may, but is not required to be, referred for adjudication under the applicable College's conduct board proceedings following an investigation and hearing under this Policy. This referral to a professional code of conduct board may occur even if no responsibility is determined under this Policy or the Non-Discrimination policies. To be clear, violations of a professional code may be adjudicated along with violations of this Policy.

Whatever process is followed, any behavior by either party during the investigation or adjudication process that might constitute a violation of any UNE policy or code of conduct may be adjudicated at the same time by the body adjudicating the underlying complaint.

VI. REPORTING SEX DISCRIMINATION INCLUDING SEXUAL HARASSMENT TO THE INSTITUTION

Anyone who experiences or is aware of what they believe constitutes sex discrimination or sexual harassment as defined above, including sexual assault, dating violence, domestic violence, or stalking, will be assisted in understanding their reporting and complaint options and will not be forced to make any type of report or complaint, except for those employees required to make a report

For purposes of this Policy, a complaint means an oral or written request to UNE that objectively can be understood as a request for UNE to investigate and make a determination about alleged discrimination under this Policy. Any person making a report may be requested but is not required, to put their report in writing. Reports can be made in person, by mail, by telephone, online, or by electronic mail, using the contact information listed for the Title IX Coordinator or by any means that results in the Title IX Coordinator receiving the person's verbal or written report. A report may be made at any time (including during non-business hours) by using the telephone number, email, online reporting link (https://www.une.edu/title-

ix/reporting), or mailing address listed for the Title IX Coordinator or other persons familiar with this Policy.

A. Amnesty Involving Alcohol or the Use of Controlled Substances

The University of New England encourages reporting of sex discrimination and sexual harassment, which includes sexual misconduct, and seeks to remove any barriers to reporting such an incident. The University recognizes that a student who has been drinking or using drugs at the time of an incident may be hesitant to make a report because of potential disciplinary consequences for their own conduct. Thus, a student who reports sex discrimination or sexual harassment, either as a Complainant or as a witness, will not be subject to disciplinary action by the University for their own personal consumption of alcohol or drugs at or near the time of the incident, provided that any such violations did not and do not place the health or safety of any other person at risk. The University may, however, initiate an educational discussion or pursue other educational remedies regarding alcohol or other drugs. Alcohol and/or drug use may affect the memory of the parties involved and may affect the outcome of the complaint. Further, immunity from disciplinary actions has no effect on actions by law enforcement agencies.

For more information, please see "Responsible Action Clause" in the University Student Handbook found here: https://www.une.edu/studentlife/handbook.

B. Disability Accommodations

This Grievance Procedure does not alter any institutional obligations under applicable federal, state, and/or local disability laws, including the Americans with Disabilities Act of 1990 and Section 504 of the Rehabilitation Act of 1973, among others. Parties may request reasonable accommodations for disclosed disabilities to the Title IX Coordinator at any point before or during the policy that do not fundamentally alter the Procedure. 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.

If the Complainant or Respondent discloses a disability, the Title IX Coordinator or designee may consult, as appropriate, with the University's Student Access Center to provide support to Students with disabilities to determine how to comply with applicable law including, without limitation, Section 504 of the Rehabilitation Act of 1973 in the implementation of any Supportive Measures, or any other reasonable accommodations requested during the Grievance Procedure.

C. Timeline for Reporting Under This Policy

For the purposes of this Policy, although there is no time limit on reporting violations under this Policy complaints and reports of sex discrimination and sexual harassment, which includes sexual misconduct, such sexual assault, dating violence, domestic violence or stalking, and/or sexual harassment, should be reported as soon as possible after the incident(s) in order to be most effectively investigated. If a Respondent is no longer affiliated with the University (as a student or employee), the University may still provide reasonably available supportive measures to the complainant, assist the complainant in identifying external reporting options, investigate and adjudicate the alleged misconduct, and take other appropriate action to address the reported conduct.

D. Initial Assessment Upon Receipt of a Report and Filing of Complaint by Title IX Coordinator

Within **ten (10) business days** of receiving a report a potential violation of this Policy, the Title IX Coordinator will reach out to the person allegedly aggrieved to explain options for proceeding with a complaint, the potential for informal and formal resolution of a complaint, and the availability of supportive measures. At that time, the Title IX Coordinator will conduct an initial assessment of the reported information. The initial assessment seeks to gather information only to determine whether this Policy applies and what form of resolution is reasonably available and appropriate. The initial assessment is not an investigation of responsibility. The initial assessment may also include a determination as to whether a timely warning pursuant to the Clery Act is necessary to protect the safety of the Complainant or any other individuals.

In receiving a report under this Policy, the University will make all reasonable efforts to protect the privacy rights of the Complainant, the Respondent, and the witnesses in a manner consistent with the University's legal obligations to investigate, to take appropriate action, and to comply with any discovery or disclosure obligations required by law.

The University will, whenever possible, honor the Complainant's wishes with respect to supportive measures and seek to respect the Complainant's autonomy in making a determination regarding how to proceed. Any request for confidentiality must be balanced against the University's obligation to provide a safe and non-discriminatory environment for the entire University community. The University may also be severely limited in its ability to take action against a Respondent if strict confidentiality is maintained. The Title IX Coordinator, the Director of Safety and Security, the Chair of the CARE Team, and/or their designee(s) shall be responsible for evaluating all requests for confidentiality and will consider the severity of the alleged conduct, the ages of the parties, any pattern of misconduct, and the rights of the Respondent in assessing whether such a request can be honored. In limited circumstances, typically where a risk of imminent harm to an individual or others or a threat to the physical health and safety of the campus is determined to exist, the University may need to take immediate action upon receipt of a report under this Policy and/or a Title IX Coordinator may need to initiate a formal complaint against a Complainant's wishes. In such cases, the Title IX Coordinator will notify the Complainant and keep the Complainant informed of the status of the investigation and resolution of the complaint at reasonable intervals.

As part of the initial assessment phase, the University's Title IX Coordinator will determine whether the alleged conduct, if true, falls under this Policy. If the alleged conduct falls outside of this Policy, the University will then assess whether the alleged conduct, if true, would amount to a violation of another policy. If the complaint proceeds to a formal investigation under this Policy or another policy and the investigation reveals that the wrong policy was initially applied, the University will transfer the complaint to the appropriate process for resolution or dismiss the complaint, as appropriate.

E. Supportive Measures

Providing Supportive Measures

Supportive measures are available to both parties. They are individualized measures offered as appropriate, as reasonably available, without unreasonably burdening a Complainant or Respondent, not for punitive or disciplinary reasons, and without fee or charge to the Complainant or Respondent to: (1) Restore or preserve that party's access to UNE's education program or activity, including measures that are designed to protect the safety of the parties or UNE's educational environment; or (2) Provide support 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 must not impose such measures for punitive or disciplinary reasons. Supportive Measures are possible whether or not a Complaint is filed and regardless of whether the Complainant or Title IX Coordinator files a Complaint.

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 are 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.

F. False Claims

It is a violation of this Policy to make knowingly make false statements or to knowingly submit false information during the grievance procedure deliberate false statements or knowingly submit false information in the investigation or grievance proceedings of conduct covered under this Policy and the Title IX Grievance Process. In such instances, the parties may be subject to disciplinary action, which may be determined by the body adjudicating the underlying allegation(s). 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.

G. Retaliation

UNE prohibits all retaliation, including student to student (peer to peer) relation, in all of its education programs and activities. Retaliation means intimidation, threats, coercion, or discrimination against any person by UNE, a student, or an employee or other person authorized by UNE to provide aid, benefit, or service under UNE's education program or activity, for the purpose of interfering with any right or privilege secured by Title IX or this Policy, or because the person has reported information, made a complaint, testified, assisted, or participated or, except as provided immediately below, refused to participate in any manner in an investigation, proceeding, or hearing under this Policy, including in an Informal Resolution process, in grievance procedures, and in any other actions taken by UNE under this Policy. UNE does require employees or other persons authorized by UNE to provide aid, benefit, or service under UNE's education program or activity to participate as a witness in, or otherwise assist with, an investigation, proceeding, or hearing under this part. 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 involving a student complainant or student respondent, 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.

H. 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.
- *Letter to Parent(s) or Guardian*
- Any employee of the University found responsible for any element of this Policy is subject to discipline or other corrective action in accordance with the University Personnel Handbook, the Faculty Handbook, and any other applicable policy up to and including termination. (See Personnel Handbook, 12.8 Disciplinary Policy, https://www.une.edu/hr/policies)

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.

I. Applicable Procedures Under this Policy

In response to a report of sex discrimination, sexual harassment, sexual misconduct not covered by Title IX but covered 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 complaint, which will prompt an investigation and grievance process; (3) by the Title IX Coordinator filing a 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 involving students,** please see the process below.

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.

VII. THE UNIVERSITY OF NEW ENGLAND'S GRIEVANCE POLICY FOR ADDRESSING COMPLAINTS OF SEX DISCRIMINATION AND NON-TITLE IX SEXUAL HARASSMENT

This section describes the grievance procedures that govern the adjudication of a complaint of sex discrimination, including sexual harassment, involving a student as a party.

A. Filing a Complaint

Who can make a Complaint?

The following persons have a right to make a complaint of sex discrimination, including complaints of sexual harassment, requesting that UNE investigate and make a determination about alleged discrimination under this policy:

- A Complainant, which includes:
- a student or employee of the University who is alleged to have been subjected to conduct that could constitute sexual harassment under Title IX;
- or a person other than a student or employee of the University who is alleged to have been subjected to conduct that could constitute sexual harassment under Title IX at a time when that individual was participating or attempting to participate in the University's Education Program or Activity;
- A parent, guardian, or other authorized legal representative with the legal right to act on behalf of a Complainant; or
- The Title IX Coordinator, after making the determination specified below.

The following persons have a right to make a complaint of sex discrimination other than sexual harassment requesting that UNE investigate and make a determination about alleged discrimination under this policy:

- Any student; or
- Any person other than a student or employee who was participating or attempting to participate in UNE's education program or activity at the time of the alleged sex discrimination.

Who can I report a Complaint to?

Any reports of sex discrimination and sexual harassment may be made directly to the Title IX Coordinator, whose contact information is listed at the beginning of this Grievance Procedure. There are other ways in which a Party may report a Complaint.

The University requires that any employee who is not a Confidential Employee 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 must notify the Title IX Coordinator when the employee has information about conduct that reasonably may constitute Sexual Harassment.

All other employees at UNE who are not Confidential Employees and are not employees as identified above are required to notify the Title IX Coordinator when the employee has information about conduct that reasonably may constitute sex-discrimination, including sexual harassment.

Note: If an employee has personally been subjected to conduct that reasonably may constitute sex discrimination under Title IX or any institutional policy or this Grievance Procedure, these reporting requirements do not apply to an employee reporting a personal Complaint.

Can I make a Complaint and request initiation of the Grievance Procedure even if I have made a complaint to law enforcement?

Yes. UNE has an obligation to appropriately evaluate all Complaints, regardless of whether there is a concurrent Complaint before law enforcement. This process is an administrative process that is different from the criminal justice process.

Title IX Coordinator initiated Complaints:

In the absence of a Complaint or the withdrawal of any or all of the allegations in a Complaint, and in the absence or termination of an Informal Resolution process, the Title IX Coordinator must determine whether

to initiate a Complaint of sex discrimination or sexual harassment. This determination is fact-specific, and the Title IX Coordinator must consider:

- The Complainant's request not to proceed with the initiation of a Complaint;
- The Complainant's reasonable safety concerns regarding initiation of a Complaint;
- The risk that additional acts of sex discrimination or sexual harassment would occur if a Complaint were not initiated;
- The severity of the alleged sex discrimination or sexual harassment, including whether the sex discrimination or sexual harassment, if established, would require the removal of a Respondent from campus or imposition of another disciplinary sanction to end the sex discrimination or sexual harassment and prevent its recurrence;
- The age and relationship of the Parties, including whether the Respondent is a UNE employee;
- The scope of the alleged sex discrimination or sexual harassment, including information suggesting a pattern, ongoing sex discrimination or sexual harassment alleged to have impacted multiple individuals;
- The availability of evidence to assist a decisionmaker in determining whether sex discrimination or sexual harassment occurred; and
- Whether the University could end the alleged sex discrimination or sexual harassment and prevent its recurrence without initiating these grievance procedures.

If after considering these and other relevant factors, the Title IX Coordinator determines that the conduct as alleged present as an imminent and serious threat to the health or safety of the Complainant or other person, or that the conduct as alleged prevents UNE from ensuring equal access on the basis of sex to its Education Program or Activity, the Title IX Coordinator may initiate a Complaint.

If the Title IX Coordinator does initiate the Complaint after making this determination, the Title IX Coordinator must notify the Complainant prior to doing so and appropriately address reasonable concerns about the Complainant's safety or the safety of others, including by providing supportive measures as listed in Section E of these procedures.

Format of the Complaint

As defined in ***DEFINITION SECTION (III (D) (Complaint)*** of these procedures, a Complaint can be an oral or written request to the University that objectively can be understood as a request for UNE to investigate and make a determination about alleged sex discrimination or sexual harassment at the institution.

B. Multi-Party Situation

The University may consolidate Complaints alleging sex discrimination or 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 sex discrimination or sexual harassment arise out of the same facts or circumstances.

UNE can consider factors when making this fact-specific determination, which include, but are not limited to:

- The facts and circumstances of the particular Complaint when deciding whether to consolidate, including the toll of separate proceedings on the Parties; and
- Any risks to the fairness of the investigation or outcome.

C. Dismissal of a Complaint

Grounds for Dismissal:

A complaint may be dismissed for any of the following reasons:

- UNE is unable to identify the respondent after taking reasonable steps to do so;
- The respondent is not participating in UNE's education program or activity and is not employed by UNE;
- The complainant voluntarily withdraws any or all of the allegations in the complaint, the Title IX Coordinator declines to initiate a complaint, and UNE determines that, without the complainant's

withdrawn allegations, the conduct that remains alleged in the complaint, if any, would not constitute sexual harassment under Title IX or this part even if proven; or
- UNE determines the conduct alleged in the complaint, even if proven, would not constitute sexual harassment under this policy.

Prior to dismissing the complaint under this paragraph, UNE will make reasonable efforts to clarify the allegations with the complainant.

Notice of Dismissal

If the University dismisses a complaint, UNE will promptly notify the complainant of the basis for the dismissal. If the dismissal occurs after the respondent has been notified of the allegations, UNE will also notify the respondent of the dismissal and the basis for the dismissal promptly following notification to the complainant, or simultaneously if notification is in writing.

Appealing the Dismissal of a Complaint

A dismissal may be appealed by either party as provided below. If the dismissal is appealed, UNE will do the following:

- Notify the parties of any appeal, including notice of the allegations consistent with paragraph (c) of this section if notice was not previously provided to the respondent;
- Implement appeal procedures equally for the parties;
- Ensure that the decisionmaker for the appeal did not take part in an investigation of the allegations or dismissal of the complaint;
- Ensure that the decisionmaker for the appeal has been trained as set forth in the Title IX regulations;
- Provide the parties a reasonable and equal opportunity to make a statement in support of, or challenging, the outcome; and
- Notify the parties of the result of the appeal and the rationale for the result.

When UNE dismisses a complaint, it will still offer supportive measures to the complainant as appropriate. Except when a respondent is either not identified or is no longer participating in UNE's education program or activity, UNE will also offer supportive measures to the respondent as appropriate.

When UNE dismisses a complaint, the Title IX Coordinator will take other appropriate prompt and effective steps to ensure that sexual harassment does not continue or recur within UNE's education program or activity.

D. Allegations Potentially Falling Under Two Policies

If the alleged conduct, if true, includes conduct that would not constitute sexual harassment covered under Title IX but includes sex discrimination or sexual harassment that constitute covered conduct under this Policy, this policy will be applied in the investigation and adjudication of all of the allegations.

E. Advisor of Choice and Participation of Advisor of Choice

A Party's advisor of choice may accompany the Party to any meeting or proceeding, and that UNE cannot limit the choice of who that advisor may be or their presence for the Parties in any meeting or proceeding unless such advisor does not follow UNE's established rules of decorum and rules around participation.

F. Complaint Investigation

Throughout its grievance procedures, UNE will treat both complainants and respondents equitably. The Title IX Coordinator, investigator, and decisionmakers may not be involved in the adjudication of any complaint under UNE's grievance procedures if they have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent.

All investigations are conducted with the presumption that the respondent is not responsible for the alleged sexual harassment until a determination is made at the conclusion of UNE's grievance procedures for complaints of sex discrimination, including sexual harassment.

After a complaint has been received or otherwise initiated and the matter has been determined to fall within the scope of this Policy, the following process will be followed:

Written Notice of Allegations

Within **ten (10) business days** of the determination that the grievance procedures under this section applies and that the matter will not be dismissed, UNE will provide written notice to the parties whose identities are known with sufficient time for the parties to prepare a response before any initial interview. The written notice will include the following information:

- Information about the grievance procedures and the opportunity to pursue an Informal Resolution set forth in this Policy;
- Sufficient information available at the time to allow the parties to respond to the allegations, which includes:
  - the identities of the parties involved in the incident(s),
- the conduct alleged to constitute sexual harassment under this Policy, and
  - the date(s) and location(s) of the alleged incident(s), to the extent that information is available to UNE;
- The respondent is presumed not responsible for the alleged sexual harassment until a determination is made at the conclusion of the grievance procedures under this section and that prior to the determination, the parties will have an opportunity to present relevant and not otherwise impermissible evidence to a trained, impartial decisionmaker;
- A statement that retaliation, including peer retaliation, is prohibited;
- Notice that the parties are entitled to an equal opportunity to access the relevant and not otherwise impermissible evidence or an investigative report that accurately summarizes this evidence; and if the postsecondary institution provides access to an investigative report, the parties are entitled to an equal opportunity to access to the relevant and not otherwise impermissible evidence upon the request of any party.
- Notice that the parties may have an advisor of their choice who may be, but is not required to be, an attorney, and who may be present in any meeting or proceeding, subject to restrictions applicable to both parties and as set forth in this Policy;
- Notice that UNE prohibits knowingly making false statements or knowingly submitting false information during the grievance procedure.

Written Notice of Additional Allegations

If, in the course of an investigation, UNE decides to investigate additional allegations of sex discrimination or sexual harassment by the respondent toward the complainant that are not included in the initial written notice or that are included in a complaint that is consolidated UNE will provide written notice of the additional allegations to the parties whose identities are known.

Possible Delay of The Provision of a Notice of Allegations

To the extent that UNE has reasonable concerns for the safety of any person as a result of providing notice of allegations, UNE may reasonably delay providing written notice of the allegations in order to address the safety concern appropriately. Reasonable concerns will be based on individualized safety and risk analysis and not on mere speculation or stereotypes.

Participation of Students in Investigation

No student is required to participate in the investigation, but a lack of any student's participation will not alone cause UNE to cease its investigation. Students should be aware that any lack of participation can have an impact on UNE's ability to investigate the complaint.

Investigation

All allegations of discriminatory harassment and sexual misconduct will be investigated either by the University's Title IX Coordinator, internal Title IX Investigator and Prevention Specialist, or designee, or at the University's sole discretion by an outside Investigator (hereafter referred to as "Investigator"). Within **one hundred (100) business days**, the Investigator will attempt to complete the investigation, although it must be recognized that the length of time for an investigation depends on the scope of the

allegations, the number of witnesses, the availability of the witnesses, the number of documents to be reviewed, time for the parties to review and respond to the record and a draft report, and the length and complexity of a final report. The Investigator will make best efforts to be expeditious in conducting interviews, gathering evidence, and producing a final report but will not sacrifice thoroughness for a specific time frame for completion.
Extensions of any timeframes set forth in this Policy may be granted on a case-by-case basis for good cause shown with all parties receiving notice and the reason for any delay.

Interviews
The Investigator will communicate with and interview both parties and will provide both parties with the opportunity to identify witnesses and or documents, such as texts or other electronic media, that either party would like the Investigator to consider as evidence.
The Investigator may meet with the Complainant, the Respondent, and any witnesses deemed to have relevant information in any order the Investigator deems appropriate. The Investigator may also meet with either party or any of the witnesses more than once.
During the interviews, the Complainant and the Respondent may both choose to have an advisor and/or a support person with them. The advisor may be a member of the UNE community or 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.

Notice of Meetings and Interviews
The University will provide, to a party whose participation is invited or expected, written notice 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 Non-Title IX Sexual Discrimination and Harassment Process, which may be granted or denied for good cause shown in the sole judgment of the Title IX Coordinator, the Associate 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 will 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 will generally be granted.
The Title IX Coordinator, the Associate Vice President of Human Resources & Chief Human Resources Officer, or designee shall have sole judgment to grant further pauses in the Process.

Other Information Gathering
The Investigator will gather other relevant information or evidence, including documents, photographs, communications, card swipe records, video evidence, and electronic records.
The Investigator will review evidence and determine what evidence is relevant and what evidence is impermissible even if relevant.

1. 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.

2. Irrelevant evidence and questions

"Irrelevant" evidence and questions do not include the following types of evidence and questions, which are deemed "irrelevant" or otherwise impermissible at all stages of the process under this policy:

- 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.
- The Investigator may visit relevant sites and locations. The Investigator may also consider publicly available social media or online sources, though will generally not actively monitor online information.
- The Investigator may, in certain cases, consult with witnesses who have subject matter expertise related to issues involved in the investigation (e.g., medical professional to opine on physical injury). Generally, neither party will be permitted to present expert witnesses, but if such expert witnesses are permitted in extraordinary circumstances, all parties will be provided the opportunity to present an expert witness.
- Character witnesses are not permitted.
- The Investigator has the discretion to determine which witnesses to interview and what evidence to collect, as well as to determine the relevance of such information. Both parties may submit questions to the Investigator that they want to be asked of the other party and/or witnesses by the Investigator. The Investigator has the discretion to determine the relevance of any questions posed and, therefore, which questions to ask. There is a presumption that all investigatory interviews conducted by the investigators will be recorded electronically in accordance with the University Investigative Interview Recording Policy.

Process for Parties to Propose Questions to be asked by the Investigator

Each party will be allowed multiple opportunities to provide the Investigator with questions they wish the Investigator to pose to the other parties or witnesses. Questions must be submitted to the Investigator in writing.

- The Investigator will ask the parties as part of initial interviews if they have any questions they wish the Investigator to pose of the other parties and a reasonable time frame within which to provide these questions.
- In subsequent meetings with the parties, the Investigator will provide additional information gathered including answers to questions posed by the parties. The Investigator will also provide additional opportunities for the party to provide new questions for the Investigator to pose for the other party or witnesses. Parties may be asked to explain how the questions provided by the parties are related or relevant to the investigation.
- When asking questions requested of one party to a witness or the other party, the Investigator will provide each party with a transcript of the questions and answers with enough time for the requesting party to have a reasonable opportunity to propose follow-up questions.

- The Investigator may reframe questions to align with rules outlined above regarding *Relevant Information* and/or *Irrelevant Information* and may choose not to ask a question if it does not comply with these requirements. The Investigator may also combine questions. The Investigator will document for the Record the questions requested by each party, the questions the Investigator posed at the request of the parties and the rationale for not asking specific requested questions.
- Parties will be provided with access to interview transcripts as part of the review of the Record (see process below: ***Parties' Review and Response to the Record***).

Parties' Review of and Response to the Record

After all interviews have been completed, documentary evidence obtained, and the investigation phase is complete, both the Complainant and the Respondent shall be provided an opportunity to review a copy of all interview summaries (or transcripts) and the evidence the Investigator deems relevant and intends to rely upon in the Investigator's findings ("the Record"). Redactions will be made as appropriate to comply with applicable privacy laws and as necessary to exclude information that is irrelevant, prejudicial, and/or protected by a privilege where appropriate consents for disclosure have not been obtained (e.g., information subject to rape shield protection or personal health information) to protect students' personally identifiable information involving matters outside the scope of the investigation.

The parties will have ten (10) business days to inspect and review the evidence and submit a written response by email to the investigator. The responses may include any additional questions the Parties want to have asked of the other Party or Witnesses or additional evidence to provide. The investigator will consider the parties' written responses before completing the Investigative Report and may seek additional evidence or information as a result of the Parties' responses. The Investigator will document any additional questions asked or information gathered or the rationale for this information not being included and resubmit the Record for final review. Parties may request a reasonable extension as their designated extension request. The Investigator will review and consider the parties' statements (to the extent timely submitted) in the investigation report.

Creation and Review of Investigation Report

The Investigator will write a report that will set forth findings of fact, which shall include assessments of credibility when applicable and appropriate. Based on those findings of fact and the applicable provisions of University policy, the Investigator will make a recommended finding based on the preponderance of the evidence standard as to whether or not the Investigator finds the Respondent responsible for any of the allegations of violation of University policy set forth in the letter of specific allegations sent to the Respondent prior to the start of the investigation. The Investigator shall not make any recommendation as to possible sanctions.

If the alleged facts, even if substantiated, would not meet the specific policy elements of conduct that are prohibited by this Policy, the Investigator may recommend to the Title IX Coordinator either (1) dismiss the complaint or (2) refer the complaint for resolution under a separate University policy and process, as applicable. If the Investigator recommends a dismissal of the complaint, the parties shall have the opportunity to appeal the dismissal decision by initiating the appeal process for any of the reasons set forth under **Section VIII Appeals below.**

The Parties will be given access to the investigative report at least ten (10) business days prior to the beginning of the process by which the Hearing Panel will make its determination whether sexual harassment occurred. Parties will receive notice of access to the investigative report when they receive their notice of hearing from the Office of Student Resolutions. For processes involving employees as respondents, the report will be submitted to the appropriate Employee Relations process. For processes involving students as a party, refer to the process below.

G. Hearing Panel

UNE will not conduct a live hearing but will provide the parties with the opportunity to question parties and witnesses. Following the completion of the investigation report, the Title IX Coordinator will submit the

report to the Director of the Office for Student Resolution and request that the Director convene a three-person Hearing Panel. Following the conclusion of the Hearing Panel, the Panelists will convene to deliberate in order to make a determination of responsibility.

Hearing Panelist Duties

The Hearing Panel will be chaired by the Director of the Office for Student Resolution (or designee) and a two-person panel of decision-makers. Based on the findings of facts, the Hearing Panel shall meet to consider the recommended findings of the investigator to determine whether there is sufficient evidence, by a preponderance of the evidence, to establish that the Respondent engaged in conduct that is prohibited by this Policy, the Hearing Panel and/or other applicable professional code of conduct and to determine what sanctions, if any, are appropriate for the violations. The Hearing Panel may accept or reject the recommended findings of the investigator. The Hearing Panel may also direct the investigator to conduct any follow up inquiry or investigation the Hearing Panel deems necessary to reach a final determination.

Optional Party Attendance at Hearing Panel

Both the Complainant and the Respondent shall each have the opportunity to appear before the Hearing Panel to address the investigator's recommended findings and the material issues before the Panel. The Parties may submit a written statement to the Hearing Panel that may be read aloud by the Party at the Hearing. They may also choose to submit a statement in writing to the Hearing Panel and to not appear in person. An appearance by either the Complainant or the Respondent is voluntary and not required.

Advisor Attendance and Conduct at Hearing Panel

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

Process for Questioning Parties and Witnesses

The Hearing Panel, as the decisionmakers, are permitted, but are not required, to question parties and/or witnesses, to adequately assess creditability to the extent credibility is both in dispute and relevant to evaluating one or more allegations of sex discrimination or sexual harassment.

To the extent that the decisionmakers have or permit questions, the decisionmakers must first determine whether the question is relevant and not otherwise impermissible prior to the question being posed, and must explain any decision to exclude a question as not relevant or otherwise impermissible. If the decisionmakers determines that a party's question is relevant and not otherwise impermissible, then the question must be asked except that UNE will not permit questions that are unclear or harassing of the party or witness being questioned. The decisionmakers must give a party an opportunity to clarify or revise a question that the decisionmaker has determined is unclear or harassing and, if the party sufficiently clarifies or revises a question to satisfy the terms of this paragraph, the question must be asked. The Hearing Panel may choose to place less or no weight upon statements by a party or witness who refuses to respond to questions deemed relevant and not impermissible. The Hearing Panel may not, however, draw an inference about when the sexual harassment, occurred based solely on a party's or witness's refusal to respond to such questions.

Hearing Panel Deliberations

At the conclusion of the Hearing, the Chair will dismiss the parties or witnesses, if present, at the conclusion of the hearing process, from the virtual hearing room. The Hearing Panel shall meet to consider all of the information presented to them, including the report of the Investigator and the recommended findings of the Investigator to determine whether there is sufficient evidence, by a preponderance of the evidence,

to conclude that the Respondent engaged in conduct that is prohibited by this Policy and/or other applicable professional code of conduct and to determine what sanctions, if any, are appropriate for the violations. The Hearing Panel may accept or reject the recommended findings of the Investigator. The Hearing Panel may also direct the Investigator to conduct any follow-up inquiry or investigation the Hearing Panel deems necessary to reach a final determination.
The decisionmaker is required to evaluate Relevant and not otherwise impermissible evidence for its persuasiveness. If the decisionmaker is not persuaded under the applicable standard by the evidence that sex discrimination or sexual harassment occurred, whatever the quantity of the evidence is, the decisionmaker must not determine that sex discrimination or sexual harassment occurred.

Determinations regarding responsibility may be based in part, or entirely, on documentary, audiovisual, and digital evidence, as warranted in the reasoned judgment of the decisionmaker. Decisionmakers shall not draw inferences regarding a Party or witness' credibility based on the Party or witness' status as a Complainant, Respondent, or witness, nor shall it base its judgments in stereotypes about how a Party or witness would or should act under the circumstances.

Generally, credibility judgments should rest on 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. However, credibility judgments should not rest on whether a Party or witness' testimony is non-linear or incomplete, or if the Party or witness is displaying stress or anxiety.

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

Standard of Proof
UNE uses the preponderance of the evidence standard of proof to determine whether or not sex discrimination or sexual harassment occurred. This means that the investigation and hearing determine whether it is more likely than not that a violation of the of this Policy occurred.

Hearing Panel Written Determination
Within thirty (30) business days from the beginning of the process described immediately above, the Hearing Panel shall make a determination of responsibility and, if the Respondent is found responsible, what, if any, sanctions should be assigned for the violations of the provisions of this Policy. The determination of responsibility and sanctioning portions of the Hearing may be bifurcated.
If the Respondent is found responsible and is an undergraduate, graduate, or professional student in a program with a professional code of conduct, a faculty member from the student's College or Program shall be added to the Hearing Panel to address applicable professional code of conduct issues and serve as an additional decision maker on sanctioning only. In determining sanctions, the Panel shall consider the final investigation report, the statements made by the parties in the hearing, and any previously adjudicated violations of the Student Conduct Code and any related sanctions.
Once the Panel has reached its decision, the Hearing Panel shall be responsible for creating or causing to be created a written determination that will be provided to the parties simultaneously and will include the following:

- A description of the alleged sex discrimination or sexual harassment;
- Information about the policies and procedures that the Hearing Panel used to evaluate the allegations;
- The Hearing Panel's evaluation of the relevant and not otherwise impermissible evidence and determination whether a violation of this Policy occurred;

- If the Hearing Panel concludes that a violation occurred, the letter will set forth any disciplinary sanctions to be imposed on the respondent, whether remedies other than the imposition of disciplinary sanctions will be provided UNE to the complainant, and, to the extent appropriate, other students identified in the grievance process to be experiencing the effects of the sexual harassment; and
- The procedures for the complainant and respondent to appeal.

Once the Panel has finalized its written determination, the Panel will send the written determination to the Title IX Coordinator on the same day that the written determination finalized. The Title IX Coordinator will then inform the Complainant and the Respondent of the decision in writing no later than seven (7) business days after the written determination was finalized.

VIII. APPEALS

For appeals resulting from dismissal of a Complaint, please see the section on Dismissal of Complaints. 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, Associate Vice President of Human Resources, or designee, within **ten (10) business** days of being notified of the decision, indicating the grounds for the appeal.

The limited grounds for appeal available are as follows:

- Procedural irregularity that would change the outcome;
- New evidence that would change the outcome and that was not reasonably available when the determination whether sexual harassment occurred, or dismissal was made; and
- The Title IX Coordinator, investigator, or decisionmaker had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that would change the outcome.

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.

IX. INFORMAL RESOLUTION

At any time prior to determining whether sex-discrimination, including sexual harassment occurred under this Grievance Procedure, including prior to making a Complaint, either party may seek UNE's assistance to resolve allegations of sex discrimination or sexual 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 until 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 reinstate 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 sexual 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 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 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.

X. 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 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 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:

A. 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:

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 immediate emergency and ongoing medical care, STD (sexually transmitted disease) testing, and pregnancy testing and prevention. With the 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 Resource Advisor (CRA) Support

The University has a designated **Confidential Resource Advisor (CRA) for Students.** This individual can receive disclosures or a report from an individual student 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 Freiheit	*Counselor and Confidential Resource Advisor*	207-602-2549	nfreiheit@une.edu

The University has arranged with Sexual Assault Response Services of Southern Maine (SARSSM) to serve as the **Confidential Resource Advisor (CRA) for employees**. This organization can receive disclosures or a report from an individual and maintain the information in a confidential way. An employee can contact the CRA and make a disclosure. The CRA can assist the employee in accessing on-campus supportive resources and can do a direct referral to SARSSM for full advocacy support services.

SARSSM	*Confidential Resource Advisor/Advocacy Services*	800-871-7741	https://www.sarssm.org/

B. 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:

Angela Shambarger *Title IX Coordinator; Senior Director, Office of Title IX and Civil Rights Compliance*			
ashambarger@une.edu	207-221-4554	Mailing Address: 11 Hills Beach Road Biddeford, ME 04005	Office Locations: *Biddeford Campus:* HR Building *Portland Campus:* McDougall Hall 102

Deputy Title IX Coordinators:

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

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 East Residence Hall

Intercultural Student Engagement

This Office can help connect students 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 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

Employee Assistance Program

The Standard offers EAP benefits through HealthAdvocate to eligible employees and their dependents/household members. Covered individuals may contact master's-degreed clinicians 24/7 by phone, online, live chat, email, and text. There's even a mobile EAP app. Receive referrals to support groups, a network counselor, community resources, or your health plan. If necessary, you'll be connected to emergency services. Your program includes up to six assessment and counseling sessions per issue. Sessions can be done in person, on the phone, or by video.

Employee Assistance Program **https://www.une.edu/hr/benefits/employee-assistance-program**
Eligibility All employees, your spouse, domestic partner, married or unmarried dependent children up to age 26 All other household members **Contact** Contact The Standard EAP services 24/7 for confidential support and resources 877-851-1631 **healthadvocate.com/standard6**

Services include: Counseling Services Work/Life Services Legal Services

C. 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, ME04101 **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

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/

National Suicide Prevention Lifeline (Confidential Resource)
988 (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.

National Suicide Prevention Lifeline
Call/Text: 988 **Chat:** 988lifeline.org

D. 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)
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/

E. 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 Alfond 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

F. 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.