



The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act requires all colleges and universities that participate in federal financial aid programs to keep and disclose information about crime on and near their respective campuses.

Unity College presents its annual security report consisting of two parts.

Part I contains statistics concerning specific crimes reported to campus public safety authorities or local police agencies.

Part II contains summaries of policies as they relate to campus security and services provided by Unity College Public Safety

PART I:

Statistics concerning criminal offenses, VAWA offenses, arrests, and disciplinary actions reported during the calendar years of 2016, 2017, 2018.

Category	Location	2016	2017	2018
<u>Criminal Offenses</u> Murder/Non-negligent manslaughter	On campus	0	0	0
	On campus student housing facilities	0	0	0
	Noncampus	0	0	0
	Public Property	0	0	0
Manslaughter by negligence	On campus	0	0	0
	On campus student housing facilities	0	0	0
	Noncampus	0	0	0
	Public Property	0	0	0
Rape	On campus	0	2	3
	On campus student housing facilities	0	2	2
	Noncampus	0	4	0
	Public Property	0	2	0
Fondling	On campus	8	4	4
	On campus student housing facilities	5	4	4
	Noncampus	0	0	0
	Public Property	0	0	0
Incest	On campus	0	0	0
	On campus student housing facilities	0	0	0
	Noncampus	0	0	0
	Public Property	0	0	0

Statutory rape	On campus	0	0	0
	On campus student housing facilities	0	0	0
	Noncampus	0	0	0
	Public Property	0	0	0
Robbery	On campus	0	0	0
	On campus student housing facilities	0	0	0
	Noncampus	0	0	0
	Public Property	0	0	0
Aggravated Assault	On campus	0	0	1
	On campus student housing facilities	0	0	1
	Noncampus	0	0	0
	Public Property	0	0	0
Burglary	On campus	0	3	0
	On campus student housing facilities	0	1	0
	Noncampus	0	2	0
	Public Property	0	0	0
Motor Vehicle Theft	On campus	0	0	0
	On campus student housing facilities	0	0	0
	Noncampus	0	0	0
	Public Property	0	0	0
Arson	On campus	0	0	0
	On campus student housing facilities	0	0	0
	Noncampus	0	0	0
	Public Property	0	0	0
<u>Hate Crimes</u> Murder/Non-negligent manslaughter	On campus	0	0	0
	On campus student housing facilities	0	0	0
	Noncampus	0	0	0
	Public Property	0	0	0
Rape	On campus	0	0	0
	On campus student housing facilities	0	0	0
	Noncampus	0	0	0
	Public Property	0	0	0
Fondling	On campus	0	0	0
	On campus student housing facilities	0	0	0
	Noncampus	0	0	0
	Public Property	0	0	0
Incest	On campus	0	0	0
	On campus student housing facilities	0	0	0

	Noncampus	0	0	0
	Public Property	0	0	0
Statutory rape	On campus	0	0	0
	On campus student housing facilities	0	0	0
	Noncampus	0	0	0
	Public Property	0	0	0
Robbery	On campus	0	0	0
	On campus student housing facilities	0	0	0
	Noncampus	0	0	0
	Public Property	0	0	0
Aggravated Assault	On campus	0	0	0
	On campus student housing facilities	0	0	0
	Noncampus	0	0	0
	Public Property	0	0	0
Burglary	On campus	0	0	0
	On campus student housing facilities	0	0	0
	Noncampus	0	0	0
	Public Property	0	0	0
Motor Vehicle Theft	On campus	0	0	0
	On campus student housing facilities	0	0	0
	Noncampus	0	0	0
	Public Property	0	0	0
Arson	On campus	0	0	0
	On campus student housing facilities	0	0	0
	Noncampus	0	0	0
	Public Property	0	0	0
Simple assault	On campus	0	0	0
	On campus student housing facilities	0	0	0
	Noncampus	0	0	0
	Public Property	0	0	0
Larceny-Theft	On campus	0	0	0
	On campus student housing facilities	0	0	0
	Noncampus	0	0	0
	Public Property	0	0	0
Intimidation	On campus	0	0	0
	On campus student housing facilities	0	0	0
	Noncampus	0	0	0
	Public Property	0	0	0

Destruction/damage/ vandalism of property	On campus	0	0	0
	On campus student housing facilities	0	0	0
	Noncampus	0	0	0
	Public Property	0	0	0
<u>VAWA Offenses</u> Domestic Violence	On campus	0	0	0
	On campus student housing facilities	0	0	0
	Noncampus	0	0	0
	Public Property	0	0	0
Dating Violence	On campus	0	0	1
	On campus student housing facilities	0	0	1
	Noncampus	0	0	0
	Public Property	0	0	0
Stalking	On campus	3	2	3
	On campus student housing facilities	3	2	3
	Noncampus	0	0	0
	Public Property	0	0	0
<u>Arrests</u> Weapons	On campus	0	0	0
	On campus student housing facilities	0	0	0
	Noncampus	0	0	0
	Public Property	0	0	0
Drug Abuse Violations	On campus	0	1	0
	On campus student housing facilities	0	1	0
	Noncampus	0	0	0
	Public Property	0	0	0
Liquor law violations	On campus	0	0	1
	On campus student housing facilities	0	0	0
	Noncampus	0	0	0
	Public Property	0	0	0
<u>Disciplinary Actions</u> Weapons	On campus	0	0	4
	On campus student housing facilities	0	0	4
	Noncampus	0	0	0
	Public Property	0	0	0
Drug Abuse Violations	On campus	12	6	4
	On campus student housing facilities	12	6	4
	Noncampus	0	0	0
	Public Property	0	0	0
Liquor law violations	On campus	28	7	6
	On campus student housing facilities	25	7	6

	Noncampus	0	0	0
	Public Property	0	0	0
<u>Unfounded Crimes</u>	On campus	0	0	0
	On campus student housing facilities	0	0	0
	Noncampus	0	0	0
	Public Property	0	0	0
Category	Location	2016	2017	2018

PART II:

Professional public safety services at Unity College are available on a full-time basis. Public Safety is overseen by the Director of Buildings and Grounds/Public Safety, and consists of 6 full time Public Safety Officers and 1 Chief Public Safety Officer. Public Safety provides professional Public Safety services in the student residence areas, other areas on campus and at the satellite campuses (McKay Farm, Field of Dreams, and Performing Arts Center). Public safety services can be obtained through by calling 207-509-7232 and via emergency call boxes located throughout campus.

Unity College has policies relating to the safety and security of students while on campus. Most of the policies are found in the “**Student Handbook**”. Some of these policies include:

A. Alcohol Policy

In summary this policy states, that Unity College abides by an area defined to include the laws of the State of Maine and has developed policies reflecting these laws. These policies include a prohibition on possession of an “open container” of alcohol in a public area, an area defined to include all outside areas, parking lots, residence hallways and lounges, and residence bathrooms.

Further policies relating to alcohol on campus include a maximum amount of alcoholic beverage allowed in a residence room, underage drinking and providing alcohol to a person not of legal age to consume alcohol.

B. Firearms Policy

In recognition of the unique nature of Unity College and its programs in environmental sciences and its many outdoor activities, students are allowed to possess firearms. The student owned firearms are stored on campus in a secure area. Possession, use, and transportation of a firearm on campus are strictly regulated.

C. Motor Vehicle Use

Motor Vehicle use on campus is regulated through policies, which include:

1. Parking regulations
2. Speed limits
3. Reckless conduct with a motor vehicle
4. Operating a motor vehicle on areas other than roadways or parking lots
5. The blocking of fire lanes

The manner in which infractions are dealt with on campus is through a series of official violation notices. The first such notice is considered a warning. Second and third notices received by a student will result in

an ever-increasing monetary penalty. A fourth notice may result in the vehicle being towed at the owner's expense.

D. Access to Academic Buildings and Residence Halls

Residence halls are kept locked 24/7/365. The Public Safety Officers control access to facilities after the normal business day has concluded. Unless a special request is received to keep a facility open, the Public Safety Department insures that all campus buildings are secure. The "Student Handbook" provisions govern access to residence halls. In brief, students may have guests for a limited period of time, provided that the guests are properly registered with the Director of Residence Life. Students are assigned rooms and may not occupy any other room.

E. Law Enforcement Authority

Public Safety Officers do not have authority to arrest. Unity College contacts local, county, and state agencies when needed. The College has a very good working relationship with all law enforcement agencies.

F. Security Awareness

Public Safety will present security and safety awareness programs to students along with the Dean of Students and Resident Life staff during the school term.

G. Emergency Response

Protocol for obtaining emergency assistance when needed is as follows:

- A. Call 911.
- B. Call Public Safety at 509-7232
- C. If the lines are busy or there is no answer call:
 - 1. Waldo Sheriff's Dept. 1-800-660-3398
 - 2. State Police 1-800-452-4664

H. Fire Safety

Public Safety will, on a regular basis, monitor and maintain all fire extinguishers, heat and smoke sensing devices, exit lights, and emergency lighting throughout the campus. Fire drills in the residence halls will be scheduled during the school year, and will be supervised and documented by the Public Safety.

I. Sexual Misconduct Policy

Unity College strives to provide an environment where the safety and well-being of our students is the primary concern. If you or someone you know may be the victim of any type of sexual misconduct, you are strongly urged to seek immediate assistance from available resources.

What to Do in a Case of Sexual Assault?

If you are, or a friend is, sexually assaulted:

1. Get to a safe place. Put your safety first. If you cannot get to a phone, do whatever you can to attract someone's attention to get to a safe place.

2. Do not bathe, shower or change clothes. It is recognized that a sexual assault survivor may be undecided in reporting the assault to the police or public safety officer. A report to the police can empower the survivor in exercising legal rights and aid in the protection of others. Unity College personnel will offer to assist the survivor to report the assault to either college or community authorities. If a report is to be made to the police, the survivor will be encouraged not to destroy evidence by bathing, douching, or changing clothes or cleaning up in any way. If the sexual assault survivor is undecided in reporting, the survivor will be encouraged to proceed with the medical evaluation to preserve evidence in case the survivor decides to file a police report at a later date. The survivor will be informed that the collection of evidence will not activate a police file and that only the survivor can initiate police action. Evidence collection is most effective as soon as feasible after the assault has occurred, but may take place for up to 72 hours after the incident. Always wear (or bring) with you the clothes that were worn at the time of the assault. All reports to the police or public safety are to be made only at the request of the survivor.

3. Call for assistance. In the event of an immediate medical emergency, medical response personnel should be contacted by calling 911.

4. Call a sexual assault advocate, trusted friend, or family member to be with you.

Also consider calling the following resources:

Statewide Sexual Assault Crisis Hotline—800-871-7741 (will connect you with support services wherever you are in Maine).

SASSMM—Sexual Assault Support Services of Midcoast Maine 800-871-7741
(<http://sassmm.org/>)

Maine State Police—207-624-7076

Unity College Public Safety Office—207-509-7232

Dean of Students/Title IX Coordinator—207-509-7241

Health and Wellness Center—207-509-7126

Counseling Services—207-509-7126

Housing Director/Deputy Title IX Coordinator—207-509-7284

NOTE: Any of the aforementioned Unity College personnel will give the sexual assault survivor a brochure listing choices, options, and procedures. The survivor will be encouraged to immediately contact the Statewide Sexual Assault Crisis Hotline or the Sexual Assault Support Services of Midcoast Maine to have an advocate assist the survivor with support, care, referral, procedure, and reporting choices. The survivor may find it will be very helpful to have a person who is trained in the dynamics of sexual assault with her/him as she/he goes through a very difficult and confusing process. 40

5. Obtain medical consultation. The sexual assault survivor who does not wish to see the police will be encouraged to seek immediate medical attention at Maine General Medical Center in Waterville. A medical consultation will address physical problems. Prompt medical attention can assure the survivor's physical well-being and minimize risks of becoming pregnant or contracting a sexually transmitted disease as a result of the rape. In order to be most effective, medical attention should be received as soon as possible or at least within 48 hours of the assault. The survivor should bring the clothes that were worn at

the time of the assault. The survivor should also bring another set of clothes to the hospital that can be worn home.

6. Seek counseling. Unity College recognizes the potential for long-term negative consequences of sexual assault. Individuals who have experienced sexual assault often benefit from professional counseling. Unity College Counseling Service offers counseling free of charge to sexual assault survivors. The counseling relationship is confidential within the legal and professional guidelines for the State of Maine. No information that the survivor shares with a counselor can be released without the survivor's consent. An exception to this is if there is a threat to the survivor's or someone else's safety, or if there is a disclosure of child abuse.

7. The sexual assault survivor will be notified of his/her option to report. A report to the police or campus authorities can empower the survivor in exercising legal rights and aid in the protection of others. Unity College personnel will notify the survivor of the option to report to internal or external authorities, encourage the student to report, and assist in the reporting if requested by the survivor.

Unity College's Support Network for Survivors of Sexual Violence

Many campus and community options are available to those members of the Unity College community who experience sexual assault. Though different members of the support network specialize in certain areas, each will provide referrals to any other person or organization as appropriate.

Sexual Assault Support Services of Midcoast Maine 800-871-7741 <http://sassmm.org/>

SASSMM provides 24-hour support for survivors of any sexual violence and also support for the survivor's friends and families. The agency staff provides advocacy services throughout the healing process including accompaniment through forensic evidence collection and law enforcement interviews. Waterville Rape Crisis Assistance and Prevention advocates also provide resources and referrals.

Health and Wellness Center (207-509-7126)

Survivors of sexual assault have the option to seek medical attention. The Health and Wellness Center can provide medical care as well as supportive care, confidential counseling, information on procedural options, reporting choices, and referral services. Education on pregnancy and STD/HIV prevention options is also available.

Counseling Services (207-509-7126)

Sexual assault carries with it the potential for negative, long-term mental health consequences. The Unity College counseling service provides confidential consultation, crisis response, supportive counseling, and referral services for survivors and concerned others.

Maine General Medical Center, Thayer Unit, Waterville (207-872-1300)

Inland Hospital, Waterville (207-861-3000)

Waldo County General Hospital, Belfast (207-338-2500)

Emergency departments in each of these locations will provide immediate medical attention and treatment to prevent pregnancy and most sexually transmitted diseases. Emergency department medical providers are able to collect evidence, if desired, for use in later criminal proceedings. This evidence cannot be released without the survivor's consent. 41

Dean of Students (207-509-7241)

The Dean can outline the options available to the survivor through the college and/or through the local authorities. The survivor may choose to adjudicate the case at Unity College through the Unity College judicial system, ask for assistance and/or support as s/he files a charge with the Waldo County Sheriff's Department or Maine State Police, or may request to have the name of the alleged violator of the Sexual

Misconduct Policy placed in a confidential record in the Student Affairs Office for possible use in the event that future complaints from other victims are received. The Dean of Students also may, upon the request of the complainant, arrange for a meeting of the complainant, the accused, and a counselor so as to allow the complainant the opportunity to address the accused in a safe and supportive setting in lieu of a formal judicial setting.

Public Safety Office (207-509-7232)

Public safety officers can provide survivor information, referrals to sexual assault support services, an options brochure, and pursue a course of action as chosen by the survivor.

Maine State Police (207-624-7076)

State police can pursue the case through the legal system. Survivors can call the police directly to report and can meet with them on campus. The police likely will recommend that the survivor go to a local hospital for medical treatment and the collection of evidence.

Title IX Requirements

As a recipient of federal funds, Unity College is required to comply with Title IX of the Education Amendments of 1972, which prohibits discrimination on the basis of sex in educational programs and activities. Sexual Misconduct, as defined by this policy, is a form of sex discrimination prohibited by Title IX. All members of our community have a right to be free from sexual harassment, violence and gender-based harassment. For purposes of this Policy, “Sexual Misconduct” includes sexual exploitation, sexual harassment, non-consensual sexual contact, and non-consensual sexual intercourse. Sexual misconduct is a serious offense that violates College policy and federal law and may be subject to criminal prosecution. The College encourages community members to report any act of Sexual Misconduct promptly to appropriate college officials or local law authority. Please note that the use of alcohol/drugs will not be accepted as a defense or mitigating factor to a violation of this policy.

A. Definitions of Terms

Sexual Harassment is defined as unwelcome gender-based verbal or physical conduct that is sufficiently severe, persistent, or pervasive that it has the effect of unreasonably interfering with, limiting, or depriving someone of the ability to participate in or benefit from the College’s educational programs, activities, or employment. Examples of sexual harassment include, but are not limited to:

- Subtle or persistent pressure for sexual activity
- Unnecessary touching, pinching, or brushing against a person
- Unwelcome communications (verbal, written, electronic, etc.) of a sexual nature
- Failure to accept the termination of a consensual relationship with repeated and persistent requests and behavior
- Indecent exposure
- Unwelcome commentary about an individual’s body or sexual behavior

Non-consensual sexual contact includes any intentional touching, however slight, whether clothed or unclothed, with any object or body part by a person against another person that is without consent and/or by force. Examples of non-consensual sexual contact include, but are not limited to:

- Intentional contact with the breasts, buttocks, groin or genitals
- Intentional touching of another with breasts, buttocks, groin or genitals
- Making another person touch someone or themselves in a sexual manner
- Any intentional bodily contact in a sexual manner

Non-consensual sexual intercourse includes any sexual intercourse, however slight, with any object or body part by a person against other person that is without consent and/or by force. Examples of non-consensual sexual intercourse include, but are not limited to:

- Vaginal penetration by a penis, object, tongue or finger
- Anal penetration by a penis, object, tongue or finger
- Oral copulation (mouth to genital contact or genital to mouth contact)

Sexual exploitation includes but is not limited to:

- Invasion of sexual privacy and voyeurism (in-person or through audio or video recording)
- Knowingly transmitting a sexually transmitted infection
- Exposing of a person's body or genitals
- Prostituting or soliciting another community member

Consent is an active, knowing and voluntary exchange of affirmative words and/or actions, which indicate a willingness to participate in a particular sexual activity. Consent must be freely and actively given. It is the responsibility of the initiator to obtain clear and affirmative responses at each stage of sexual involvement. The lack of a negative response is not consent. A person who is incapacitated by alcohol and/or drugs, whether voluntarily or involuntarily consumed, may not give consent. Neither consent to one form of sexual activity nor past relationships imply consent to future sexual activity.

Incapacitation is a state where someone cannot make rational, reasonable decisions due to a lack of capacity to give knowing consent (e.g., to understand the “who, what, when, where, why and how” of the sexual interaction).

Sexual activity with someone who is, or based on circumstances should reasonably have known to be, mentally or physically incapacitated (i.e., by alcohol or other drug use, unconsciousness or blackout) constitutes a violation of this policy. Other definitions include:

A person whose incapacity results from mental disability, sleep, involuntary physical restraint, or from the consumption (voluntary or otherwise) of incapacitating drugs cannot give consent.

In order to give consent, a person must be of the legal age of consent. Under most circumstances, the age of consent in the state of Maine is sixteen.

Alcohol-related incapacity results from a level of alcohol ingestion that is more severe than impairment, being under the influence, drunkenness or intoxication.

Evidence of incapacity may be detected by physical cues, such as slurred speech, bloodshot eyes, the odor of alcohol on a person's breath or clothing, inability to maintain balance, vomiting, unusual or irrational behavior and unconsciousness. Context is important in helping to determine incapacitation. Any of these particular cues alone do not necessarily indicate incapacity.

Force is the use of physical violence and/or imposing on someone physically to gain sexual access. Force also includes threats, intimidation and coercion that overcomes resistance or produces consent.

Coercion is unreasonable pressure for sexual activity. Coercion is the use of emotional manipulation to persuade someone to do something they may not want to do, such as being sexual or performing certain sexual acts. Being coerced into having sex or performing sexual acts is not consenting sex and is considered sexual misconduct.

Intimate Partner Violence Relationship violence is a pattern of behavior in an intimate relationship that is used to establish power and control over another person through fear and intimidation. A pattern of behavior is typically determined based on the repeated use of words and/or actions and inactions in order to demean, intimidate and/or control another person. This behavior can be verbal, emotional and/or physical. Examples include, but are not limited to: striking another person (slapping, punching, etc.),

property damage, reckless behavior, name calling and insults, public humiliation, harassment directed toward friends and acquaintances, and verbal and/or physical threats.

Stalking involves any behaviors or activities occurring on more than one occasion that collectively instill fear and/or threaten a person's safety, mental health and/or physical health. Such behaviors or activities may include, but are not limited to non-consensual communications (i.e., face-to-face, telephone, email, and social media), threatening or obscene gestures, surveillance or showing up outside the targeted individual's classroom, residence or workplace.

Other Forms of Misconduct Other forms of misconduct, when gender-based, will fall under this policy. These include, but are not limited to:

- Conduct that interferes with the rights of others and/or demonstrates disregard for the College community
- Assisting another person in committing a violation of this policy
- Personal harassment and/or verbal abuse
- The threat of physical harm, physical abuse, mental distress or injury
- Actions that inflict physical harm, physical abuse, mental distress or injury
 - Slanderous, false or malicious statement(s) about a person or defamation of character
- Endangerment of the health and safety of others
- Hazing
- Damage and/or vandalism to another's property

Jurisdiction Unity College students are responsible for their behavior on and off campus and are expected to comply with Unity College Code of Conduct including the Sexual Misconduct Policy, in all circumstances. Therefore, this Policy applies to any allegation of Sexual Misconduct against a Unity student, regardless of where the alleged Sexual Misconduct occurred.

B. Complaint Procedures for Sexual Misconduct

The College offers alternative options to address cases of alleged Sexual Misconduct within the framework of the College's administrative processes. The options are designed to provide an opportunity for parties to present their versions of the incident and to understand the nature of the incident and its effects on each party and the College community. The options differ in their procedures, degree of formality, and potential results.

When reporting a violation of this policy, a student may report the alleged violation and wish to maintain his/her confidentiality and privacy. Our on-campus staff that may provide confidential advice, options, and assistance includes our counseling and health services personnel. Excluding confidential reports as listed above, any reports of sexual harassment and discrimination, including sexual assault, must be reported to the Unity College Title IX Coordinator or deputy coordinator Title IX Coordinator.

Title IX Coordinator: Raymond Phinney, email rphinney@unity.edu or call extension 241.

Title IX Deputy Coordinator: Stephen Nason, email snason@unity.edu; or call extension 284.

Both the, Title IX Coordinator and Deputy Coordinator, will consult with the Director of Human Resources (if complaint involves employee) to continue procedural review and apply appropriate processes.

Community members who are aware of an incident involving sexual misconduct, sexual harassment, and intimate partner violence and/or stalking are encouraged to speak to the Dean of Students/College Title IX coordinator, a deputy coordinator, residence hall director, resident assistant, Public Safety, faculty or other College staff member and make a formal report. Reported incidents will be investigated.

Only people who have a need to know about the incident will be informed, and information will be shared only as necessary with investigators, witnesses and the accused person. Reports that are made anonymously or by third parties may not initiate grievance procedures; however, Title IX requires the College to investigate all incidents about which the College knows or has reason to know to protect the health and safety of the community. The College will undertake an investigation even in cases where the alleged victim and/or complainant chooses not to cooperate.

Complainant Does Not Wish to Pursue Resolution or Requests Confidentiality

If a student files an official complaint but does not wish to pursue official resolution and/or requests that his/ her complaint remain confidential, Title IX nevertheless requires the College to investigate and take reasonable action in response to the Complainant's complaint. If the Complainant requests that his/ her name or other identifiable information not be disclosed to the Respondent, the Title IX coordinator will inform the Complainant that the College's ability to respond may be limited and that Title IX prohibits retaliation. If the Complainant requests that his or her Complaint not be resolved, such request shall be in writing and include a waiver of investigation and resolution. The College will evaluate the Complainant's request(s) for confidentiality or no action in the context of the College's commitment to provide a reasonably safe and non-discriminatory environment for all students. In order to make such an evaluation, the Title IX team may conduct a preliminary investigation into the alleged Sexual Misconduct and may weigh the Complainant's request(s) against the following factors: the seriousness of the alleged Sexual Misconduct; the Complainant's age; whether there have been other complaints of Sexual Misconduct against the same Respondent; and the Respondent's right to receive information about the allegation if the information is maintained by the College as an "education record" under FERPA. The Advisor will inform the Complainant if the College cannot ensure confidentiality. Even if the College cannot take disciplinary action against the Respondent because the Complainant insists on confidentiality or that the Complaint not be resolved, the Deputy Coordinator reserves the authority to undertake an appropriate inquiry, issue a "no-contact" order, and take other reasonably necessary measures, including the interim measures described below. Please note that there are on campus resources a student can utilize that can maintain confidentiality without the need to inform other campus personnel. These resources include personnel of our Wellness Center, including but not limited to, our counseling and medical staff.

Interim Measures In all complaints of alleged Sexual Misconduct, regardless of whether the Complainant wishes to pursue resolution of any kind, the College will undertake an appropriate inquiry and take such prompt and effective action as is reasonably practicable under the circumstances to support and protect the Complainant and protect the College community, including taking appropriate interim measures before the final outcome of the investigation and hearing, if any. Accordingly, the College may impose a "no-contact" order, which typically will include a directive that the Respondent refrain from having contact with the Complainant, directly or through proxies, whether in person or via electronic means, pending the investigation and, if applicable, the hearing. The Title IX Deputy Coordinator for purposes of this Policy, or the Dean of Students, also may take any further protective action that he or she deems appropriate concerning the interaction of the parties pending the hearing, if any, including, without limitation, ordering interim suspensions, and directing appropriate College officials to alter the students' academic, College housing and/or College employment arrangements. When taking steps to separate the Complainant and the Respondent, the Advisor or the Dean of Students will seek to minimize unnecessary or unreasonable burdens on either party; provided, however, that every reasonable effort will be made to allow the Complainant to continue in his or her academic, College housing and/or College employment arrangements. Violations of the Advisor's or Dean's directives and/or protective actions will constitute related offenses that may lead to additional disciplinary action.

Retaliation It is a violation of College policy to retaliate against any person making a Complaint of Sexual Misconduct or against any person cooperating in the investigation of (including testifying as a Witness to) any allegation of Sexual Misconduct. For these purposes, "retaliation" includes intimidation, threats, and other adverse action against any such Complainant or third party. Retaliation should be reported promptly

to the Deputy Coordinator and may result in disciplinary action independent of the sanction or interim measures imposed in response to the underlying allegations of Sexual Misconduct.

Criminal Proceedings

Because Sexual Misconduct may constitute both a violation of this Policy and criminal activity, Unity encourages students to report alleged Sexual Misconduct promptly to local law enforcement agencies. Criminal investigations may be useful in the gathering of relevant evidence, particularly forensic evidence. Because the standards for finding a violation of criminal law are different from the standards for finding a violation of this Policy, criminal investigations or reports are not determinative of whether Sexual Misconduct, for purposes of this Policy, has occurred. In other words, conduct may constitute Sexual Misconduct under this Policy even if law enforcement agencies lack sufficient evidence of a crime and therefore decline to prosecute. In such cases, the Complainant may not initially understand the results of the criminal investigation, the nature of criminal procedure, or the grounds for the law enforcement decision not to prosecute.

The filing of a Complaint of Sexual Misconduct under this Policy is independent of any criminal investigation or proceeding and (except that the College's investigation may be delayed temporarily while the criminal investigators are gathering evidence) the College will not wait for the conclusion of any criminal investigation or proceeding to commence its own investigation and take interim measures to protect the complainant as detailed above.

Disciplinary Procedure

Sexual assault is a criminal violation of the State of Maine "Sexual Assault" laws, US Sexual Abuse Codes, and a violation of the Unity College Sexual Misconduct Policy. A complaint of sexual assault can lead to either or both of two possible proceedings:

- A criminal court case filed by a district attorney's office;
- A campus judicial hearing.

In the criminal case, the prosecutor must convince the court of the guilt of the accused "beyond a reasonable doubt."

In the campus judicial hearing before the College Council, responsibility for a violation of the Unity College Sexual Misconduct Policy is established by a "clear and convincing" standard. The "clear and convincing" standard of proof represents a standard between the "mere preponderance of credible evidence" standard and the "beyond a reasonable doubt" standard. The college reserves the right, as a separate jurisdiction, to conduct a review and make decisions according to these procedures and other procedures outlined in the Student Handbook before, during, or at the completion of extra-college criminal proceedings. Prior to the judicial hearing, the accused may be subject to "Summary Suspension" as defined in the Student Handbook.

Student Rights—Rights of the Complainant

- The right to an investigation and appropriate resolution of all credible complaints of sexual misconduct, gender-based discrimination and/or harassment made in good faith to the College
- The right to be treated with respect by College staff throughout the process
- The right to be notified of available counseling, mental and physical health services for victims of sexual misconduct, gender-based discrimination and/or harassment on campus and off campus
- The right to identify witnesses and other parties and to request the deputy coordinator contact those individuals as part of the investigation

- The right to have an adviser present in a support or advisory role during the investigation and Title IX Judicial hearing
 - The right to report the incident to off-campus authorities and/or law enforcement and to be assisted by College staff in doing so
 - The right to have a committee of mixed genders, to know the members of the committee ahead of time, and to address concerns of bias and/or conflict of interest in regard to committee members
 - The right to review all documents and reports produced by the investigation, subject to limitations provided by law, as well as the names of all witnesses who may be called to provide statements to the committee, at least 24 hours prior to the hearing
 - The right to know what provisions of the Student Code of Conduct the accused student is charged with violating
 - The right to challenge information and documents prior to the hearing
 - The right to have the College request attendance and accommodate individuals called as witnesses for a hearing
- The right to have a copy of the committee hearing script at least 48 hours prior to the hearing
- The right to be present and participate in the committee hearing
 - The right to make an impact statement to the committee, should the committee find the accused student responsible for violating this policy
 - The right to participate in committee hearings by means other than being in the same room with the accused student
 - The right to be informed of the outcome and sanction of any committee hearing within 24 hours of a decision being rendered, and to receive that decision in writing
 - The right to appeal the finding and sanction of the committee, in accordance with the appeal guidelines established in this policy
 - The right to privacy, and the assurance that information regarding the complaint will be shared only with those necessary

Student Rights—Rights of the Accused Student

- The right to an investigation and appropriate resolution of all credible complaints of sexual misconduct, gender-based discrimination and/or harassment made in good faith to the College
- The right to be treated with respect by College staff throughout the process
- The right to be notified of available counseling, mental and physical health services, on and off campus
- The right to identify witnesses and other parties, and to request the deputy coordinator contact those individuals as part of the investigation
- The right to have an adviser present in a support or advisory role during the investigation and committee hearing
- The right to have the Title IX grievance process fully explained, and to receive written notice of all Student Conduct Code charges at least 48 hours before a committee hearing
- The right to be notified of possible sanctions that may result if found responsible of violating this policy and the student code of conduct
- The right to have a committee of mixed genders, to know the members of the committee ahead of time, and to address concerns of bias and/or conflict of interest in regard to committee members
- The right to review all documents and reports produced by the investigation subject to limitations provided by law, as well as the names of all witnesses who may be called to provide statements to the committee, at least 24 hours prior to the hearing
- The right to challenge information and documents prior to the hearing
- The right to have the College request attendance and accommodate individuals called as witnesses for a hearing
- The right to have a copy of the committee hearing script at least 48 hours prior to the hearing
- The right to be present and participate in the committee hearing
- The right to make an impact statement to the committee, should the committee find the accused student responsible for violating this policy

- The right to be informed of the outcome and sanction of any committee hearing within 24 hours of a decision being rendered, and to receive that decision in writing
- The right to a hearing outcome based on information presented during the hearing which the committee finds credible, relevant and convincing
- The right to appeal the finding and sanction of the committee, in accordance with the appeal guidelines established in this policy
- The right to privacy and the assurance that information regarding the complaint will be shared only with those necessary

Investigation

The deputy Title IX coordinator, in conjunction with the Title IX coordinator, is designated to formally investigate student grievances, address inquiries and coordinate the College's compliance efforts regarding student complaints. Notice of a formal complaint can be made in writing or orally to an appropriate staff member (Residential Life staff, Public Safety, other Student Affairs staff, etc.), though the College encourages students to submit grievances in writing (electronically or by hard copy) to the deputy coordinator, the College Title IX coordinator or other appropriate staff member. The Title IX team also reserves the right to investigate any incident referred to the Student Affairs' Office that may relate to this policy, and, if necessary, refer that incident to the Title IX grievance process. The complaint should clearly describe the alleged incident, when and where it occurred, and the desired remedy, if known. Additionally, the initiator of a formal complaint should submit any supporting materials in writing as quickly as possible. Completion of the investigation and grievance procedures should be complete within 60 days of the receipt of the complaint, often sooner. Should this process last longer than 60 days, the deputy coordinator will communicate the reasons and expected timeline to all parties.

Preliminary Investigation

After reviewing the complaint, the Title IX team will:

- determine the identity and contact information of the complainant
- identify what policies, if any, were allegedly violated
- meet with the complainant to inquire about and finalize complaint
- conduct an immediate initial investigation to determine if there is cause to proceed with further investigation

If there is insufficient evidence to support a reasonable cause for the complaint, the grievance will be closed with no further action.

Formal Investigation

If the Title IX team determines that there is reasonable cause to pursue the complaint, a formal investigation will be initiated. During the formal investigation, the deputy coordinator or a trained lead investigator identified by the deputy coordinator will:

- commence a thorough and impartial investigation by developing a strategic investigation plan, including a witness list, information list, intended investigation timeframe and order of interviews for all witnesses and the accused individual
- give the accused individual proper notice of the investigation and provide an opportunity for the accused individual to provide information
- complete the investigation in a timely manner, without unnecessary deviation from the intended timeline

- maintain communication with the complainant and the accused individual on the status of the investigation and overall process.

At the conclusion of the investigation, the Title IX team will meet with the complainant and the accused student to present the findings. If supported by the investigation findings, the investigator will present the accused student with a notice of alleged violations of the Student Code of Conduct.

Resolution Agreement Option

If the accused student accepts responsibility for the alleged Student Code of Conduct violations presented in the investigator's report, the Dean of Students will present proposed sanctions to the accused student. If the accused student accepts the sanctions, then those sanctions will be presented in a written decision letter. After acceptance of responsibility and sanctions, the accused student has three business days to reconsider that acceptance and request a hearing. Accused students who do not accept responsibility or the investigator's proposed sanctions will have their matter heard by the Sexual Misconduct Board. Students who accept responsibility and the sanction recommendation of the investigator cannot appeal the decision.

Student Sexual Misconduct Board

The Board is composed of a total of three members representing staff and faculty. The members should receive annual training on Title IX issues and investigations. The Dean of Students or his/her designee serves as its Chair.

Advisers

Legal counsel/attorneys, parents and/or family members are not permitted to participate in any committee hearing. A member of the Unity faculty, staff (excluding any relative employed by the College) or student body may attend the hearing in the role of an adviser. Advisers serve as a moral and emotional support for students during committee hearings, and can assist with meeting preparation. Advisers are not permitted to advocate for a student or speak on their behalf during a committee hearing. Students who are witnesses to the incident or are otherwise involved in the matter before the committee cannot serve as advisers.

Hearing Process

The Title IX team will meet with both the complainant and the accused student prior to the hearing to outline the hearing process and answer questions. Prior to the hearing, the deputy coordinator will:

- be available to both the complainant and accused student to answer questions and address concerns with the process
- schedule the committee hearing, and select committee members from the pool of eligible members based solely on availability and maintaining a committee of mixed genders
- contact witnesses and work to ensure their availability for the committee hearing
- arrange accommodations intended to limit contact between hearing participants (i.e. arranging accommodations in different rooms, setting up physical barriers in the hearing room)
- prepare copies of all reports and documentary information to be disseminated to the committee, complainant and accused student before the hearing.

At the hearing, the following individuals may be present:

- Three committee members and chair
- Complainant
- Adviser for complainant (optional)
- Accused student

- Adviser for accused student (optional)
- Investigator(s)
- Witnesses (only one at any one time)
- Deputy Title IX coordinator

The chair will conduct the hearing in accordance with the hearing script. The script ensures that the investigation report is presented, and that the committee has the opportunity to ask questions of all parties and witnesses, if necessary. Audio or video recording devices are not permitted at committee hearings.

Additionally, the hearing script ensures:

- All parties are introduced
- All conduct code charges are read
- The accused student is provided an opportunity to plead “responsible,” “not responsible,” or decline to make a plea, for each conduct code charge
- The investigator will present the results and findings of the investigation
- The committee can ask questions of the investigator, parties and witnesses.

If any individual should become disruptive during the hearing, including witnesses and advisers, the chair maintains the discretion to remove that individual from the hearing. At the conclusion of the investigation presentation and questioning, the committee will deliberate privately to determine the accused student’s responsibility for the charged conduct code violations. All decisions require a majority vote of the committee.

After the committee makes a decision, the committee will reconvene with the parties and the investigator, and the committee chair will announce the committee’s decision. If the accused student is found responsible for any conduct code violations, the committee will commence the sanction phase of the hearing. If the accused student is found not responsible for all conduct code violations, the hearing ends. During the sanction phase of the hearing, the hearing script will direct the committee to:

- Accept impact statements from both parties, verbally and/or in writing
- Ask the deputy Title IX coordinator to disclose the accused student’s past student conduct code violations, if any
- Ask the deputy Title IX coordinator for sanction parameters, as defined by this policy for the applicable code of conduct violations

At the conclusion of the sanction phase, the committee will deliberate privately. All sanction decisions require a majority vote. After a sanction decision is made, the committee will reconvene with the parties and the investigator to announce the sanction decision and close the hearing. After the conclusion of the hearing, the investigator will meet with both parties and answer any questions about the sanctions and any post-hearing requirements. The committee has 24 hours from the close of the hearing to produce a written decision letter to both parties. Responsibility for the decision letter falls to the chair. Once completed, the decision letter is delivered to the investigator for delivery to both parties.

Sanctions-only Hearing

Should the accused student accept responsibility for all charged violations of the code of conduct, but disagree with the investigator’s proposed sanction, a sanctions-only hearing will be conducted. This hearing, after the presentation of the investigation findings and the opportunity for questioning, moves directly to the sanction phase described above.

Attendance at Hearing

Should the Complainant or the accused student fail to appear at the scheduled hearing, the Board Chair may postpone the proceedings or direct that the panel proceed and determine the Complaint on the basis of the Investigative Report and other available information, provided the absent party was duly notified of the scheduled hearing date, as outlined above.

Preponderance of Evidence Standard

A finding of responsibility must be supported by a preponderance of evidence. A preponderance of the evidence means that the information shows that it is “more likely than not” that the accused student violated this Policy.

Sanctions

The following are possible sanctions for incidents reviewed under this policy:

- Students found responsible for violating this policy in regard to non-consensual sexual contact or intimate partner violence will likely receive a sanction ranging from probation to dismissal, depending upon the severity of the incident and any previous violations of the Student Code of Conduct.
- Students found responsible for violating this policy in regard to non-consensual or forced sexual intercourse will likely receive a sanction of suspension, dismissal, or expulsion.
- Students found responsible for violating this policy in regard to sexual harassment, sexual exploitation, or other gender-based misconduct will likely receive a sanction ranging from an official reprimand to expulsion, depending upon the severity of the incident and any previous violations of the Student Code of Conduct.
- The committee will sanction students found responsible for violations of the Student Code of Conduct not related to this policy in accordance with sanctions used in the general Student Conduct Process.

The board reserves the right to increase or decrease the recommended sanction guidelines listed above in the case of significant mitigating or aggravating factors. Neither the board nor the appeal officer will deviate from the guidelines listed above unless significant mitigating or aggravating factors exist. The committee also reserves the rights to include additional sanctions, educational or otherwise, in accordance with the general student conduct process.

Parental Notification

Unity College reserves the right to communicate with a parent or guardian of the accused student on any student conduct action taken by the College, in accordance with the Family Educational Rights and Privacy Act (FERPA).

Appeals

After receiving notification of the board’s decision, both the complainant and the accused student have three business days to notify the Dean of Students of their intent to appeal the decision. A formal letter of appeal specifying the grounds upon which the appeal is based and supporting information must be submitted within three business days of the receipt of the appeal form. Sanction(s) imposed by the committee will remain in effect while the appeal is pending. The letter of appeal specifies the grounds upon which the appeal is based, and how those grounds materially affected the outcome (responsibility or

sanctions) of the original meeting. The letter of appeal must be completed and signed by the student or submitted directly from the student's Unity College email account.

Once the appeal materials are submitted, the other party and the investigator may submit materials in response to the appeal. Complainants or accused students who fail to attend the committee hearing forfeit the right to request an appeal.

Committee hearings may be appealed to the Dean of Students. The accepted grounds for an appeal are:

- Additional and/or new relevant information was not available at the time of the board hearing
 - An error in the process or an abridgement of rights, as outlined by this policy, which materially impacted the outcome of the hearing
 - The sanction(s) assigned by the board did not adhere to the sanction guidelines stated in this policy.
- Dissatisfaction with the sanctions, alone, is not a sufficient cause for appeal.

The Dean of Students determines whether or not there are grounds for consideration of an appeal meeting. If the appeal letter(s) does not bring forward sufficient grounds for appeal, the appeal will be denied and the matter will be closed. If the Dean of Students determines that an appeal should be considered, he/ she may conduct a formal appeal panel. The appeal panel may decide:

- To affirm the decision of the board. In this case, the initial decision is final.
- To remand the matter back to the board to: make a decision in light of the appeal panel's findings or initiate a new hearing based on the appeal's merit

Compliance with Sanctions and Accommodations

At the conclusion of the Title IX Grievance Process, the deputy coordinator will be responsible for ensuring compliance with all assigned sanctions, and to make any accommodations with the goal of preventing the recurrence of sexual and/or gender-based harassment.

Education. Unity College will implement educational programs to inform all college community members, students, faculty, and staff about sexual assault. These programs will be inclusive of the nature and frequency of sexual assault on college students, sexual assault myths and facts, options for the survivor, possible consequences for perpetrators and survivors, and encouragement to report sexual assaults and prevention information.

Unity College will maintain sexual assault education and proactive prevention programs by providing the following campus wide:

- Comprehensive information about acquaintance rape and other kinds of sexual assault most prevalent to the college community as mentioned above and also including, but not limited to, educational information about the involvement of alcohol and other drugs in relation to sexual assaults.
- Sessions for all new students during new student orientation.
- Opportunities throughout the academic year for students, faculty, and staff to learn about the dynamics of sexual assault and the circumstances in which they commonly occur on a college campus. These sessions would be a means for people to learn, have questions answered, and to provide resources and information.
- Distribute a sexual assault awareness pamphlet throughout campus in areas such as, but not limited to, residence halls, Student Center, cafeteria, Quimby Library, CLC, Health and Wellness Center, Public Safety Office, and near public telephones. Informative flyers, accessible to both male and female students, will be posted throughout the campus. The pamphlet and flyers will include definitions of sexual assault, information about its prevalence, how and when sexual assault

generally occurs on campus, reporting sources, options and services available to survivors and friends of survivors, and prevention methods.

- Educational programs or information for staff, faculty, administration, and resident advisors on the Unity College Sexual Assault Policy. This training will also include specific guidelines for how to respond to an incident. A student may feel more comfortable disclosing to a trusted faculty, staff, administration member, or resident advisor who must be prepared to respond in an appropriate manner within the guidelines of the policy and procedures.

State of Maine Law (Sexual Assault) Chapter 11

[Sex Assaults \(Heading: PL 1989, c. 401, Pt. A, 1 \(rpr\)\)](#)

J. Campus Safety Policy

ACTS OF VIOLENCE

For any and all act and/or threat of physical violence:

1. General Response
 - a.) Contact Public Safety 207-509-7232.
 - b.) Public Safety determines the need to contact local emergency services.
 - c.) Contact Housing Director and/or Dean of Students.
 - d.) If needed, contact the President.
2. Communication Plan for Severe Acts of Violence
 - a.) Begin evacuation or lockdown as appropriate or as directed by emergency personnel.
 - b.) Communicate accurate information to campus and other communities as determined by the CMT, for example utilizing the following methods: 1. Campus email system (member of CMT/designee). 2. Resident Advisor phone communication plan. 3. Crisis Media Guidelines. (SECTION VII / Pages 10-11 of the Crisis Management Plan)

EVACUATION PLAN

Where there is sufficient advance warning of a natural or human caused disaster and the College population is considered to be in immediate danger, timely and systematic evacuation may be required.

1. Begin appropriate evacuation as necessary.
2. Evacuation Procedures
 - a.) There is a designated Emergency Assembly Area for each building (see table below). If evacuation is required all will go to the designated Emergency Assembly Area for the buildings in which they are located.
 - b.) Following an evacuation, no one should re-enter any buildings until officials declare the area safe.

Emergency Building Assembly areas

Allison M. Hall Welcome Center	Murdock Drive
Cianchette Residence Hall	Cianchette parking lot
Dorothy Webb Quimby Library	Commuter parking lot
E. Donaldson Koons Hall	Murdock Drive
Eastview Residence Hall	Constable Hall lawn
Harrison Aldrich Wellness Center	Cianchette parking lot
Facilities Management Building	Facilities Management front parking lot
George E. Constable Hall	Constable Hall lawn
Maplewood Residence Hall	Cottage parking lot
Founders Hall North & South	Murdock Drive
John Burwell Building	Murdock Drive
Student Activities Building	Commuter parking lot
TerraHaus Residence	Cottages parking lot
The Cottages	Cottages parking lot
Thomashow Learning Laboratories	Murdock Drive
Clifford Hall	Clifford Hall parking lot
CLC	Murdock Drive
Unity 2	Murdock Drive
Unity 3	Murdock Drive
Westview Residence Hall	Constable Hall lawn
Wood Hall Residence Hall	Murdock Drive
Wyman Commons	Murdock Drive
UCCA	UCCA parking lot
McKay Farm	McKay parking lot near road
Field of Dreams	Field of Dreams parking lot near road
Distance Ed Space	UCCA parking lot

K. Missing Student Policy & Procedures for Unity College

Unity College takes student safety very seriously. To facilitate our students' safety, the "Missing Student Policy and Procedures for Unity College" will assist us in locating unity student[s] on facts and circumstances known to the college, who are determined to be missing. This policy and procedures are believed to comply with the Higher Education Act of 1965 as amended by Public Law 110-315 in August 2008 (20 USC 1092(j)).

Anyone who believes a resident student to be missing should report their concern to Public Safety, Residence Life, or the Dean of Students' office. Every report made to campus officials will be investigated. Depending upon the circumstances presented to College officials, parents of a missing student may be notified. In the event that parental notification is necessary, the Dean of Students, or designate, will place the call.

General Procedure:

- I. The Unity College official receiving the report will collect and document the following information:
 - A. The name and relationship of the person making the report.
 - B. The date, time, and location the missing student was last seen.
 - C. The general routine or habits of the suspected missing student, e.g., often visits friends who live off-campus, often returns home, any recent changes in behavior or demeanor, etc.
 - D. The missing student's cell phone number, if known by the reporter.
- II. The Unity College official receiving the report will inform the Dean of Students and Public Safety. The Dean of Students will determine if the President should be informed.
- III. Upon notification from any person that a student may be missing, Unity College officials may use any or all of the following resources to assist in locating the student.
 - A. Call the student's cell phone.
 - B. Check the student's residence hall room.
 - C. Talk to the student's RA, roommate, and residents to see if anyone can confirm the missing student's whereabouts and/or confirm the date, time, and location the student was last seen.
 - D. Secure a current student ID or other photo of the student.
 - E. Call and text the student's cell phone and call any other telephone numbers on record.
 - F. Send the student an email.
 - G. Check all possible locations mentioned by the parties above including, but not limited to, library, residence hall lounges, Student Center, etc.

- H. Contact or call any other on-campus or off-campus friends or contacts that are made known. This could include checking a student's social networking sites.
 - I. Ascertain the student's auto make, model, and license plate number. Public Safety will check Unity College parking lots for the presence of the student's vehicle.
 - J. If the missing student is under the age of 18 years and not an emancipated individual, within 24 hours of the determination that the student is missing, the Dean of Students must notify the student's custodial parent or guardian as identified in the University's records. If the missing student is over the age of 18 years or an emancipated individual, within 24 hours of the determination that the student is missing, the Dean of Students must notify the individuals found in the emergency contact information that is stored in CAMS. If the emergency contact information stored in CAMS is absent or unusable, the appropriate law enforcement agency will be informed after the student has been missing for 24 hours.
- IV. The Dean of Students may ask the Information Technology staff to provide electronic logs for the purpose of determining the last login, access, and use of the Unity College IT network.
- V. Unity College officials may report the information to the Waldo County Sheriff's office. If, in the course of gathering the information described above, foul play is evident or strongly indicated, the Waldo County Sheriff's office may be contacted immediately. If it is necessary to contact the Waldo County Sheriff's office, the College will follow their procedures for managing this type of incident.
- VI. This policy and its procedures will be incorporated into the Campus Safety and Student Affairs websites, integrated into Resident Advisor training, included in the annual Campus Safety security report, and sent to all Unity College residents via email, once per year.

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