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SAINT JOSEPH'S

COLLEGE

Campus Safety & Security

Annual Report of Safety and Security

Policies and Practices

Reporting Year 2014

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MISSION STATEMENT

Dear Students, Faculty and Staff,

The mission of the Saint Joseph's College Campus Safety Department is to enhance the quality of life for the entire Saint Joseph's College community by maintaining a secure and open environment where the safety of all is balanced with the rights of the individual. The Department of Campus Safety strives to accomplish its mission while adhering to its core values of Integrity, Professionalism, and Service.

The success of this mission depends upon an effective working relationship between Campus Safety personnel and the diverse elements of the Saint Joseph's College community, including students, staff, faculty and visitors. Critical to this relationship is mutual respect; therefore, we pledge to respect the diverse needs and interests of the community we serve. We pledge to be diligent and relentless in the protection of persons, property and the reputation of Saint Joseph's College.

In return, we ask that our partners in the community assume their individual and collective responsibilities to make Saint Joseph's College a place that is free of crime, fear and disorder, and to provide a civil and open environment that fosters learning and mutual respect.

Sincerely,

Ian M. MacEachen
Director of Campus Safety

Compliance with the Jeanne Clery Act

In compliance with the Jeanne Clery Disclosure of Campus Crime Statistics Act, the Campus Safety Department of Saint Joseph's College presents this annual report of Security policies, procedures and crime statistics.

Department Personnel / Authority / Local Police Relationships

The Office of Campus Safety, under the administration of the Director of Campus Safety is comprised of 21 full and part time Security Officers who are responsible for security on all Saint Joseph's College property. The Campus Safety Office / Dispatch Center is located on the ground floor of Standish Hall and is open 24 hours per day, 7 days per week, and 365 days per year.

Saint Joseph's College Security Officers have the authority to ask persons for identification at any time and to determine whether individuals have lawful business on the campus; Security Officers do not possess arrest power.

Criminal incidents are referred to the **Cumberland County Sheriff's Office**, which has jurisdiction in the Town of Standish, Maine. Campus Safety maintains a highly professional working relationship with the Sheriff's Office as well as the Windham Police Department (in cases when CCSO will be delayed in responding to the campus) for the resolution of all criminal complaints and/or investigations. All crime victims are strongly encouraged to immediately report crimes to Campus Safety; prompt reporting will ensure timely warning notices on campus and timely disclosure of crime statistics.

In order to report a crime or other emergency, Campus Safety can be reached by calling:

- **207-893-6687** from an off-campus or cellular phone
- extension **6687** (non-emergency) or extension **7911** (emergency) from any on-campus phone or call box.
- Yellow telephone call boxes will dial Campus Safety directly by pressing the large red button and are located:
 - outside or near all residence halls
 - the parking lot behind the Alford Center
 - the baseball field parking lot

The telephone call boxes are in prominent locations and are identified with a blue light positioned above the box.

The Campus Safety Office also has an anonymous tip line email box located on the College web site. Information concerning witnessed criminal activity can be reported there for investigative follow-up by Security Officers.

Daily Crime & Fire Log

The Campus Safety Department maintains a daily crime and fire log which is available for public inspection at the Campus Safety Office / Dispatch Center. This record will display a log of all reported crimes (as defined by the FBI's UCR standards) and instances of fire or fire-alarm on the campus for the last 60 days.

Campus Security Authorities

The US Department of Education, which is responsible for Clery Act compliance, defines a Campus Security Authority as "...Officials of the institution with significant responsibility for student and campus activities..." This encompasses not only Student Life (Residence Life & Student Activities) and Campus Safety Department officials, but may also include:

- Athletics Department (administrators and coaching/training staff)
- Academic Affairs (Deans and advisors)
- Human Resources (student employment)
- Supervisory staff in any department/office employing student workers

In their various capacities as people in whom students may confide or potentially report criminal activity, these individuals and departments are instructed to pass any such notification of criminal (or otherwise suspicious) activity to the Campus Safety Department for further investigation. Those individuals who, by their job description, serve in a role as professional or pastoral counselors (i.e.-licensed psychiatric professionals or clergy assigned in those roles at the institution), are not required to report such information as a matter of course since they are considered to be private/confidential communications.

Services Provided

Each of the listed services below may be accessed by visiting the Campus Safety Office or contacting us at extension 6687 (893-6687) or from any call box:

Escorts – Escorts from any building or parking lot on campus are provided by vehicle and/or on foot 24 hours a day upon request.

Jump Starts – We will assist vehicle owners with a jump start for their vehicle upon request (**please note** that we cannot assist with entry to a locked vehicle, we can direct you to local commercial services who are qualified to do this however).

Room Lock-outs – Campus Safety provides lock-out services to residential students during non-business hours; if an officer will be seriously delayed in meeting such a request (during normal business hours), students may be directed to the Campus Life Office for issuance of a temporary key.

Lost and Found – Campus Safety acts as a centralized location for all items found or reported missing on campus. Property that is lost should be reported to Campus Safety for documentation; property that is found should be turned in to us as well, where it will be filed and checked against department records in an effort to determine the rightful owner.

Programs to Inform - The Office of Campus Safety participates in Admissions Office orientations by staffing an informational table and displaying this written report. Security Officers are available to present (or assist in presenting) crime prevention and safety programs sponsored by student Resident Assistants and we have reference materials available from community resource agencies on topics such as drinking and driving prevention, domestic violence, victim assistance, sexual assault victim services, and general personal safety issues.

Campus Sex Crimes Prevention Act (CSCPA) Information

The Campus Sex Crimes Prevention Act of 2000 is a federal law that provides for the tracking of convicted sex offenders enrolled at, or employed by, institutions of higher education. The federal law requires state law enforcement agencies (in Maine, it is the Maine State Police) to provide institutions of higher education with a list of registered sex offenders who have indicated that they are enrolled, employed or carrying on a vocation at that institution. The registered sex offenders list can be obtained from the Maine State Police Sex Offender Registry web site at <http://www.informe.org/sor/>.

Support Services

If you have been the victim of rape or sexual assault, Campus Safety strongly urges you to report the crime; not only can Campus Safety assist with investigation and prosecution of the crime, but we also stand ready to bring the full measure of campus and local emergency support services to your aid (one example of which is the Counseling Center-able to provide confidential support, counseling, and referral services).

Victims of rape and sexual assault often feel confused and alone, and they often question how to tell family and friends about the incident, or whether they should at all. They also experience a variety of strong emotions and/or physical problems, such as stomach problems or sleep disturbances. Sometimes these symptoms don't happen until a long time after the event. Regardless of when the incident occurred, the Counseling Center can help!

Security and Access to Campus Facilities

College residence halls are locked 24 hours per day and students gain access with their issued keys or ID cards. The College has a visitation policy which restricts the hours and days of permitted visitation, and overnight guests must be approved by a Campus Life official and registered in advance by the student host; student hosts are responsible for escorting their guests while on campus. Violations of the visitation policy are processed

through the College judicial system and may result in guests being required to leave and/or being banned from visiting campus, and disciplinary action against the student host.

Other campus buildings are open to the public during normal business hours, Monday through Friday, or during scheduled events such as athletic competitions. Campus Safety and other associated departments consider any exceptions to access policies on a case-by-case basis.

The Facilities Management Department conducts maintenance of building security devices. Locks, alarms, card-access devices, and lighting are monitored constantly by Public Safety Officers during patrols and by Residence Life staff during their rounds. Maintenance coverage is available on an on-call basis during non-working hours and over weekends. Repairs to security and safety devices are given the highest priority at all times.

Important Telephone Numbers

Campus Safety Emergency.....	893-7911/Ext.7911
Non-Emergency.....	893-6687/Ext.6687
Office of Campus Life.....	893-6603/Ext.6603
Dean of Campus Life.....	893-6601/Ext.6601
Associate Dean of Residence Life.....	893-6602/Ext.6602
Counseling Center.....	893-6636/Ext.6636
Campus Ministry.....	893-7792/Ext.7792
Health Services.....	893-6634/Ext.6634
President’s Office.....	893-7711/Ext.7711

POLICY STATEMENTS

Emergency Response Protocol

Saint Joseph's College has adopted and maintains a standardized Emergency Response Protocol which is an "all threats" response guide based upon federal FEMA National Incident Management System (NIMS) guidelines. This document, which contains emergency response protocols for situations including evacuations, fires, natural disasters, pandemic illness, etc., is maintained in the Campus Safety Dispatch Center so that a duty officer may access it and make appropriate documentations, referrals and requests for service based upon that wide spectrum of potential events in case of emergency.

Security Alert Notices

Saint Joseph's College utilizes a web-based mass notification program (text, voice mail and e-mail) to provide immediate warning of current, ongoing or serious potential threats to the health and safety of the College community. Any such mass notification, and any subsequent update(s), will advise community members of the threat and of ways in which they may best ensure their personal safety during the course of such an alert.

Students, faculty and staff should review their emergency contact information (registered through the Web Services portion of the campus website) at least once each semester and ensure that their personal contact information is up to date and accurate. The information entered there will provide Campus Safety and College administrators with the means to quickly contact them with important information and updates during a crisis situation.

For any safety or security-related issue which may be urgent in nature, but that does not necessarily constitute the basis for a mass notification system activation, or in order to provide safety information on a more frequent basis, Campus Safety (at the discretion of the Director or his designee) will post notices to members of the College community via printed postings in the residence halls and "public" areas of the campus (i.e.-Alford Center, Pearson's Café) as well as sending e-mail notifications to the campus.

Sexual Assault Policy

Saint Joseph's College is committed to maintaining a humane atmosphere in which individuals do not abuse their personal power or authority in interpersonal relationships. Sexual assault is defined by the College as any actual or attempted non-consensual sexual activity, including but not limited to: intercourse, sexual touching, exhibitionism, or sexual language of a threatening nature, and any action committed by physical force/coercion/threat (actual or implied) by a person(s) known or unknown to the victim. Sexual assault includes violent rape by a stranger, "acquaintance" rape, and all other situations in which the victim has not given consent to sexual activity. Non-consensual activity shall include, but not be limited to, situations where the victim is unable to

consent because she/he is mentally incapacitated, is unconscious, or is physically helpless due to drug or alcohol consumption.

Title IX

Saint Joseph's College Policy Manual

Human Resources

Section Name: Work Environment

Section Number: 4.14 **Effective Date:** September 1, 2015

SUBJECT: Title IX - Sexual Discrimination, Harassment and Misconduct

Purpose of Title IX Policy

Saint Joseph's College is committed to providing a community in which the learning, working and living environment reflect our Core Values. This environment is free from all forms of gender-based discrimination or harassment because such behavior violates an individual's fundamental rights and personal dignity. Saint Joseph's College considers gender-based discrimination to be a serious offense and has zero tolerance. This policy covers all forms of gender-based discrimination and harassment connected to the college, whether the matter involves students, faculty, staff or volunteers. This policy also applies to Sexual Misconduct, including sexual assault, stalking, sexual exploitation, intimate relationship violence and domestic violence by students, faculty, staff, or visitors/guests of the college.

In compliance with Title IX of the Education Amendments of 1972 and other federal, state and local equal opportunity laws and in accordance with our values, the College has developed these policies and procedures that prohibit gender-based discrimination in all of its forms. The policies and procedures have been developed to affirm our commitment and to provide recourse for those individuals whose rights have been violated. This policy is intended to define community expectations and to establish a mechanism for determining when those expectations have been violated.

Role of the Title IX Coordinator and Title IX Team

Pursuant to Title IX of the Education Amendments of 1972 and the U.S. Department of Education's implementing regulations at 34 C.F.R. Part 106, the College's Title IX Coordinator has primary responsibility for coordinating the College's efforts to comply with and carry out its responsibilities under Title IX, which prohibits sex discrimination in all the operations of this College, as well as retaliation for the purpose of interfering with any right or privilege secured by Title IX.

Sexual misconduct against students, employees and others members of the College community, including sexual harassment, sexual assault, rape, and sexual exploitation,

can be a form of sex discrimination under Title IX. The Title IX coordinator oversees the College's response to reports and complaints that involve possible sex discrimination to monitor outcomes, identify and address any patterns, and assess effects on the campus climate, so the College can address issues that affect the wider school community.

Among other tasks, the Title IX Coordinator is the person designated to receive complaints of gender related discrimination and harassment, including complaints of sexual misconduct from any member of the College community. The Title IX Coordinator, along with other members of the Title IX Team, conducts initial intake investigations, determines and implements appropriate interim protective measures, handles informal resolutions of appropriate grievances and directs cases that are not resolved informally to the appropriate body for further investigation and adjudication. The Title IX Team, in conjunction with the Title IX Coordinator, is responsible for reviewing and assessing, on at least an annual basis, the College's Title IX policy, how effectively the policy is being communicated to members of the College community, the scope and effectiveness of the College's educational programs on sexual assault prevention and bystander intervention, how well the College is coordinating communication with campus security and local law enforcement, and the resources available for victims of sexual harassment and assault.

The College's Title IX Team includes:

The Dean of Campus Life, Matthew T. Goodwin, is College's Title IX Coordinator and can be reached in person at the Campus Life main office, located in the second floor of Heffernan, by telephone at 207-893-6601, or by email at mgoodwin@sjcme.edu. The principal Title IX coordinator is responsible for overseeing the College's response to all Title IX complaints.

- Dr. Marion Young is College's Deputy Title IX Coordinator and can be reached in person in her offices located in Alford Hall, by telephone at 207-893-7566, or by email at myoung@sjcme.edu.
- Ian MacEachen is College's Chief of Campus Safety and can be reached in person at his offices on the first floor of Standish Hall, by telephone at 207-893-6686 or by email at imaceachen@sjcme.edu.

In the event that the incident, policy, or procedure about which a member of the College community seeks to file a report or complaint creates the appearance of a conflict of interest with one of the members of the Title IX Team, that individual may contact any other member of the team or notify Michael Pardales, VP and Chief Learning Officer at pardales@sjcme.edu or by phone at 207-893-6641.

Role of the Student Sexual Misconduct Board

In addition to the Title IX Team, the College has a Student Sexual Misconduct Board composed of five to eight members of the College administration or staff, whose function is to serve as a pool from which investigators and sanctioning board members may be

assigned by the Title IX Coordinator in the case of sexual misconduct allegations made against students. The Student Sexual Misconduct Board members are appointed by the President of the College in consultation with the Title IX Team. The current members of the Student Sexual Misconduct Board can be found in Appendix A. The members of the Student Sexual Misconduct Board receive annual training on Title IX issues and investigations. In any particular case, a member of the Student Sexual Misconduct Board may be appointed to conduct an investigation or to serve on a sanctioning board after an investigation has been conducted. Unless both the Complainant and the Respondent consent, the same individual will not serve as both investigator and a member of the sanctioning board in any case.

Detailed Functions and Responsibilities of the Title IX Coordinator

The Title IX Coordinator's functions and responsibilities include the following:

(1) Training for Students, Faculty, and Staff

The Title IX Coordinator provides or facilitates ongoing training, consultation, and technical assistance on Title IX for all students, faculty and staff, including: regular training for faculty and staff outlining their rights and obligations under Title IX;

- this training will include the appropriate response to reports of sexual misconduct, the obligation to report sexual misconduct to appropriate College officials, and the extent to which counselors and advocates may keep a report confidential; and
- regular training for students outlining their rights under Title IX;
- this training will include what constitutes sexual misconduct and when it creates a hostile environment, the definition of consent, reporting options (including reports to responsible employees, campus and local law enforcement, and confidential reporting to counselors or advocates), the grievance procedures used to process complaints, applicable disciplinary code provisions relating to sexual misconduct and the consequences of violating those provisions, the role of alcohol and drugs in sexual misconduct, the effects of trauma, strategies and skills for bystander intervention, the offices or individuals with whom students can speak confidentially, the offices or individuals who can provide support services, the employees who must report incidents to the Title IX coordinator, and Title IX's protections against retaliation,
- annual training for the members of the Student Sexual Misconduct Board
- this training will include the dynamics of sexual misconduct, the availability of interim protective measures, the appropriate manner in which to receive and evaluate sensitive information, the manner of deliberation, the application of the preponderance of the evidence standard, relevant sanctioning precedent, and the college's policies and procedures. The training shall also stress the importance of confidentiality and privacy of all parties.

(2) Investigations

The College is responsible for conducting adequate, reliable, and impartial investigations of reports and complaints of sexual misconduct. The Title IX Coordinator oversees many aspects of this response, including:

- determining whether the report or complaint alleges conduct that may, upon investigation, constitute prohibited sexual misconduct;
- working with the Complainant to determine whether an informal resolution process is the preferred manner of addressing the complaint and appropriate under the circumstances;
- if an informal resolution process is determined to be preferred and appropriate, mediating that process or appointing another trained individual to mediate;
- appointing an investigative team upon a determination that a formal resolution process is preferred by the Complainant or the only appropriate manner of resolution;
- making certain that individual reports and complaints are handled properly and in a prompt and timely manner;
- informing all parties regarding the grievance process;
- confirming that all parties have been notified of grievance decisions and of the right to, and procedures for, appeal, if applicable;
- maintaining information and documentation related to the investigation in a secure manner; and
- monitoring compliance with timeframes specified in the grievance procedures.

The Title IX Coordinator evaluates requests for confidentiality by those who report or complain about sexual misconduct in the context of the College's responsibility to provide a safe and nondiscriminatory environment for all students.

(3) Remedies, Including Interim Measures

Upon learning of a report or complaint of sexual misconduct, the Title IX Coordinator promptly takes steps to ensure the complainant's equal access to the College's programs and activities and protect the complainant as necessary. Such steps include taking interim measures before the final outcome of any investigation, providing remedial measures after the final outcome of investigation, and making the complainant and respondent aware of all available resources, including [list resources such as victim advocacy, housing assistance, academic support, counseling, disability services, health and mental health services, and legal assistance]

Upon a finding of prohibited sexual misconduct, the Title IX Coordinator determines whether campus-wide remedies should be adopted in response, including review and revision of the College's sexual misconduct policies, increased monitoring, supervision or security at locations where sexual misconduct is reported to occur, and increased education and prevention efforts, including to targeted populations.

If investigator finds that an individual engaged in prohibited sexual misconduct, the Title IX Coordinator reviews proposed sanctions before they are imposed to ensure that they,

along with the College's interim and long-term measures taken in response to the sexual misconduct, are reasonably calculated to stop the sexual misconduct and prevent its recurrence.

(4) Monitoring and Advising

In order to address sexual misconduct on campus and ensure ongoing compliance with Title IX, the Title IX Coordinator:

- reviews regularly all reports and complaints raising potential Title IX issues throughout the College to ensure that the College responded consistent with its Title IX obligations, even if the report or complaint was initially filed or raised with another individual;
- reviews regularly all reports and complaints raising potential Title IX issues throughout the college to identify and address any patterns;
- reviews regularly the College's policies and procedures to ensure that they comply with the requirements of Title IX;
- organizes and maintains files related to grievances, reports, complaints, and other records of potential sex discrimination, including sexual misconduct, in a secure manner;
- assesses regularly the College's compliance with, and the effectiveness of, policies and procedures related to sex discrimination, including sexual misconduct, and recommends modifications where appropriate;
- coordinates regularly with the College's Clery Act Compliance Officer with respect to overlapping obligations related to sexual misconduct against students, including prevention, education, and training;
- consults regularly with the College President and campus stakeholders to promote campus-wide awareness and discussion of Title IX-related issues, and develop and implement any modifications of policies and procedures to prevent and eliminate sex discrimination, including sexual misconduct; and
- ensures that appropriate policies and procedures are in place for working with local law enforcement and coordinating with local victim advocacy organizations and service providers, including rape crisis centers.

Formal Resolution of Complaints

Disciplinary action against a Respondent is taken through Formal Resolution procedures. Because the relationship of students, staff, and faculty to the college differ in nature, the procedures that apply when seeking disciplinary action necessarily differ as well. Each of the procedures, however, is guided by the same principles of fundamental fairness and respect for all parties, which require notice, an equitable opportunity to be heard, and an equitable opportunity to respond to a report under this policy.

For a complaint against a student, disciplinary action may be taken by the Student Sexual Misconduct Board after the investigator has determined that a violation has occurred. An

appeal may be made by the Respondent and/or Complainant to the Vice President and Chief Learning Officer, whose decision shall be final.

Formal complaints against non-faculty employees after initial intake by the Title IX Coordinator or Title IX Team will be referred to the Director of Human Resources for resolution under the hourly or salaried administrative staff handbooks.

Formal complaints against members of the faculty after initial intake by the Title IX Coordinator or Title IX Team will be referred to the Chief Learning Officer/designee for resolution under the Faculty Handbook Refer to the appropriate policies for more detailed procedural rules that apply.

Guiding Principles

Complainants' Rights:

- To be treated with respect, dignity, and sensitivity throughout the process.
- To a prompt and thorough investigation of the allegations.
- Freedom from retaliation by the Respondent (or the supporters).
- To seek and use all available internal and external support services in dealing with the results of the offense.
- To confidentiality and protection under the Family Education Rights and Privacy Act (FERPA). The College will make all reasonable efforts to ensure preservation of privacy, restricting information to those with a legitimate need to know.
- Ability to speak on his or her own behalf during the investigation and any disciplinary procedures.
- To have an advisor of their choice and/or a support person present during the disciplinary process.
- Freedom from having irrelevant sexual history inquired into or discussed during the investigation or disciplinary process.
- To be notified, in writing, of the case resolution.

Respondents' Rights:

- To be treated with respect, dignity, and sensitivity throughout the process.
- To a prompt, objective and thorough investigation of the allegations.
- Freedom from harassment by the Complainant (or the supporters).
- An explanation of the charges.
- To seek and use all available internal and external support services in dealing with the impact of the charges.
- To confidentiality and protection under the Family Education Rights and Privacy Act (FERPA). The College will make all reasonable efforts to ensure preservation of privacy, restricting information to those with a legitimate need to know.
- The ability to speak on his or her own behalf during the disciplinary procedures.
- To have an advisor of their choice and/or a support person present during the investigatory and disciplinary process.

- Freedom from having irrelevant sexual history inquired into or discussed during the investigation or disciplinary process.
- To be notified, in writing, of the case resolution.

Reporting Title IX Complaints

Prompt Reporting Encouraged: Any member of the Saint Joseph’s Community who has experienced any form of gender based discrimination, sexual harassment or sexual misconduct is encouraged to report the incident promptly to the Title IX Coordinator or any member of the Title IX Team, and to seek all available assistance to assure prompt investigation and adjudication of the complaint. With the exception of those employees who have legally recognized confidentiality obligations, all college employees with responsibility for the welfare of students and all supervisors, including faculty, staff, administrators and security officers, are required to share with the Title IX Coordinator any report of sexual misconduct or harassment they receive or of which they become aware. Student employees or volunteers who have responsibility for the other students (e.g., Resident Advisors) are also required to report to the Title IX Coordinator any incident of sexual misconduct or harassment of which they become aware. The College takes allegations very seriously and will work with complainants to ensure their safety and to reach an appropriate remedy.

Amnesty for Alcohol or Other Drug Use: In order to encourage reports of sexual misconduct, the College may offer leniency with respect to other violations that may come to light as a result of such reports, depending on the circumstances involved. An individual who reports sexual harassment or misconduct, either as a Complainant or a third party, will not be subject to disciplinary action by the College 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 involve felonious acts or place the health or safety of any other person at risk. The College may, however, initiate an educational discussion or pursue other educational or therapeutic remedies regarding alcohol or other drugs for those individuals.

External Reporting of Sexual Assaults Encouraged: A victim of a sexual assault should immediately report the incident to both a campus security officer and to the Title IX Coordinator. The College also strongly encourages victims of sexual assaults to report to proper external authorities, including local police. The College will assist victims in contacting the appropriate law enforcement agency. Victims will be counseled on the importance of preserving physical evidence of a sexual assault. In all cases, victims of sexual assault will be made aware of both campus and community mental health and counseling resources.

All allegations of Sexual Assault against a member of the college community, whether or not investigated by police for criminal prosecution, will be referred to the Title IX Coordinator for investigation of possible violations of the Gender Based Discrimination and Sexual Misconduct Policy. Even if the allegation of Sexual Misconduct is against a person over whom the College has no authority—such as a visitor from another school or

an intruder—the College is nevertheless committed to supporting members of our community using all available resources and maintaining an environment free from discrimination.

External Reporting of Sex Discrimination and Sex Harassment: A victim of sexual discrimination or sexual harassment in the employment or academic environment also has the right to file a charge with the Maine Human Rights Commission. The Maine Human Rights Commission is charged with investigating allegations of employment and school related discrimination and harassment. The Commission does not have the authority to award damages or to compel respondents to take remedial action, but encourages the parties to engage in conciliation to resolve the dispute.

In most cases involving sexual harassment, particularly harassment by coworkers or fellow students, the complainant must first report the harassment to the educational institution before filing a charge with the Commission. To be timely filed, a charge must be filed within 300 days of the most recent incident of harassment or discrimination.

To contact the Maine Human Rights Commission:

By Phone: (207)624-6290 Maine Relay 711

By Fax: (207) 624-8729

By Mail: Maine Human Rights Commission State House Station 51 Augusta, Maine 04333

Website: <http://www.maine.gov/mhrc/>

False Reports

The College takes the accuracy of information very seriously, as a charge of sexual harassment, sexual violence, stalking, or intimate partner violence may have severe consequences, both to individuals' future educational or employment prospects, and to their reputations. Knowingly making a false report or complaint under this policy, or knowingly providing false or intentionally misleading information during an investigation, may result in disciplinary action up to and including dismissal from the college or termination of employment. A good faith complaint is not considered to be falsely reported because the evidence was misinterpreted or not sufficient to support a formal charge or to constitute a violation of this policy.

When a Complainant or third party witness is found to have fabricated allegations or given false information with malicious intent or in bad faith, that individual may be subject to disciplinary action, up to and including separation from the College. Similarly, a Respondent or witness who is later proven to have intentionally given false information during the course of an investigation or judicial action may be subject to disciplinary action, up to and including separation from the College.

Resolving Title IX Complaints

Initial Response by Title IX Coordinator: The Title IX Coordinator or designated member of the Title IX Team will conduct an initial intake of any complaint of sexual discrimination, harassment or misconduct and may conduct a preliminary investigation of the matter or assist the Complainant in resolving the matter informally as more fully described below.

- **Report to Title IX Coordinator.** A complaint may be brought to the Title IX Coordinator or to any member of the Title IX Team by any member of the College community. If a complaint is brought to the attention of another member of the college administration, it should be referred to the Title IX Coordinator for initial response.
- **Intake Meeting with Complainant.** Upon receipt of notice of any allegation of a violation of the Title IX policy, the Title IX Coordinator will schedule an intake meeting with the Complainant. Complainant will be offered an intake meeting at the earliest possible time considering the nature and urgency of the complaint, usually within 24 hours of the receipt of notice in the case of alleged Sexual Misconduct and within 7 days of an allegation of Discrimination or Harassment. The purpose of the Intake Meeting is to gain a general understanding of the nature of the concern, counsel the Complainant as to his/her rights under the law, including possible interim protective measures, identify forms of support available, explain College policy and describe the informal and formal complaint procedures available.
- **Limitations of Confidentiality.** The Complainant will be advised at the Intake Meeting that the complaint will be kept confidential to the extent practicable, consistent with the College's obligation to investigate and to provide the Respondent with a fair opportunity to respond. An individual bringing a complaint should be aware that the College may be obligated to take action to address the behavior even if the Complainant does not want to move forward with a formal procedure. The decision to move forward with an investigation shall be discussed with the Complainant in advance. In order to evaluate whether to honor a request for confidentiality or that the complaint not be pursued, the Title IX Coordinator should weigh the Complainant's request against the following factors: the seriousness of the alleged violation; whether the complaint is credible on its face, whether there have been other complaints of a similar nature against the same Respondent, and the ability of the College to fairly and adequately investigate and remedy the complaint without having to disclose the existence of the complaint or the identity of the Complainant.
- **Complainant Preference that Complaint Remain Confidential.** Sometimes a Complainant will prefer that the Intake Meeting remain confidential and will request that no investigation or other formal action be taken by the College. The College will honor a Complainant's request to keep the consultation with the Title IX Coordinator confidential in situations where it can do so consistent with its legal obligation to provide a safe and nondiscriminatory academic/work environment. (U) If the College cannot honor the Complainant's request for

- confidentiality, the Title IX Coordinator will inform the Complainant of that conclusion before any investigation is initiated. In situations where the College cannot investigate or take disciplinary action against the Accused Party because the Complainant insists on confidentiality or refuses to participate in any investigation and/or adjudication, Title IX nonetheless requires the College to take whatever prompt and effective remedial action is reasonably available to limit the effects of the discrimination or harassment, and the Title IX Coordinator will ensure that these actions are taken.
- **Interim Protective 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 protective measures before the final outcome of the investigation and hearing, if any. Before or immediately after the Intake Meeting, the Title IX Coordinator will determine whether interim interventions and protective measure should be implemented, and, if so, take steps to implement those protective measures as soon as possible. Examples of interim protective measures include: an order of no contact, residence hall relocation, adjustment of course schedules, a leave of absence, or reassignment to a different supervisor or position. These remedies may be applied to one, both, or multiple parties involved. Applicable law requires that, when taking such steps to separate the Complainant and the Respondent, the College must minimize the burden on the Complainant and thus should not, as a matter of course, remove the Complainant from his or her job, classes or housing while allowing the Respondent to remain. Violations of the Title IX Coordinator's directives and/or protective measures will constitute related violations that may lead to additional disciplinary action. Protective measures imposed may be temporary pending the results of an investigation or may become permanent.
 - **Determination of Informal or Formal Resolution.** After the Intake Meeting, the Title IX Coordinator and the Complainant will determine the most appropriate strategy to stop the behavior. Some situations are minor and may be corrected by informal procedures, such as coaching the Complainant on possible tactics he or she may take to stop the offending behavior, providing a group of employees or students with non-disciplinary counseling or education about sexual harassment without indicating a complaint has been raised, or having the Title IX Coordinator mediate a discussion between the Complainant and the Respondent. Informal resolution may be appropriate in situations where the allegations of discrimination or harassment would not ordinarily merit serious discipline of the student or employee (e.g., probation, suspension, or expulsion of a student; or probation, suspension, demotion or termination of an employee.) An informal resolution will not be utilized where there are allegations of Sexual Misconduct. The Complainant has the right to terminate Informal Resolution and request a Formal Resolution at any time.
 - **Assistance with Criminal Complaint to Local Law Enforcement.** Where Sexual Misconduct has been alleged, the Title IX Coordinator will instruct the

Complainant about the option of initiating a criminal complaint through local law enforcement and will offer to assist the Complainant in contacting appropriate authorities. A Complainant may pursue both a criminal complaint and an internal adjudication. The College will not suspend its internal complaint process simply because a criminal complaint is pending but may delay its own investigation for a brief period in order not to interfere with the criminal investigation.

Informal Resolution Process

Informal procedures for addressing sexual discrimination or harassment are aimed at stopping the behavior rather than determining culpability or intent. The Complainant may at any time terminate the Informal Resolution process and proceed to a Formal Resolution. The following process will be followed in an Informal Resolution:

Step One. The Complainant will file a written complaint with the Title IX Coordinator describing precisely and clearly the facts. The Complainant may submit this written and signed complaint, or the Title IX Coordinator, after an interview with the Complainant, may draft the complaint for the Complainant's review and signature. The Complainant will also sign a statement confirming his or her preference to pursue an Informal Resolution of the complaint.

Step Two. The Title IX Coordinator will meet with the Complainant to discuss the complaint and informal strategies that may resolve the situation. Some informal strategies include:

- Coaching the Complainant to tell the person that the behavior is unwelcome and to stop;
- Coaching the Complainant to write to the person telling them that his or her behavior is unwelcome and to stop;
- Coaching the Complainant to send a copy of the sexual harassment policy with a note asking the person to stop;
- Having the Title IX Coordinator meet with the person who is the subject of the complaint and telling that person that the Complainant is uncomfortable with his or her behavior and it needs to stop or providing other coaching and/or education
- Having the Title IX Coordinator mediate a discussion between the Complainant and the person who is the subject of the Complaint.

Step Three. The Complainant will choose his or her preferred method(s) of addressing the complaint.

Step Four. The Title IX Coordinator will conduct appropriate follow-up, usually within a few days of Step Three. The purpose of the follow up is to determine if the action taken was successful in stopping the alleged behavior.

Step Five. The Title IX Coordinator will prepare a written report of the resolution of the complaint, including a summary of the incident, the informal strategies selected and the results of the follow up.

Step Six. If satisfactory resolution is not achieved, the Complainant may pursue the Formal Resolution process. Even where the Complainant chooses not to file a formal complaint, the Title IX Coordinator will consult with the Title IX Team as to whether the College should pursue other remedial action.

Formal Resolution Procedures Involving Students

Formal procedures are aimed at determining responsibility for a violation of college policy against sexual misconduct and, where violations have been found, determining what appropriate remedial action should be taken. The investigation is designed to provide a fair and reliable gathering of the facts. The sanctioning procedure is designed to provide a method for ensuring that the sanctions are commensurate with the seriousness of the violation found and calculated to ensure that the inappropriate conduct is not repeated. The appeal process is designed to ensure that the investigation has been carried out in a manner consistent with college procedures and that the sanction imposed is not grossly disproportionate to the violation found. All individuals participating in the formal resolution process, including the Complainant, the Respondent and any third-party witnesses, will be treated with appropriate sensitivity and respect. Consistent with the need for a full assessment of the facts, the formal resolution process will be conducted so as to safeguard the privacy of the individuals involved.

1. Investigation Phase

a. Designation of Investigator. The Title IX Coordinator or other member of the Title IX Team will designate an investigator who has specific training and experience investigating allegations of sexual harassment and sexual misconduct to conduct a thorough, impartial, and fair investigation. The investigator may be a member of the Student Sexual Misconduct Board or an external investigator engaged to assist the college in its fact gathering and determination of a finding. Any investigator chosen to conduct the investigation must be impartial and free of any conflict of interest. If a member of the Student Sexual Misconduct Board is designated to conduct the investigation, that individual will not serve on the sanctioning board, absent the consent of both the Complainant and Respondent. The investigator may designate a second individual, who is also impartial and free of any conflict of interest, to be a note-taker and advisor to the investigator.

b. Assignment of Advisors to Complainant and Respondent. The Title IX Coordinator will notify the Complainant and Respondent of their right to have an Advisor of their choosing to be present with the student that the Advisor is representing during the investigation, sanctioning and appeal stages of the process. The Advisor's role is as a "silent advisor," not an active participant in the interviews or proceedings. If requested by either party, the Title IX Coordinator will provide assistance in finding an Advisor who is a member of the college community. Either party may choose an advisor from outside the

community, provided that the Advisor meets with the Title IX Coordinator before the investigation starts to get an overview of the process and the Advisor's role. The Title IX Coordinator, investigator, and or Sanctioning Panel retain the right to exclude an advisor from a proceeding if that advisor fails to comply with these procedures or is otherwise disruptive to the process.

c. Overview of Investigation Process. With the assistance of the Title IX Team, the investigator will coordinate the gathering of information from the Complainant, Respondent, and other individuals or entities with relevant information regarding the complaint using any of the processes described below. The Complainant and Respondent will have an equal opportunity to be heard, to submit evidence, and to identify witnesses who may have relevant information. The investigator will not require the Complainant and Respondent to be in each other's presence during the investigation and shall not allow either party to interrogate or cross examine the other, but may request that each party propose questions or subject matters upon for the investigator to ask of the other party. The investigator will share with the Complainant and Respondent for comment or rebuttal information and documentation considered material to the findings related to the complaint.

d. Investigation Timeframe. The investigation will typically be completed within twenty (20) calendar days. Given the availability of witnesses or complexity of the circumstances, this time frame may be extended as necessary to ensure the integrity and completeness of the investigation. The investigator will provide periodic updates to the Title IX Coordinator and/or the Title IX Team, particularly regarding any emerging needs that would require additional interim protective measures for the Complainant or Respondent or regarding any adjustments to estimated timelines. Information gathered during the investigation will be used to evaluate the appropriate course of action, provide for the safety of the individual and the campus community, and impose remedies as necessary to address the effects of the conduct cited in the report.

e. Investigation Methods. The investigator will use any combination of the following methods for gathering evidence:

i. Complainant and Respondent Interviews

- The investigator will interview the Complainant and the Respondent separately and may interview one or both more than once as necessary;
- The Complainant and Respondent may be accompanied by their respective advisors.

ii. Document/Records Review

- In addition to reviewing any documents submitted by the Complainant and Respondent;
- the investigator will try to obtain such other physical or medical evidence relevant to the investigation as the investigator determines, in his or her judgment, to be

- necessary, including but not limited to documents, police records, electronic or other record of communications between the parties or witnesses, records or other relevant information;
- In obtaining such evidence, the investigator will comply with applicable laws and college policies.

iii. Site Visits

- The investigator may visit relevant sites or locations and record observations through written or photographic documentation.

iv. Witness Interviews

- The investigator will make a good faith effort to contact and interview any witnesses identified by the parties or in the documentation, including those no longer at the college;
- The investigator may also interview any other individual he or she finds to be potentially relevant to the allegations of the complaint;
- The investigator may determine that interviews of certain witnesses may be unnecessary because the information the witness is likely to provide would be cumulative or marginally relevant;
- The investigator will inform each witness or other individual interviewed that they are prohibited from retaliating against the Complainant and Respondent or other witnesses.

v. Experts

- The investigator may contact any expert the investigator determines is necessary to ascertain the facts related to the complaint;
- An expert witness may be contacted for an informal consultation or for a professional opinion regarding information learned from the investigation.

f. Prior Sexual History, Bad Acts, or Pattern Evidence. In general, in a case where the Respondent raises consent as a defense, any prior consensual relationship between the parties may be deemed relevant to assess the manner and nature of communications between the parties, but not necessarily determinative. A current or previous dating or sexual relationship, by itself, is not sufficient to constitute consent. Generally, prior sexual history of the Complainant or Respondent with third parties will not be considered relevant to an investigation. However, in limited circumstances, such as pattern evidence, it may be relevant in the determination of responsibility or, in the case of Respondent, assigning of a sanction. Additionally, a prior finding (post appeal rights) of responsibility for a similar act of sexual misconduct will always be deemed relevant and may be considered in making a determination as to responsibility and/or assigning of a sanction. If either party wishes to bring forth information concerning the other party's sexual history, bad acts, or pattern evidence, such requests must be made during the course of the investigation to the investigator, who is responsible for determining its relevance.

g. Investigative Report. At the conclusion of the investigation, the investigator will prepare a written investigative report summarizing and analyzing the relevant facts determined through the investigation, referencing any supporting documentation or statements. In preparing the report, the investigator will review all facts gathered to determine whether the information is relevant and material to the determination of responsibility given the nature of the allegation. The investigative report may include summaries of interviews with the Complainant, Respondent, third-party witnesses, experts, and any other individuals with relevant information, photographs of relevant sites or physical evidence, electronic records and forensic evidence. The investigator may provide a summary of impressions including context for the evidence. Before the report is finalized, the Complainant and Respondent will be given the opportunity to review their own statement and other relevant information collected during the investigation, including the statements of the other party and any witnesses. To protect the safety and welfare of witnesses, the investigator may remove any personally identifiable information from witness statements before sharing with Complainant or Respondent.

h. Findings. The investigative report will include a determination by the investigator as to whether the Respondent is responsible for a violation or violations of the Title IX Policy using the preponderance of the evidence standard. This determination may be accompanied by a rationale or further information if deemed appropriate.

i. Distribution to Parties. The Title IX Coordinator or a member of the Title IX Team will provide the Complainant and Respondent with a final copy of the investigative report and the findings and will inform them of the next steps in the process, including the option to appeal, if applicable. Should the Respondent be found by the investigator not responsible for a violation of the Title IX Policy, the Complainant retains the option to appeal the finding on limited grounds as described in the Appeals phase section below. Should the Respondent be found responsible for a violation of the Title IX Policy, the case will proceed to the sanctioning phase. Both parties may opt to appeal the finding prior to the start of the sanction phase on limited grounds using the procedures described in the Appeals section below. Appeals filed in this manner must be submitted within five (5) calendar days of the receipt of the finding. The Complainant and Respondent shall retain the full right to appeal on limited grounds following the decision of the Sexual Misconduct Board.

2. Sanctioning Phase: Sexual Misconduct Board and Sanctioning Panel.

Should the Respondent be found responsible for a violation of the Title IX by the investigator, the case will proceed to the sanction phase, where a Sanctioning Panel comprised of three members of the Sexual Misconduct Board will review the investigative report to impose an appropriate sanction. Generally, the Board shall meet to determine the appropriate sanction within ten (10) calendar days of completion of the investigative report.

a. Composition of Sexual Misconduct Board and Sanctioning Panel. As noted above, the Sexual Misconduct Board shall be composed of a pool of staff members appointed by the President through a selection process determined by the Title IX Coordinator in

consultation with the Title IX Team. For any given case, three members of the pool will be selected to comprise the Sanctioning Panel. All members of the Sexual Misconduct Board shall be trained annually regarding the dynamics of sexual misconduct, the appropriate manner in which to receive and evaluate sensitive information, the manner of deliberation, the application of the preponderance of the evidence standard, relevant sanctioning precedent (which shall inform but not bind the Board), and the college's policies and procedures. The training shall also stress the importance of confidentiality and privacy of all parties.

b. Review of Investigative Report and Finding. The Sanctioning Panel shall have access to the investigative report, finding, and all related documents to review prior to making a decision on an appropriate sanction. All documents provided to the Panel shall have all personally identifiable information for all students involved redacted. After reviewing the report and finding, if the Board feels that more information is required, they may refer the case back to the investigator for further clarification.

c. Review of Other Relevant Information and Opportunity to Respond. The Sanctioning Panel shall have access to information regarding sanctions imposed on students in comparable cases and other relevant information in the Respondent's student file, including prior student conduct history. The Complainant and Respondent shall have access to this information prior to its presentation to the Sanctioning Panel and shall have an opportunity to respond via a written statement to be provided to the Sanctioning Panel. Only information related to the information presented from the Respondent's student file shall be permitted in this statement. The Complainant and Respondent shall have the opportunity to present a statement to the Board describing the impact of the case on them. This statement may be presented in writing to the Panel or in person. If presented in person, the Board will not ask any questions of the individual present. Any advisor who may be present may not make any statements to the Board. If both the Complainant and Respondent wish to make in person statements to the Board, they shall not be present in the room together. To the extent either party requires support in preparing such a statement, the college will provide assistance.

d. Sanction Statement. The Sanctioning Panel may impose any appropriate sanction, including probation, suspension, and expulsion. Any student found responsible for a sexual assault violation will likely face a recommended sanction of suspension or expulsion. Any student found responsible for a non-consensual sexual contact violation (where no intercourse has occurred) will likely receive a sanction ranging from probation to expulsion, depending on the severity of the incident, and taking into account any previous campus conduct code violations. Any student found responsible for a sexual exploitation or sexual harassment violation will likely receive a recommended sanction ranging from warning to expulsion, depending on the severity of the incident, and taking into account any previous campus conduct code violations. The Sanctioning Panel reserves the right to broaden or lessen any range of recommended sanctions in the case of serious mitigating circumstances or egregiously offensive behavior. The Sanctioning Panel will not deviate from the range of recommended sanctions unless compelling justification exists to do so.

e. Deliberations. After a thorough review of the investigative report, finding, all other related documents, other relevant information, and any response from the Complainant or Respondent, the Sanctioning Panel shall deliberate regarding the appropriate sanction. The sanction shall be determined by a majority vote of the members of the Board present.

f. Notice of Outcome. The final written notice of outcome shall be simultaneously provided in writing to both the Complainant and the Respondent by the Title IX Coordinator or a member of the Title IX Team. The college will also provide written notice, at the same time to both parties, of any change in the outcome that occurs before the outcome becomes final. Both parties have the right to be informed of the outcome. The notice of outcome will include the finding as to whether there is a policy violation, the rationale for the result, and a brief summary of the evidence on which the decision is based, as appropriate. In addition, the Respondent will be fully informed of any sanctions. For reports involving sexual violence, the Complainant will be fully informed of any sanctions and remedies that directly relate to Complainant, including information about the Respondent's presence on campus (or in a shared class or residence hall), that may help a Complainant make informed decisions or work with the college to eliminate harassment and prevent its recurrence. For all other reports under this policy, the Complainant will be informed of only those sanctions that directly relate to the Complainant, consistent with FERPA and other applicable law. The notice shall include information regarding the right to appeal the outcome for both the Complainant and Respondent.

3. Appeal Phase

Vice President and Chief Learning Officer. The Vice President serves as the appeal officer for all violations of the Title IX by students using the procedures outlined below.

a. Eligibility, Timeline, and Filing Procedures. Either the Complainant or Respondent may file an appeal within ten (10) calendar days of notification of the decision. Appeals must be filed at the Vice President's Office. The VP will generally make all appeal decisions within five (5) calendar days of receipt of an appeal.

b. Grounds for Appeal. The Complainant and/or Respondent may appeal the parts of final outcome directly relating to him/her. Dissatisfaction with the outcome of the hearing is not grounds for appeal. Appeals may be based only on one or more of the following grounds:

- a procedural error that may have had a prejudicial effect upon the outcome of the proceedings;
- new evidence that was discovered after the investigation and could not have been discovered previously that might have had an effect upon the outcome of the proceedings; or
- the sanction imposed on the Respondent is grossly inappropriate.

The receipt of the appeal will be acknowledged in writing (which can include email).

c. Review for Appeal. All appeals are limited to the three possible grounds. The appeal shall consist of a concise written statement outlining the facts that support the available grounds for the appeal. The appeal will be conducted in an impartial manner by the Vice President. In any request for an appeal, the burden of proof lies with the party requesting the appeal, as the original determination and sanction are presumed to have been decided reasonably and appropriately. The appeal is not a new review of the underlying matter. The decision shall affirm the original finding of the investigator and the sanction imposed by the Sanctioning Panel unless the VP sustains one of the grounds for appeal, in which case the VP can:

- Refer a case to the original or new investigator if new evidence is presented or if there were prejudicial procedural errors; or
- Refer a case back to the Sanctioning Panel if the sanction is considered to be grossly inappropriate.

Appeals are not intended to be full rehearing of the complaint (de novo). This is not an opportunity for the VP to substitute his/her judgment for that of the original investigator or Sanctioning Panel merely because s/he disagrees with its finding and/or sanctions. Appeals decisions are to be deferential to the original or new investigator or the Sanctioning Panel, except where there is clear error. If the appeal is properly filed, each party will be given the opportunity to review the written appeal and respond to it in writing to the VP. Any response by the opposing party must be submitted to the VP within five (5) business days from being provided the appeal. If both parties file an appeal, the appeal documents from each party will be considered together in one appeal review process.

d. Appeal Decision and Notification. The appeal decision will include a rationale and shall be presented simultaneously in writing to both the Complainant and Respondent by the Title IX Coordinator or a member of the Title IX Team. Sanctions imposed are implemented immediately after all appeals. In cases where the appeal results in reinstatement to the institution or of privileges, all reasonable attempts will be made to restore the student to their prior status, recognizing that some opportunities lost may be irretrievable in the short term. Appeal decisions are final.

e. Timeframes for Procedures. The College will endeavor to conduct an investigation of a complaint in as timely a fashion as possible. Both parties will be given periodic status updates throughout the process as appropriate. The Intake Meeting will ordinarily be conducted within 24 hours of a report in the case of alleged Sexual Misconduct and within 7 days of an allegation of discrimination or harassment. The timeframe for completing an Informal or Formal Resolution process will ordinarily be 5 to 14 days from the Intake Meeting. However, this timeframe will vary based upon the complexity of the investigation, the severity and extent of the alleged Sexual Misconduct, delays caused by a criminal investigation by law enforcement, and the availability of witnesses, particularly where the timeframe overlaps with a school vacation or the end of an academic term. Final resolution of a complaint by the appropriate Administrator will

ordinarily be completed within 60 days of the Intake Meeting. This timeframe will also vary depending upon the nature of the procedure available to the parties involved.

f. Prohibition Against Retaliation. No faculty, staff or student who is filing a complaint or is a witness in the investigation shall be subject to retaliatory action for their good faith participation in the procedure. Words or behaviors that punish a person for the good faith filing of a complaint or participating in an investigation are illegal and against College policy. Any person who violates this policy will be subject to discipline up to and including termination in the case of an employee and expulsion in the case of a student.

Definitions of Terms

Sex Discrimination: behaviors and actions that deny or limit a person's ability to benefit from and/or fully participate in the educational programs or activities or employment opportunities because of a person's sex.

- Examples include, but are not limited to, sexual misconduct, failure to provide equal opportunity in education programs and co-curricular programs including athletics, discrimination based on pregnancy and employment discrimination.

Sexual Misconduct is a broad term defined by the College to encompass Sexual Assault, Sexual Exploitation, Non Consensual Sexual Intercourse, Forced Sexual Intercourse, Stalking, Intimate Relationship Violence, Domestic Violence and Sexual Harassment. Sexual Misconduct may vary in its severity and consists of a range of behaviors or attempted behaviors. Sexual Misconduct violates federal and state civil rights laws and may be subject to criminal prosecution in addition to action taken by the College.

Sexual Harassment is defined as conduct of sexual nature (which may be verbal, non-verbal, or physical) that has the effect of substantially interfering with an individual's work performance or creating an intimidating, hostile or offensive work, learning or co-curricular environment. Unwelcome sexual advances, requests for sexual favors, and other verbal, written, or physical conduct of a sexual nature constitute sexual harassment when:

- 1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or education;
- 2) submission to or rejection of such conduct by an individual is used as the basis for academic or employment decisions affecting that individual; or
- 3) such conduct has the purpose or effect of unreasonably interfering with an individual's academic or work performance or creating an intimidating, hostile or offensive employment or educational environment. Sexual harassment may involve individuals of the same or different genders. Sexual harassment is most frequently associated with those situations in which a power differential exists between persons involved; however it also may occur between individuals of the same College status, e.g. student-student and

employee-employee. Such conduct, whether intended or not, constitutes sexual harassment and is illegal under both state and federal law. Men, as well as women, may be victims of sexual harassment.

Examples of conduct which, if continued or repeated, may constitute sexual harassment are:

- Promising directly or indirectly, a reward if the student or employee complies with a sexually oriented request.
- Threatening to deny or denying an education related opportunity, directly or indirectly, in retaliation against a member of the community if that person refuses to comply with a sexually oriented request.
- Unnecessary touching, patting, hugging or brushing against a person's body, staring, ogling, leering, whistling, sexually explicit statements, comments, jokes, or anecdotes, graphic comments about a person's clothing or body.
- Displaying pornographic or sexually suggestive objects or pictures in the workplace.
- Harassing use of electronic mail or telephone communication system, other physical or verbal conduct of a sexual nature.
- Making sexual or romantic advances toward a member of the community despite the rejection of such advances.
- Stalking or cyber-stalking
- Bullying
- Hazing

Sexual harassment can be physical and/or psychological in nature. An aggregation of a series of incidents can constitute sexual harassment even if one or more of the incidents considered individually would not rise to the level of harassment.

Non Consensual Sexual Intercourse is any sexual intercourse, meaning penetration by a penis, object, tongue or finger, anal penetration and/or oral copulation (mouth to genital contact or genital to mouth contact with an object or body part), by a man or woman upon a man or a woman without Effective Consent.

Forced Sexual Intercourse is unwilling or non-consensual sexual penetration (anal, vaginal or oral) with any object or body part that is committed either by force, threat, Coercion, intimidation or through exploitation of another's mental or physical condition of which the assailant was aware or should have been aware.

Force means physical force, violence, intimidation, Coercion, or a Threat that would reasonably cause a person to fear for their physical or psychological well-being.

- Threat means a verbal or non-verbal act that would directly cause a reasonable person to fear for their own safety or well-being or for the safety or well-being of another causing that person to do something they would not normally do.

- Coercion means behavior that, based on its frequency, duration and intensity, causes an unreasonable application of pressure causing a person to do something they would not normally do.

Sexual Assault means Sexual Contact that occurs without Effective Consent.

Sexual Contact is any intentional touching of a person's intimate body parts, (including the breasts, buttock, groin or genitals, or clothing covering any of those areas), or the use of Force to cause a person to touch his or her own or another person's intimate parts.

Effective Consent means words or actions that show an active, knowing, and voluntary agreement to engage in mutually agreed upon sexual activity. Effective consent cannot be gained by force, duress, or deception, by ignoring or acting in spite of the objections of another, or by taking advantage of the Incapacitation of another, where the actor knows or reasonably should have known of such Incapacitation. Effective Consent is also lacking when the activity in question exceeds the scope of Effective Consent previously given. Effective Consent is informed, freely and actively given and requires clear communication between all persons involved in the sexual encounter. Effective consent cannot be given by minors, developmentally disabled individuals or persons incapacitated as a result of drugs or alcohol. Neither consent to one form of sexual activity nor past relationships imply consent to future sexual activity.

Incapacitation is a state where individuals cannot make a rational, reasonable decision because they lack the ability to understand the nature of their sexual interaction.

Sexual Exploitation occurs when a member of the community takes sexual advantage of another person without Effective Consent. Examples of sexual exploitation include, but are not limited to:

- Invasion of sexual privacy
- Non-consensual video or audio taping of sexual activity.
- Posting non-consensual materials on social media such as Facebook or Twitter.
- Engaging in voyeurism.
- Bullying

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, social media), threatening or obscene gestures, surveillance or showing up outside the targeted individual's classroom, residence or workplace.

Intimate Relationship Violence (also known as dating violence or intimate partner violence) is defined as acts of violence, threats, stalking or intimidation that harm or injure a partner in a current or former intimate relationship (defined below). These acts may be physical, emotional/psychological, sexual or economic in nature. Intimate

relationship violence can be a single act or pattern of behavior. 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. The College will not tolerate intimate relationship violence of any form. For purposes of this policy, the College does not define intimate partner violence as a distinct form of misconduct. Rather, the College recognizes that sexual harassment, sexual assault, sexual exploitation, stalking and retaliation all may be forms of intimate partner violence when committed by a person who is or has been involved in a sexual, dating, domestic or other social relationship of a romantic or intimate nature with the Complainant.

Under Clery and the Campus SaVE Act, the College will record and report all relevant incidents of intimate relationship violence.

Domestic Violence in the Context of Intimate Relationships. Domestic violence is a particular type of intimate relationship violence that occurs when partners in a current or former intimate relationship are or have been cohabitating in the same space. Students are deemed to be cohabitating when they share access to the same private living space.

Intimate Relationship. An intimate relationship is a short or long term relationship between persons of any gender that provide romantic and/or physical intimacy or emotional dependence. Intimate relationships may include (but are not limited to) marriages, civil unions, dating relationships, “hook-up” relationships, relationships in which partners are characterized as “girlfriends” or “boyfriends,” and relationships between persons with a child in common.

The College will not tolerate intimate relationship violence of any form. For purposes of this policy, the College does not define intimate partner violence as a distinct form of misconduct. Rather, the College recognizes that sexual harassment, sexual assault, sexual exploitation, stalking and retaliation all may be forms of intimate partner violence when committed by a person who is or has been involved in a sexual, dating, domestic or other social relationship of a romantic or intimate nature with the Complainant.

Title IX Coordinator:

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Student Sexual Misconduct Board

- Brian Curtin
- Elaine Trumble
- Suzan Nelson
- Michelle Scribner
- Lynn Bivens
- Ian Marquis
- Kareem Myrick

Missing Student Protocol

Members of the Saint Joseph's College community who have reason to believe that a student who resides in on-campus housing is missing should immediately notify Campus Safety at extension 6687 (or 207-893-6687 from a cellular phone). Security Officers will generate a missing person report and initiate an investigation.

After investigating the missing person report, and if it is determined that the student is missing and has been missing for more than 24 hours, Campus Safety will notify the Cumberland County Sheriff's Office and the student's listed emergency contact no later than 24 hours after the student is determined to be missing. If the missing student is under the age of 18 and is not an emancipated individual, Saint Joseph's College will notify the student's parent or legal guardian immediately after determining that the student has been missing for more than 24 hours.

In addition to registering an emergency contact, students residing in on-campus housing have the option to identify a confidential contact person (an individual to be contacted by the College in the event the student is determined to be missing for more than 24 hours). If a student has identified such an individual, Saint Joseph's College will notify that

individual no later than 24 hours after the student is determined to be missing. Students who wish to identify a confidential contact can do so through the offices of Student Life or the Registrar.

Drug Free Schools and Workplace Policy

The Campus Safety Department actively supports the College's adherence to the Federal Drug-free Schools and Workplace policy; the full statement for this policy can be found via the following link and then on page 22 of the employee handbook:

http://www.sjcme.edu/files/sjcme_files/docs/handbk.pdf

Possession, Use or Sale of Illegal Drugs/Controlled Substances

The possession, use, sale or any other means to distribute illegal drugs on Saint Joseph's College Campus is not permitted by law. Possession or use of any drug paraphernalia is not permitted at Saint Joseph's College.

Any student present in a room where a controlled substance is being used may also be considered in violation of the Student Code of Conduct and subject to disciplinary action.

All paraphernalia discovered to be in the possession of a student or student-sponsored guest will be confiscated, recorded and then destroyed/disposed of by Campus Safety and/or Residence Life personnel, or it may be turned over to the Cumberland County Sheriff's Office for appropriate disposal.

Alcohol Policy

Saint Joseph's College understands that alcohol is part of today's society, and therefore, believes in educating students about alcohol, its effects, and the prevention of alcohol abuse. Saint Joseph's College supports Maine state law related to alcohol, which includes the age of 21 as the legal age for possession or consumption of alcohol. The College defines some specific guidelines associated with alcoholic beverages on campus. This outline is provided to clarify the SJC alcohol policy:

- 1) **Legal age:** Students must be at least 21 years of age to possess or consume alcohol on campus.
- 2) **Disorderly conduct while under the influence of alcohol:** Any person who, while under the influence of alcohol, disrupts the orderly conduct of College affairs whether in a residential, academic or social setting.
- 3) **Open Container:** Once opened, no alcoholic beverages may be carried or consumed on campus outside of residence hall rooms. Open containers include

- any alcoholic beverages out of the original container or having a broken seal on the original container.
- 4) **Supplying:** Any person, who hosts, sponsors or participates in a function wherein alcoholic beverages are knowingly provided to minors. Persons of legal age may not purchase or provide alcohol for minors.
 - 5) **Abusive drinking:** Abusive drinking of alcoholic beverages is prohibited. The following behaviors are examples of (but not limited to) what are considered “abusive drinking practices”:
 - Drinking to the point of physical illness.
 - Consumption of alcohol while using prescription or over the counter medication.
 - Possession of a container or device which dispenses alcohol through a tap or any other central source of alcohol (example – Keg, “beer ball”, or “trash can punch”)
 - Possession of any alcohol “gaming table” or “drinking game” paraphernalia.
 - 6) **False IDs:** The production, possession and/or use of false identification are prohibited.
 - 7) **Alcohol-free halls:** O’Connor, Putnam, Saint Joseph’s, and Standish Halls are considered alcohol-free living environments. No alcoholic beverages may be taken into the aforementioned halls, even by those of legal drinking age. Putnam Hall and all designated substance-free floors/areas are off limits for all substances (alcohol, tobacco and controlled drugs).
 - 8) Students may request the use of a particular space on campus for an officially recognized college event that may include alcohol. Students must meet with members of Campus Life at least seven (7) days in advance to register their function and to review specific guidelines related to such events. Any activity focusing primarily on alcohol/drinking will not be approved. The Office of Campus Life must grant final approval of all events using alcohol.
 - 9) Student Government Association (SGA) funds may not be used to purchase alcohol.

Statement on Substance Abuse

The Saint Joseph's College Board of Trustees recognizes abuse as a complex problem which is not easily resolved by personal effort and may require professional assistance and/or treatment. Accordingly, the College has designated individuals to assist students, faculty, and staff members who seek referrals for aid with substance abuse problems. The College shall take necessary steps to ensure the confidentiality of all inquiries and referrals. All students, faculty, and staff shall be informed periodically of the availability of help for substance abuse problems. The College shall also make informational materials regarding substance abuse available.

Students, faculty, and staff with substance abuse problems are encouraged to take advantage of available diagnostic, referral, counseling and prevention services. Persons availing themselves of these services, however, will not be granted special privileges and /or exemptions from standard practices applicable to performance requirements. The College will not excuse acts of misconduct committed by persons whose judgment is impaired due to substance use or abuse.

The possession, use or distribution of illegal drugs as defined by federal, state, and local statutes is prohibited at any time on College property. Persons known to possess, use or distribute illegal drugs are liable to public enforcement sanctions and College disciplinary action. Use of alcoholic beverages on College property shall be in compliance with state laws. Violations of regulations, policies and procedures will result in disciplinary action and, where applicable, criminal proceedings.

WHAT DOES THE LAW SAY ABOUT ALCOHOL?

Furnishing Liquor to a Minor or a Visibly Intoxicated Person

Maine law makes it a crime for any person to knowingly give liquor to a minor or a visibly intoxicated person or to allow any minor under that person's control or in any place under that person's control to consume liquor. Violation of this law can result in a fine of not less than \$500 and up to 6 months in jail.

Illegal Sale of Liquor

It is a crime to sell liquor without having a liquor license issued by the Maine Bureau of Alcoholic Beverages; this includes non-sanctioned parties where a fee is collected for cups, admission, etc. Violation of this law can result in fines of \$300 to \$500 plus 30 days in jail for the first offense. Subsequent offenses are punished by greater fines and jail time.

Illegal Possession with Intent to Sell

Any person who possesses liquor with the intent to sell it is in violation of Maine liquor laws and is subject to a fine of between \$100 and \$500 and possible incarceration from 2 to 6 months.

Seizure and Forfeiture of Vehicle

Any vehicle used to transfer liquor intended for illegal sale may be impounded at the time of the violation or seized following the violation.

SPECIAL LIQUOR LAWS RELATING TO MINORS

Illegal Possession/Consumption of Liquor

Any minor (a person under the age of 21 years, but more than 18 years) who is found to be in possession or control of alcohol is guilty of a civil infraction and shall be fined:

- 1st offense, \$200 to \$400
- 2nd offense, \$300 to \$600
- 3rd and subsequent offenses, \$600

It is also illegal for any minor to possess or use a false identification to purchase alcohol.

Teen Drinking Laws

An individual under the age of 21 years is issued a provisional driver's license in Maine. That provisional status remains in effect for 2 years, or until the person turns 21, **whichever is later**. If that person operates a motor vehicle with any amount of alcohol in their blood, the Secretary of State suspends the driver's license for one year. If that person also has a passenger under the age of 21 while operating with alcohol in their blood, an additional six-month suspension is imposed. Refusal to submit to a chemical test upon demand of a police officer results in an 18-month suspension of a driver's license and the same additional 6 months if the operator had a passenger under 21. These provisions are administrative proceedings and the suspensions can result even in the absence of criminal charges; if the operator's blood alcohol concentration is 0.08% or higher, a charge of criminal Operating Under the Influence will result, with the imposition of significant penalties upon conviction.

Illegal Transportation

No minor shall transport alcohol in a motor vehicle except in the scope of his/her employment or with a parent's knowledge or consent. The penalty is a fine of up to \$500 and a 20-day driver's license suspension. A reinstatement fee will be charged for the license to be reinstated. Points will be assessed against the offender's license.

LIQUOR LAWS RELATING TO MINORS AND ADULTS

Operating Under the Influence

Maine motor vehicle law makes it a crime for any person to operate a motor vehicle in Maine under the influence of alcohol or drugs or with an excessive blood alcohol level. Penalties for operating under the influence are as follows:

1st Conviction: if your blood-alcohol content is .08 to .14 percent:

- A fine of at least \$400, or if you refuse to submit to a test, at least \$500, and

- Loss of license for at least 90 days.

Refusal to be tested by an individual results in an automatic loss of license for 180 days.

If your blood-alcohol content is .15 percent or more, or you are traveling 30 mph (or more) over the speed limit, or you attempt to elude an officer of the law, or you have a passenger who is under 21 years of age:

- A fine of at least \$400
- At least 48 hours in jail, (96 hours if you refuse a test) and
- Loss of license for at least 90 days

Penalties for second and subsequent convictions within a 10 year period include greater fines and mandatory jail time.

Vehicle Seizure or Forfeiture

A person operating under the influence while under suspension for a previous OUI or test refusal is subject to vehicle seizure and forfeiture.

Maine Liquor Liability Act

The Maine Liquor Liability Act serves to prevent alcohol-related injuries, deaths and other damages among Maine's population. This law makes one civilly liable for the negligent or reckless service of alcohol to a minor or to a person who is visibly intoxicated. Monetary damages may be awarded for the negligent or reckless serving of alcohol, which causes property damage, bodily injury or death.

WHAT ARE STATE DRUG OFFENSES?

Maine law prohibits the knowing, intentional and unauthorized possession, furnishing (distributing or giving away) and trafficking (selling) of scheduled drugs. Scheduled drugs include, for example, cocaine, marijuana, lysergic acid diethylamide (LSD), heroin, ecstasy, and anabolic steroids.

Possession is merely exercising or maintaining control over an item. Possession of drugs can include merely allowing drugs to be kept in your room, car, or locker even though someone else owns the drugs.

To **Furnish** drugs is to dispense, administer, or transfer drugs to another regardless of profit. Sharing a scheduled drug with friends (even if the friends do not pay for it) is "furnishing".

Trafficking is to sell, barter, trade, exchange or furnish an illegal drug for consideration.

Aggravated Trafficking in an illegal drug occurs if the crime of "trafficking" is committed with facts that include any of the following "aggravating factors":

- Trafficking while within 1,000 feet of an elementary or secondary school, regardless of whether the sale took place in a private home or whether the school was in session
- Trafficking while on a school bus

- The trafficking involves a minor (under 18 years of age)
- Trafficking in 112 grams (approx. 4 ounces) or more of cocaine
- The trafficking involves a firearm

Aggravated trafficking is a crime one sentencing class more serious than trafficking and consequently carries longer terms of imprisonment and greater fines.

Penalties

The penalties for possession, furnishing and trafficking in some of the more frequently used illegal drugs are shown in Table 1.

Table 1

SOME STATE OF MAINE ILLEGAL DRUG VIOLATION MAXIMUM PENALTIES

	Marijuana		Cocaine		LSD		Heroin		Steroids / Ecstasy	
	Prison	Fine	Prison	Fine	Prison	Fine	Prison	Fine	Prison	Fine
Possession	1 yr	\$200-400	1 yr	\$2000	1 yr	\$2000	5 yrs	\$2000	6 mo	\$1000
Possession with intent to furnish	1 yr	\$2000	5 yrs	\$5000	5 yrs	\$5000	5 yr	\$5000	1 yr	\$2000
Possession with intent to traffic	5 yrs	\$5000	10 yrs	\$20k	10 yrs	\$20k	10 yrs	\$20k	1 yr	\$2000
Possession w/ intent to commit aggravated trafficking	5 yrs	\$5000	4-40 yrs	\$50k	4-40 yrs	\$50k	4-40 yrs	\$50k	1-5 yrs	\$5000
Furnishing	1 yr	\$2000	5 yrs	\$5000	5 yrs	\$5000	5 yrs	\$5000	1 yr	\$2000
Trafficking	1 yr	\$2000	10 yrs	\$20k	10 yrs	\$20k	10 yrs	\$20k	1 yr	\$2000

1. In addition to the above penalties, an offender can receive up to one-year probation for misdemeanor offenses, and up to 4 or 6 years for felonies.
2. The amount of marijuana will increase the penalties. For example, the penalties for trafficking are increased to up to 10 years in jail and a \$10,000 fine if the amount of marijuana is 20 pounds or more.
3. The amount of the drug possessed usually determines whether the crime is categorized as merely possession or possession with intent to furnish, traffic or commit aggravated trafficking.
4. Possession of any amount of some drugs, (heroin, crack cocaine, methadone), is classified as a felony and has the same penalties as trafficking.
5. The Court may order any person convicted of possession, furnishing or trafficking to pay a fine equal to twice the financial gain derived from the offense.
6. In the event a motor vehicle is used to facilitate a drug offense, an offender can have his license suspended for up to 5 years.

WHAT ARE FEDERAL DRUG OFFENSES?

The criminal offenses most commonly charged under the Federal Controlled Substances Act are the knowing, intentional, and unauthorized manufacture, distribution, or dispensing of any controlled substance or the possession of any controlled substance with the intent to manufacture, distribute or dispense. Federal law also prohibits the knowing, intentional, and unauthorized creation, distribution, dispensing, or possession with intent to distribute or dispense a "counterfeit substance".

Simple possession without necessarily intent to distribute is also forbidden by federal law and carries a penalty of imprisonment. Furthermore, "attempts" and/or conspiracies to distribute or possess with intent to distribute controlled substances are crimes under federal law.

Federal law prohibits certain specific drug crimes, which carry greater penalties, including:

- The distribution of narcotics to persons under 21 years of age.
- The distribution or manufacturing of narcotics near schools and colleges.
- The employment of juveniles under the age of 18 in drug trafficking operations.
- The distribution of controlled substances to pregnant women.

The penalties for violating federal narcotic statutes vary considerably. The penalties may be harsher based on two principal factors; specifically:

- The type of drug involved (heroin, cocaine, marijuana, LSD, etc.)
- The quantity of the drug involved.

With the exception of simple possession charges, which result in up to one-year imprisonment, maximum penalties for narcotic violations range from 20 years to life in prison. Certain violations carry **mandatory minimum** prison sentences of either five years or ten years. For example, the possession with intent to distribute one kilogram or more of a substance containing a detectable amount of heroin carries a term of imprisonment of not less than 10 years and up to life imprisonment. The possession with intent to distribute 500 grams or more of a mixture or a substance containing a detectable amount of cocaine carries a sentence of not less than five years and not more than 40 years.

CRIME STATISTICS

Student Right-to-Know and the Campus Security Act

In accordance with the Federal Student Right-to-Know and Campus Security Act (Clery Act, S. 580), each institution of higher education is required to annually prepare a Uniform Campus Crime Report (UCCR) consistent with the FBI's Uniform Crime Reporting System (UCR). The report is to reflect the crime statistics on the property of the institution. The statistical crime categories to be reported are: homicide, rape, robbery, hate crimes, aggravated assault, arson, and motor vehicle theft, as well as arrests for: liquor law violations, drug abuse violations, and weapons possession violations.

Fire Safety Statistics

The Student Right-to-Know Act includes a provision for the annual reporting of campus fire safety statistics and policy disclosures (much like the Clery crime statistics). The Public Safety Department has published these statistics in a separate annual report which may be accessed from the Security page of the campus website.

Crime Definitions

Murder – The willful (non-negligent) killing of one human being by another.

Manslaughter – The killing of another person through negligence.

Forcible Sex Offenses – Any sexual act directed against another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent.

Forcible sex offenses include:

Forcible Rape – the carnal knowledge of a person, forcibly and/or against a person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her temporary permanent or physical incapacity (or because of his/her youth).

Forcible Sodomy – Oral or anal sexual intercourse with another person, forcibly and/or against that person's will; or not forcibly or against that person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary permanent mental or physical incapacity.

Sexual Assault with an Object – The use of an object or instrument to unlawfully penetrate, however slight, the genital or anal opening of the body of another person, forcibly and/or against that person's will or not forcibly or against the person's will where the victim is incapable of giving consent

because of his/her youth or because of his/her temporary permanent mental or physical incapacity.

Forcible Fondling – The touching of the private body parts of another person for the purpose of sexual gratification, forcibly and/or against the person’s will; or not forcibly or against the person’s will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary permanent mental or physical incapacity.

Non-forcible Sex Offenses – Unlawful, non-forcible sexual intercourse.

Non-forcible Sex Offenses include:

Incest – Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

Statutory Rape – Non-forcible sexual intercourse with a person who is under the statutory age of consent.

Robbery – the taking, or attempting to take, anything of value under confrontational circumstances from the control, custody or care of another person by force or threat of force or violence, and/or by putting the victim in fear.

Aggravated Assault – An unlawful attack by one person upon another where either the offender displays a weapon, or the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration or loss of consciousness.

Burglary – The unlawful entry into a building or other structure with the intent to commit a felony or a theft.

Motor Vehicle Theft – The theft or attempted theft of a motor vehicle.

Arson – To unlawfully and intentionally damage, or attempt to damage, any real or personal property by fire or incendiary device.

Liquor Law Violations – The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possessing or use of intoxicating alcoholic beverages.

Drug Related Violations (Sale and Possession) – The unlawful cultivation, manufacture, distribution, sale, purchase, possession, transportation or importation of any controlled drug or narcotic substance. Or, the unlawful manufacture, sale, purchase, possession or transportation or equipment or devices used for preparing and/or taking drugs or narcotics (drug paraphernalia).

Weapon Law Violations – The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession or use of firearms, cutting instruments, explosives, incendiary devices or other deadly weapons.

Geography Definitions

Campus – (a) Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution’s educational purposes, including residence halls; and

(b) Any building or property that is within or reasonably contiguous to the area identified in paragraph (a) of this definition, that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor).

Residence Halls– A subset of crimes on campus that includes only those crimes that were reported to have occurred in dormitories or other residential facilities.

Non-campus building or property – (a) Any building or property owned or controlled by a student organization that is officially recognized by the institution; or

(b) Any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution’s educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.

Saint Joseph’s College of Maine has no properties matching the “Non-campus Property” classification-this category is not included in this ASR.

Public Property – All public property, including thoroughfares, streets, sidewalks, and parking facilities that are within the campus, or immediately adjacent to and accessible from the campus.

CRIMINAL OFFENSES

Criminal Offense – On Campus	2012	2013	2014
Murder/Non-negligent manslaughter	0	0	0
Negligent Manslaughter	0	0	0
Forcible sex offenses	0	3	0
Non-forcible sex offenses	0	0	0
Robbery	0	0	0
Aggravated assault	0	0	0
Burglary	4	1	1
Motor vehicle theft	0	0	0
Arson	0	0	0

Criminal Offense – On Campus – Residence Halls	2012	2013	2014
Murder/Non-negligent manslaughter	0	0	0
Negligent manslaughter	0	0	0
Forcible sex offenses	0	3	0
Non-forcible sex offenses	0	0	0
Robbery	0	0	0
Aggravated assault	0	0	0
Burglary	4	1	0
Motor vehicle theft	0	0	0
Arson	0	0	0

Criminal Offense – Public Property	2012	2013	2014
Murder/Non-negligent manslaughter	0	0	0
Negligent manslaughter	0	0	0
Forcible sex offenses	0	0	0
Non-forcible sex offenses	0	0	0
Robbery	0	0	0
Aggravated assault	0	0	0
Burglary	0	0	1
Motor vehicle theft	0	0	0
Arson	0	0	0

Criminal Offense – Reported by State & Local Police	2012	2013	2014
Murder/Non-negligent manslaughter	0	0	0
Negligent manslaughter	0	0	0
Forcible sex offenses	0	0	0
Non-forcible sex offenses	0	0	0
Robbery	0	0	0
Aggravated assault	0	0	0
Burglary	0	0	1
Motor vehicle theft	0	0	0
Arson	0	0	0

HATE CRIMES

There were no reported hate crimes (nor were any reported crimes determined to be acts of hate) for calendar years 2011, 2012, or 2013.

ARRESTS

Liquor Law Violations	2012	2013	2014
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On-campus	0	0	2
On-campus Student Residences	0	0	0
Public Property	0	0	0

Drug Law Violations	2012	2013	2014
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On-campus	1	0	0
On-campus Student Residences	1	0	0
Public Property	0	0	0

Weapons Possession	2012	2013	2014
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On-campus	0	0	0
On-campus Student Residences	0	0	0
Public Property	0	0	0

DISCIPLINARY REFERRALS

Liquor Law Violations	2012	2013	2014
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On-campus	168	205	145
On-campus Student Residences	168	205	145
Public Property	0	0	0

Drug Law Violations	2012	2013	2014
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On-campus	59	46	34
Student Residences	59	46	34
Public Property	0	0	0

Weapons Possession	2012	2013	2014
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On-campus	1	0	3
Student Residences	1	0	3
Public Property	0	0	0

For further information on campus safety and security issues

Please contact:

Ian MacEachen

Director of Campus Safety

Saint Joseph's College of Maine

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