UNIVERSITY OF SOUTHERN MAINE

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2024 Annual Security & Fire Safety Report

(Published September 2025)

USM Public Safety
207-780-5211
www.usm.edu/public-safety/

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University of Southern Maine Annual Safety Report: Embracing SAFER Principles

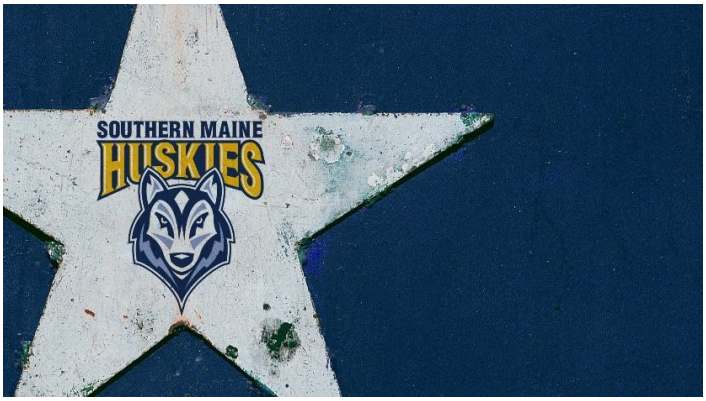
Welcome to the University of Southern Maine's 2024 Annual Security and Fire Safety Report.
This report reflects our ongoing commitment to fostering a safe, secure, and supportive environment for our diverse and dynamic campus community. At the heart of USM Public Safety's mission are the core values of Service, Accountability, Fairness, Excellence, and Responsibility (SAFER), which guide every decision and action we take.

- **S**ervice – Protecting and supporting the campus community through collaborative, community-centered policing.
- **A**ccountability – Owning our actions and decisions, while remaining adaptable to new challenges and emerging safety needs.
- **F**airness – Applying laws and policies with impartiality, equity, and respect for every individual, regardless of background or identity.
- **E**xcellence – Maintaining professionalism through dedication, perspective, and purpose in all we do.
- **R**esponsibility – Using resources wisely and effectively to build and sustain trust with our community.

This report not only outlines our safety initiatives and annual statistics, but also demonstrates how USM continues to live out its SAFER values in pursuit of safer campuses for all. By sharing this information transparently, we affirm our commitment to the well-being of our students, faculty, staff, and visitors across every campus.

We are grateful for your trust in the University of Southern Maine Public Safety Department. Together, by upholding the SAFER values, we strengthen our community and create a campus environment where everyone can thrive.

Gráinne Perkins, PhD.
Vice President of Public Safety and Chief of Police



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Introduction

This report is intended to provide you with essential information regarding the University of Southern Maine's (USM) police-related programs, services, policies, and statistics about the occurrence of crime on campus. It is provided annually by October 1st as part of our commitment to safety and security and to meet the requirements of the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act of 1998 and its amendments included in the 2013 reauthorization of the Violence Against Women Act.

Please review this report carefully and take notice of all the services available to you. Every student and employee can play a role in maintaining a safe campus.

Federal law requires that statistics be compiled by the University for certain crimes when reported to Public Safety and/or to a campus official with significant responsibility for student and campus activities. Additionally, we are required to seek these crime statistics from other Police Departments that have jurisdiction in the towns/cities within and around our campuses.

Policies and Procedures

The procedure for preparing this document to provide the University community with the crime statistics requires obtaining reporting statistics from the following sources: USM Public Safety, the Police Departments from the towns/cities of Gorham, Lewiston, and Portland, and Campus Security Authorities. For statistical purposes, crime statistics reported to any of these sources are recorded in the calendar year the crime was reported. A written request for the information is made annually to all Campus Security Authorities (as defined by federal law) and to all University Deans, Directors, and Department Heads.

All of the crime statistics for this report are gathered, compiled, and reported to the University community by USM Public Safety. USM Public Safety submits the annual crime statistics published in this brochure to the Department of Education (DOE). The statistical information gathered by the Department of Education is available to the public through the DOE website.

Each fall, an e-mail notification is sent to all employees and enrolled students, providing the web link for this report. Supervisors of employees without computer access are instructed to print the report for these employees. Notice of this report is included in the University application materials for prospective students and employees. A pdf of this report is posted on Public Safety's webpage with a link to the report at the bottom of every USM webpage in the footer.

To request a paper copy of this report or ask any questions about this report, please direct your inquiry to USM Public Safety, 9 Ronald Saindon Drive, Gorham, ME 04038, or by phone at 207-780-5211.

A pdf of this report can be downloaded from Public Safety's website at: https://usm.maine.edu/public-safety/annual-security-and-fire-safety-report/

Separate Campuses
All policy statements contained in this report apply to all campuses unless otherwise indicated.

Safety and Security Information

USM is a community of over 8,400 current undergraduate and graduate students and employees located on three campuses in Portland, Gorham, and Lewiston, Maine. The University shares many of the same interests and problems of its local communities, including crime. Although the University has been fortunate and has not experienced significant numbers of violent crimes, crimes do and can occur on our campuses.

As of Fall Semester 2023, the University of Maine School of Law is located at 300 Fore Street, Portland, and is no longer situated within the geography of the Portland Campus. They no longer receive security services from the University of Southern Maine, and they report their own Clery data.

How to Report an Emergency or Criminal Action

Make a Report on the Portland or Gorham Campus
USM Public Safety is the Department responsible for security and emergency response at USM. To report an emergency and/or criminal activity on the Portland and Gorham campus, dial 911. Dialing 911 while on-campus will connect callers to Cumberland County Communications.

To reach USM Public Safety directly, dial 207-780-5211. To reach the Town of Gorham Police Department, call the Cumberland County Regional Communication Center at 207-839-5581. To reach the City of Portland Police Department, contact Portland Dispatch at 207-874-8575.

There are well-marked exterior and outdoor emergency direct-ring telephones with blue lights on top located around the Portland and Gorham campuses. There are also free on-campus public telephones located in many of the lobbies and public areas of the campus buildings in Portland and Gorham. Individuals may contact Public Safety on these "Blue-Light phones" by pressing the emergency button (if applicable) or dialing 911. To report a non-emergency using one of these phones, please contact Public Safety by dialing 5211. We encourage the prompt and accurate reporting of all crimes to the campus police and appropriate law enforcement agencies when the victim elects or can make such a report.

Make a Report on the Lewiston Campus, at the University of Maine System Satellite locations, and other off-campus locations
All emergency calls and reports of criminal activity at the Lewiston-Auburn Campus and anywhere off campus

should be made to 911, which will route to the local Police Department with jurisdiction. Callers are encouraged to provide their name, the location and description of the incident being reported, and a description of any suspects or vehicles involved in the incident. Dialing 911 on a cell phone while on campus will connect the caller to the municipal Police Department in the town/city where the call originated.

To reach the City of Lewiston Police Department, call 207-795-9010.

On the Lewiston-Auburn campus, well-marked telephones are located on the exterior of buildings, and outdoor emergency direct-ring call boxes are located around campus. These call boxes have blue lights on top and ring directly to Lewiston-Auburn 911.

Community members are helpful when immediately reporting crimes or emergencies to the USM Public Safety Department. However, if a member of the community would prefer, they may report crimes to Campus Security Authorities (CPSAs), such as the Dean of Students or Title IX, for the purposes of including them in the annual statistical disclosure and assessing them for issuing a Timely Warning Notice, when deemed necessary.

In addition to the above resources for reporting a crime, any individual can also report a Title IX-related offense to the campus Deputy/Title IX Coordinator by calling 207-780-5767.

Response to a Report

Public Safety offers 24-hour support, and when the phone tree system is active, calls are automatically redirected to the appropriate resource. During times when the phone tree is not in operation, calls are handled directly by on-duty personnel to ensure assistance is always available at 207-780-5211. When an incident is reported to USM Public Safety, an officer will be dispatched to investigate. The University will investigate all reported crimes, which may become a matter of public record. All USM Public Safety incident reports are forwarded to the Dean of Students Office for review and referral to the Office of Student Judicial Services for potential action, as appropriate. Additional information obtained via the investigation will also be forwarded to the Office of Student Judicial Services. If assistance is required from the city/town Police Department or the local Fire Department, USM Public Safety will contact the appropriate unit. If a sexual assault or rape should occur, staff on the scene, including USM Public Safety, will offer the victim a wide variety of services.

For the USM Lewiston-Auburn Campus, a report may be made to the Campus Public Safety Authority, USM Public Safety, or local police. In the event USM Public Safety is contacted, they take the appropriate action and forward it to the local police, the Lewiston-Auburn Police Department. If further assistance is required, Lewiston-Auburn Police will contact the appropriate departments, including Fire and EMS. If a sexual assault or rape should occur, staff on the scene, including USM Public Safety, will offer the victim a wide variety of services.

State law requires that University officials must report certain crimes, including child and elder abuse, among

others. Crimes that must be included in the Crime Statistics in this Annual Report that are disclosed to employees responsible for security and safety and/or those with significant responsibility for student and campus activities are communicated immediately to Public Safety. In addition, there is a duty on the part of employees at USM (who are not exempt due to State Law) to report disclosures of sexual harassment, sexual violence, dating and domestic violence, and stalking that occurred on property owned or controlled by the Univeristy of Maine system and/or that involve a University community member to one of the Title IX Coordinators. USM officials will also help victims report if asked to do so.

Law Enforcement at USM

Public Safety receives their police authority pursuant to Chapter 544, Section 142 or PL - 1971 as amended by Chapter 541, Part B, Section 72 of PL -1979 and the resolution adopted on September 25, 1979, by the Board of Trustees. The police officers who work for Public Safety are certified professional police officers and are also deputized in Cumberland County. The Department has jurisdiction over and investigates all reports of crime on the Portland and Gorham campuses. The primary office and 24/7 headquarters for Public Safety is located on the Gorham Campus at 9 Ronald Saindon Drive, behind Upperclass Hall. In addition, an office on the Portland Campus is located on the Sullivan Complex's first floor. The Public Safety officers have the authority to enforce State, Local, and Federal laws, and University Policies.

Jurisdiction & Arrest Authority

Police Officers of USM Public Safety have full law enforcement authority, including arrest powers on all property owned or controlled by the University, including streets running through the University's campuses. Additionally, all USM police officers are deputized in Cumberland County to assist in mutual aid situations with surrounding police departments. Our Police Officers are trained in the same manner as all other public law enforcement officers in the State of Maine. They each receive annual and periodic training as required by the State.

Relationship with Outside Agencies

Public Safety maintains close working relationships with the surrounding Police Departments: Gorham Police Department, Portland Police Department, and Cumberland County Sheriff's Office, and with state and federal law enforcement agencies of the criminal justice system. Regular meetings are held, both formally and informally, with these agencies. Written mutual aid agreements have been established in several municipalities. These agreements between USM Public Safety and the local police department include the investigation of criminal incidents. Crime-related reports and statistics are routinely exchanged.

Public Safety has a relationship with local fire departments, emergency medical response departments, and other emergency personnel who provide additional assistance and support on-campus if needed. Additionally, Public Safety maintains telephone, radio, and computerized data links with the surrounding police and fire agencies in the city/town of Portland and Gorham, the Maine State Police, and the Cumberland County Sheriff’s Department.

Recognized Student Organization at Non-Campus Locations

The University cooperates with the city/town law enforcement agencies in the monitoring and recording of criminal activity by students at non-campus locations of officially recognized student organizations.

Through an interagency agreement between the Gorham Police Departments and Public Safety, information related to crime activity associated with these student organizations at non-campus facilities is reported to USM Public Safety. This information is then subsequently shared with the appropriate University administration and departments.

USM-Portland Campus and USM-Lewiston Campus do not have officially recognized student organizations that own or control housing facilities outside of the Portland or Lewiston core campus. Therefore, local PD is not used to monitor and record criminal activity since there are no non-campus locations of student organizations.

While there is no security department or contracted security at the Lewiston Campus, the institutional representatives work with the Lewiston Police Department as needed. The university continues building relationships with the USM LAC Safety and Security Committee.

The USM LAC Safety and Security Committee is a dedicated committee of staff, students, and faculty members, along with members of the Lewiston Police Department and USM Public Safety, that meet as needed to discuss safety matters on campus and do training.

The University encourages the prompt and accurate reporting of all crimes to Public Safety or the appropriate law enforcement agencies when the victim elects to or can make such a report.

Voluntary Confidential Reporting

If you are the victim of a crime and do not want to pursue action within the University system or the criminal justice system, you may still want to consider making a confidential report. With your permission, a USM Public Safety officer can file a report on the details of the incident without revealing your identity (except to the Title IX Coordinator in the event of a reported sex offense or sexual harassment). The purpose of a confidential report is to comply with your wish to keep the matter confidential while taking steps to enhance your future safety and that of others. With such information, the USM Public Safety can keep an accurate record of the number of incidents involving students, employees, and visitors, determine where there is a pattern of crime with regard to a particular location, method, or assailant, and alert the campus community to potential danger. Reports filed in this manner are counted and disclosed in the annual crime statistics for the institution.

If you wish to have a crime included in the Annual Security Report and want to remain anonymous, you may do so at:
https://usm.maine.edu/public-safety/campus-eye/

Pastoral and Professional Counselors

Pastoral Counselors

USM has a voluntary, confidential reporting procedure but does not have pastoral counselors. Campus Professional Counselors, when acting as such, are not considered to be a campus security authority for Clery Act purposes and are not required to report crimes for inclusion in the annual disclosure of crime statistics.

In compliance with Maine State law, the University of Maine System has also hired a Confidential Resource Advisor who is an available resource to University of Southern Maine students and employees.

Professional Counselor

An employee of an institution whose official responsibilities include providing psychological counseling to members of the institution's community and who is functioning within the scope of their license or certification.

USM Public Safety encourages professional counselors, if and when they deem it appropriate, to inform the persons they are counseling to voluntarily report the incident to the USM Public Safety on a confidential basis for inclusion in the annual disclosure of crime statistics.

Please note that reports of sexual violence and other violations that may be sex-or gender-based will be reported to the Title IX Coordinator and cannot be held in confidence.

Access and Security of Campus Facilities

Most campus buildings and facilities are accessible to the campus community and guests during regular business hours. Exterior doors of campus buildings are locked after regular business hours, and Public Safety routinely patrols the campus. Entry after regular hours is available to faculty, staff, and authorized students as determined by the appropriate academic or administrative offices. Public Safety routinely patrols buildings to assess security measures and are equipped with fire detection. Minuteman Security Technologies monitors the systems; when an alarm is triggered, Minuteman notifies USM Public Safety Dispatch. When appropriate, Minuteman Security Technologies also notifies the city/town fire department. Certain buildings are alarmed for the protection of contents and personnel, and the alarms are activated when any illegal entry is made. Public Safety makes an immediate response to the alarm location.

All residence halls are secured 24/7 and are equipped with an electronic card access system that allows authorized students to gain access to a building by swiping their USMCARD on a card reader located at designated exterior doors. Guests may gain admittance by contacting a student living in the residence hall and being signed in and escorted by that individual. Hall staff perform assigned building checks each evening. Public Safety may also conduct unscheduled patrols of the residence halls. In addition, many of our residence hall exterior doors are monitored by video surveillance cameras, with all activity at these doors being recorded and stored.

Security Considerations

USM is committed to maintaining a safe level of exterior lighting and maintains campus facilities in a manner that minimizes hazardous and unsafe conditions. Parking lots and pathways are illuminated with lighting. USM Public Safety routinely surveys existing lights and submits requests for maintenance of existing lights and for additional illumination. Individuals are encouraged to report any exterior lighting deficiencies to Public Safety by calling 207-780-5211.

In addition, Public Safety also surveys and routinely reports security problems with exterior building doors on-campus or other physical conditions that enhance security. If the problem represents a security hazard, Facilities Management is immediately notified.

USM Public Safety may also issue a “Safety Notice,” when necessary, to apprise the USM community of other safety issues and concerns. These “Notices” will include safety tips and recommendations to follow so that

the USM community can make informed decisions about personal safety.

Emergency Procedures

(Including USM's Emergency Notification Policy)

The University of Southern Maine has developed a process to notify the campus community in case of an emergency. While it is impossible to predict every significant emergency or dangerous situation that may occur on campus, the following identified situations are examples that may warrant an emergency (immediate) notification after confirmation:

- Armed/Hostile intruder
- Bomb/Explosives (threat)
- Communicable Disease Outbreak
- Severe Weather
- Terrorist Incident
- Civil Unrest
- Natural Disaster
- Hazardous Material Incident
- Structure Fire

In the event of an emergency, upon the confirmation of a situation involving an immediate threat to the health or safety of students, employees, or visitors, USM will initiate and provide, without delay, immediate notification to the appropriate segment(s) of the University community.

Individuals can report emergencies occurring at the University of Southern Maine by calling 207-780-5211 (USM Public Safety Dispatch) or 911 (Portland or County Public Safety Dispatch).

When a significant emergency or dangerous situation involving an immediate threat to the University community is confirmed, the University will activate the appropriate elements of its Emergency Communications Protocol. Several communications tools are considered when the need to disseminate emergency information arises. Notification will be made using some or all of the following methods (depending on the type of emergency):

- **USM Alert**- text message notification. *This system is an opt-out system*.
    - To opt out, go to: https://usm.maine.edu/public-safety/sign-up-for-campus-alert/
- E-mail notification to all USM campus community members.
- USM website http://www.usm.maine.edu or Public Safety Website https://usm.maine.edu/public-safety/
- USM social media.
- USM Emergency (Storm) telephone lines 207-780-4800 or (LAC 207-753-6595).
- Local television, radio, and/or electronic media.
- Printed and posted flyer notifications.
- Updates in the *Free Press.*

- Face to Face communication may also be used if necessary.

The University is committed to immediate notification of emergency situations, with decision-making rooted in the primary consideration of the community's safety. The University will, without delay and taking into account the community's safety, determine the appropriate nature and content of the notification and initiate its emergency communications protocol.

Exceptions may apply if, in the professional judgment of responsible authorities, notification would compromise efforts to assist victims or to contain, respond to, or otherwise mitigate the emergency. USM policies guide emergency response and evacuation procedures, including the use of the University's Emergency Notification System, *USMALERT*. Emergency messages will include information on what has occurred and instructions on what to do next. Follow-up information will be distributed using some or all of the identified communication systems in the event of an emergency (fire alarms excluded).

Primary Message System	**Blackboard Connect**
Primary Message Creator	USM Public Safety
Backup Message Creator	USM IT Services
Approval Authority	Vice President of Public Safety or Designee
Primary Message Sender	USM Public Safety
Backup Message Sender	USM IT Services

Secondary Message System	**USM Email Listserv**
Primary Message Creator	USM Public Safety
Backup Message Creator	USM Public Affairs
Approval Authority	Vice President of Public Safety or Designee
Primary Message Sender	USM Public Affairs
Backup Message Sender	USM IT Services

Timely Warnings

Considerable effort is made to provide timely notice to the University Community of any serious incidents that may pose an ongoing threat. These alerts are called *Timely Warnings* and are generally written by the Vice President of USM Public Safety or a designee.

In the event that a crime is reported, or a situation arises within the USM Clery Geography (On Campus, Public Property, and Non-campus), that, in the judgment of the Vice President of Public Safety and in consultation with responsible authorities when time permits, constitutes a serious or continuing threat, a campus wide "timely warning" notice will be issued.

The decision to issue a Timely Warning is on a case-by-case basis in compliance with the Clery Act. The decision is made by the Vice President of Public Safety or a designee, in coordination with other Campus

administrators, considering all available facts, whether the crime is considered a serious or continuing threat to students or employees, and the possible risk of compromising law enforcement efforts. When issuing a timely warning notice about a crime involving a victim, the victim's name will remain confidential. A copy of the timely warning will be filed in the corresponding case file.

Timely Warnings are typically issued for the following Uniform Crime Reporting Program (UCR)/National Incident Based Reporting System (NIBRS) crime classifications:

- Murder/Non-Negligent Manslaughter
- Robbery- involving force or violence (cases including pick pocketing and purse snatching will not result in an issuance of a Timely Warning Notice but will be assessed on a case-by-case basis)
- Aggravated Assault (cases involving assaults among known parties, such as two roommates fighting, which results in an aggravated injury, will be evaluated on a case-by-case basis to determine if the individual is believed to be an ongoing threat to the larger USM community)
- Burglary
- Motor Vehicle Theft
- Dating and Domestic Violence
- Stalking
- Sex Offenses (considered on a case-by-case basis depending on the facts of the case, when and where the incident occurred, when it was reported, and the amount of information known). In cases involving sexual assault, they are often reported long after the incident occurred, thus there is no ability to distribute a "timely" warning notice to the community. All cases of sexual assault, including stranger and non-stranger/acquaintance cases, will be assessed for potential issuance of a Timely Warning Notice.
- Major Incidents of Arson
- Other crimes as deemed necessary by the Vice President of Public Safety or a designee in her or his absence.
- Other crime classifications and locations, even though not required by law, as deemed necessary by the Vice President of Public Safety or a designee.

Timely Warning Notices will be distributed as soon as pertinent information is available, in a manner that withholds the names of victims as confidential and with the goal of aiding in the prevention of similar occurrences. Timely Warning Notices are typically written and distributed by the Vice President of Public Safety/USM Chief of Police or their designee.

Timely Warning Notices will be issued to the campus community via email blast to all USM-assigned email accounts. Timely warnings may also be issued using some or all of the following methods of communication: text messages or email sent through the University's USMALERT or building postings by Building Administrators. The institution is not required to issue a Timely Warning Notice with respect to crimes reported to a pastoral or professional counselor.

Having knowledge of such crimes assists community members in making informed decisions about their

personal safety and in preventing similar crimes from occurring. Public Safety does not issue timely warnings for the above-listed crimes if the suspect(s) has been apprehended and the threat of imminent danger to the USM community has been mitigated by the apprehension.

The Department of Public Safety staff is responsible for responding to reported emergencies and confirming the existence of an emergency. Sometimes, this is done in conjunction with campus administrators, city/town first responders, and/or the National Weather Center. The University Provost, Chief of Police, and Police Captain will determine the appropriate segment or segments of the campus community to receive a notification and initiate the notification system.

If the Vice President of USM Public Safety, or designee, in conjunction with other University administrators, city/town first responders, and/or the National Weather Service, confirms that there is an emergency or dangerous situation that poses an immediate threat to the health or safety of some or all members of the USM Community, or to the appropriate segment of the community if the threat is limited to a particular building or segment of the population.

Several departments, including the Dean of Students office, Public Affairs, Health & Counseling Services, and Residential Life, collaborate with Public Safety to create the Timely Warning. The departments work together to determine the content of the message and to determine if some or all of the systems described above will be used to communicate and disseminate emergency communications. While timely on-campus notifications represent the priority, the University's emergency communications system includes elements that allow information to spread beyond campus to the greater community when needed through established communication channels by Public Affairs with local media agencies and through Public Safety to other local law enforcement agencies.

The local news media may be utilized to disseminate emergency information to members of the larger community, including neighbors, parents, and other interested parties. The larger community can also access emergency information via the USM homepage and/or social media.

If there is an immediate threat to the health or safety of students or employees occurring on campus, an institution must follow its emergency notification procedures. An institution that follows its emergency notification procedures is not required to issue a timely warning based on the same circumstances; however, the institution must provide adequate follow-up information to the community as needed.

Emergency Response Procedures

USM maintains an Emergency Response Plan that outlines the responsibilities of campus units during emergencies. This plan outlines incident priorities, campus organization, and specific responsibilities of particular units or positions.

University units are responsible for developing emergency response and continuity of operations plans for

their areas and staff. Campus emergency management provides resources and guidance for the development of these plans.
In conjunction with other emergency agencies, the University conducts emergency response drills and exercises each year, such as building evacuations, tabletop exercises and tests of the emergency notification systems on campus. These tests, which may be announced or unannounced, are designed to assess and evaluate the emergency plans and capabilities of the institution.

The campus publicizes a summary of the emergency response and evacuation procedures via email at least once each year in conjunction with a test (exercise and drill) that meets all of the requirements of the Higher Education Opportunity Act.

Regular testing is a critical element of the University's emergency response and evacuation procedures. The entire emergency notification system is tested annually, with advance notice to the University community, including USMALERT and email and social network communication systems. The documentation includes a description of the exercise, the date and time, whether it was announced or unannounced, and a general observation of the drill.

Evacuation procedures are covered during annual employee safety training and residential move-in and tested through annual drills. The University documents and reviews each test.

Emergency Evacuation Procedures

The emergency evacuation procedures are regularly tested throughout the year. Students and employees learn the locations of the emergency exits in the buildings. They are provided guidance about the direction they should travel when exiting each facility for a short-term building evacuation. The USM Public Safety does not tell building occupants in advance about the designated locations for long-term evacuations because those decisions are affected by the time of day, the location of the building being evacuated, the availability of the designated emergency gathering locations on campus, and other factors such as the location and nature of the threat. In both cases, USM Public Safety staff on the scene will communicate information to students regarding the developing situation or any evacuation status changes.

The purpose of evacuation drills is to prepare building occupants for an organized evacuation in case of a fire or other emergency. At USM, evacuation drills are used to educate and train occupants on fire safety issues specific to their building. During the drill, occupants practice drill procedures and familiarize themselves with the location of exits and the sound of the fire alarm.

General Evacuation Procedures

At the sound of a fire alarm or if you are instructed to evacuate, leave your work area immediately by proceeding to the nearest exit and leave the building. If you are the first to recognize a fire situation, activate the alarm, evacuate to a safe location using the nearest exit, and notify USM Public Safety (207-780-5211) Police Emergency or dial 911.

1. Remain Calm

2. Do NOT use Elevators; use the Stairs.
3. Assist the physically impaired. If they cannot exit without using an elevator, secure a safe location near a stairwell and immediately inform USM Public Safety or the responding Fire Dept. of the individual's location.
4. Proceed to a clear area at least 150 feet from the building. Keep all walkways clear for emergency vehicles.
5. Make sure all personnel are out of the building.
6. Do not re-enter the building.

Shelter-in-Place Procedures –What it Means to "Shelter-in-Place"

If an incident occurs and the buildings or areas around you become unstable, or if the air outdoors becomes dangerous due to toxic or irritating substances, it is usually safer to stay indoors because leaving the area may expose you to that danger. Thus, to "shelter-in-place" means to make a shelter of the building you are in, and with a few adjustments, this location can be made even safer and more comfortable until it is safe to go outside.

Basic "Shelter-in-Place" Guidance

If an incident occurs and the building you are in is not damaged, stay inside an interior room until you are told it is safe to come out. If your building is damaged, take your personal belongings (purse, wallet, access card, etc.) and follow the evacuation procedures for your building (close your door, proceed to the nearest exit, and use the stairs instead of the elevators). Once you have evacuated, seek shelter at the nearest University building quickly. If police or fire department personnel are on the scene, follow their directions.

How You Will Know to "Shelter-in-Place"

A shelter-in-place notification may come from several sources, such as USM Public Safety, Housing Staff members, other University employees, Local PD, or other authorities utilizing the University's emergency communications tools.

How to "Shelter–in-Place"

No matter where you are, the basic steps of shelter-in-place will generally remain the same. Should the need ever arise, follow these steps unless instructed otherwise by local emergency personnel:

1. If you are inside, stay where you are. Collect any emergency shelter-in-place supplies and a telephone to be used in case of emergency. If you are outdoors, proceed into the closest building quickly or follow instructions from emergency personnel on the scene.
2. Locate a room to shelter inside. It should be:
    - An interior room
    - Above ground level
      and
    - Without windows or with the least number of windows. If there is a large group of people inside a particular building, several rooms may be necessary.
3. Shut and lock all windows (tighter seal) and close exterior doors.

4. Turn off air conditioners, heaters, and fans.
5. Close vents to ventilation systems as you are able. (University staff will turn off the ventilation as quickly as possible.)
6. Make a list of the people with you and ask someone (hall staff, faculty, or other staff) to call the list into USM Public Safety so they know where you are sheltering. If only students are present, one of the students should call in the list.
7. Turn on a radio or TV and listen for further instructions.
8. Make yourself comfortable.

For additional information on emergency response and evacuation procedures, please visit: https://usm.maine.edu/public-safety/

Security Awareness & Crime Prevention

Security awareness and crime prevention programs are critical to USM's effort to maintain a safer campus environment.

The University's philosophy is that preventing crime is preferable to responding to it after it has occurred. The University's crime prevention efforts are based on five concepts:

1. Eliminating and/or reducing crime.
2. Encouraging students and employees to be Up-standers and to take action to assist in their own security and the security of others.
3. Ongoing coordination and review of security and victim response services.
4. Violence response education activities to reduce high-risk behaviors and change community attitudinal norms.
5. Victim/survivor response education and training to increase effective and timely community response for victims/survivors.

All crime prevention and security awareness encourage students and employees to be responsible for their own security and the security of others.

The following is a list of the crime awareness prevention programs, resources, and services offered:

- Training: Programs on how to assist victims/survivors that cover education, resources, first response skills, and reporting requirements are offered to faculty, staff, residence hall staff, student leaders, and the general student body.
- Escort Service: Public Safety provides an escort service for safety purposes for people walking on campus. Members of the campus community may make use of this service by calling Public Safety at 207-780-5211.
- Floor Meetings: At the beginning of the academic semester, residence hall floor meetings address security awareness and crime prevention. Crime prevention, safety, and security programs are presented in each residence hall throughout the year, initiated and arranged by the Resident Assistants.
- Printed Crime Prevention and Complaint Procedures Are Distributed: These documents include information about Alcohol and other Drugs, responding to and eliminating Harassment, including Sexual Harassment, the Student Conduct Code, our Good Samaritan Policy, and all our policies on

Title IX and gender-based discrimination (including how to file a complaint of sexual violence, stalking, and dating and domestic violence).

- Campus Wide Crime Prevention Presentations: Safety discussion groups, crime prevention panels, sexual assault awareness workshops, alcohol and other drug prevention programs, self-defense trainings, bystander trainings, and radio programs on the crime prevention topics.
- New Employee Orientation: At the time of hire and periodically thereafter, University employees are provided information concerning USM campus security procedures, practices, and crime prevention awareness.
- Operation Registration: Public Safety offers a program that encourages students and employees to register musical instruments, electronic devices, and bicycles.
- Sexual Assault and Relationship Violence Response, Education, and Risk Reduction: Sexual assault and Relationship Violence response education and risk reduction programs, a variety of educational materials, and educational workshops designed for students, faculty, and staff. Prevention education is made available to incoming undergraduate students and new employees via an online training module, and there are many opportunities for in-person training and education. Additional strategies utilized to reach the Community include performances, videos, campus radio, literature tables in high-traffic areas, table tents, posters, and awareness weeks.

Sex Offender Registration

The federal Campus Sex Crimes Prevention Act, enacted on October 8, 2000, requires higher education institutions to issue a statement advising the campus community where law enforcement agency information provided by a State concerning registered sex offenders may be obtained. It also requires sex offenders already required to register in a State to provide notice, as required by State law, of each institution of higher education in that State at which the person is employed, carries on a vocation, volunteers services, or is a student.

Adam Walsh Child Protection and Safety Act

Information regarding registered sex offenders in the State of Maine under section 121 of the Adam Walsh Child Protection and Safety Act of 2006 (42 U.S.C. 16921) may be obtained by contacting Public Safety or at the State of Maine Sex Offender Registry at:
http://sor.informe.org/sor/

Notification to Victims of Crimes of Violence

The University will, upon written request, disclose to the alleged victim of a crime of violence or a non-forcible sex offense the report on the results of any disciplinary proceeding conducted by such institution against a student who is the alleged perpetrator of such crime of offense. If the alleged victim is deceased as the result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of this paragraph.

Alcohol and Other Drug Policies

USM views alcohol and other drug abuse as a serious problem. In compliance with the Drug-Free Workplace Act, the University publishes and distributes annually a booklet informing all students and employees of USM's substance abuse policy, sanctions for violating the policy, and state and federal alcohol and drug laws, offenses and sanctions. For a printed copy of the booklet, Information about Alcohol and Drugs for Students and Employees of the University of Maine System, please contact the Office of the Dean of Students at 207-780-4035. A complete description of these topics, as provided in the University's annual notification to students and employees, is available online at:

The unlawful possession, sale, and use of illegal substances and alcoholic beverages at USM is prohibited on campus. The violation of State drinking laws and the use, sale, or possession of illegal drugs are strictly enforced by USM Public Safety in accordance with Federal and State Law.

The primary goal of the alcohol and other drugs policy at USM is the health and safety of all members of the University of Southern Maine community. We value and promote an environment of legal and lower-risk alcohol use and support alcohol-free environments. We recognize alcoholic beverages may be available at some campus activities; however, such activities must be consistent with the University's values, and being under the influence of alcohol in no way lessens accountability to the University community. The University complies fully with local, state, and federal laws regarding the sale, possession, and consumption of alcoholic beverages. The unlawful manufacture, possession, use, or distribution of drugs or controlled substances is strictly prohibited. All students and guests are held responsible for behavior in violation of this policy. The University provides education on alcohol and other drug use through programs, support, and resources.

Good Samaritan Policy

Abuse of alcohol and other drugs can create life-threatening situations that require an immediate response from emergency services personnel. In all instances, the University's primary concern is that those in need receive prompt medical attention. The University cannot guarantee absolute immunity from sanctions associated with violations of the Student Conduct Code. However, efforts may be made to mitigate sanctions under the Student Conduct Code associated with alcohol and other drug offenses for "Good Samaritans." Sanction mitigation may be considered for any "Good Samaritan" who actively sought medical attention for themselves or others at the time of the incident.

Medical Marijuana

Federal law and the *Drug-Free Schools and Workplace Acts* make possession and use of marijuana on-campus illegal, even in states with medical marijuana laws. Thus, the University of Maine System does **not** permit medical use of marijuana anywhere on campus. Furthermore, students who are under the influence of medical marijuana or in possession of marijuana for medical reasons are not exempt from normal conduct

and job performance standards. Although the use of medical marijuana is not permitted on campus, students on the medical marijuana registry may make a request for other reasonable accommodations through the Office of Support for Students with Disabilities.

Tobacco Policy

The University of Southern Maine is a tobacco-free campus. This policy applies to faculty, staff, students, contractors, vendors, and visitors. The use of tobacco and all smoking products is not permitted on any university-owned property, which includes but is not limited to, buildings, university grounds, parking areas, campus walkways, recreational and sporting facilities, and university or personally owned, rented, or leased vehicles.

The Drug-Free Schools and Communities Act and the Drug-Free Workplace Act require the University to publish and provide students, faculty, and staff with information on an annual basis regarding the University's educational programs related to drug and alcohol abuse prevention; the potential sanctions for violations of federal, state, local laws and University police for the unlawful use of drugs and alcohol; the health risks associated with the use of drugs and alcohol and available assistance and treatment for USM students and employees.

Students convicted of a federal or state drug conviction can be disqualified from receiving financial aid funds. Our Wellness Resource Center, the Recovery Orientated Campus Centre "The ROCC," provides many resources to the campus Community. The goals/objectives of The ROCC are consistent with those recommended and/or required by NIAAA, SAMHSA, the Safe and Drug-Free Schools Act, and the Higher Education Act. The ROCC provides individual and group campus-wide education and prevention programs for students, staff, and faculty. Individual screenings and brief interventions are done for students. Programs are also provided in the residence halls, the fraternities and sororities, the athletic teams, first-year student seminar classes, and other academic classes. In addition, training and education are presented to Campus Life, including resident directors, resident assistants, & Health and Counseling Center staff, orientation leaders, and other departments as requested.

For our Student Code of Conduct, please visit:
https://usm.maine.edu/community-standards-mediation/

For policies Specific to Residence Halls, please visit:
https://usm.maine.edu/residential-life/policy-guide-for-campus-living/

Missing Student Policy

Purpose

The purpose of this policy is to promote the safety and welfare of members of the University of Southern Maine (USM) community through compliance with the requirements of the Higher Education Opportunity Act of 2008 (the HEOA). This protocol includes the official notification procedures of USM for missing students who reside in on-campus housing in accordance with the requirements of HEOA.

Policy

It is the policy of USM to annually provide students who are residing in on-campus housing the option of identifying an individual (confidential contact person) on their Residence Hall Application and Housing Contract to be contacted (in addition to their emergency contact) by USM in the event that the student is determined to be missing for a period of more than 24 hours.

Once USM Public Safety is notified about a missing student, they will follow their policy and procedure for a missing person(s). USM Public Safety policy states that they will enter the person into NCIC and send out a teletype to surrounding city/town police departments and all other police departments that have been identified as potential areas where the individual may be found. This policy is in compliance with the Maine Access Integrity Unit and Metro manual.

Definitions

- Missing Student: For purposes of this policy, a student is determined to be missing when USM Public Safety (USM-PS) or other law enforcement agency determines that the student has been missing for more than 24 hours, without any known reason, that the reported information is credible, and that circumstances warrant declaring the person missing.
- On-Campus Housing: A residence hall or other residential facility for students that is located on USM's campus. (34 CFR §668.41(a))
- Campus: For purposes of this policy, "campus" is defined as:
- Any building or property owned or controlled by USM within the same reasonably contiguous geographic area and used by USM in direct support of, or in a manner related to, the USM's educational purposes, including residence halls and
- Any building or property that is within or reasonably contiguous to the area identified in paragraph 1 of this definition, that is owned by the University but controlled by another person, is frequently used by students and supports institutional purposes (such as a food or other retail vendor). (34 CFR §668.46(a))

Protocol: Missing Residential Students

- If a member of the USM community has reason to believe that a student who resides in on-campus housing is missing or receives a report of a missing student, they shall immediately contact their supervisor and University of Southern Maine Public Safety (USM-PS) at 207-780-5211.

- If members of the USM community believe that a student has been missing for 24 hours, it is critical that they report that information to USM Public Safety by calling 207-780-5211.
- USM Public Safety will then initiate its Missing Student Policy.
- Nothing in this policy/protocol is intended to preclude USM from determining that a student is missing before the student has been missing for a full 24 hours or initiating notification procedures as soon as it determines that the student is missing.
- A student who wishes to identify a confidential contact may do so on their Residence Hall Application, Housing Contract, or at any time at the Residential Life Office in 125 Upton Hall. Students are advised that their confidential contact information shall be accessible only by authorized campus officials and will not be disclosed except to law enforcement in connection with a missing person investigation.
- Should USM Public Safety investigate and determine that a residential student is missing, Residential Life will be informed. Residential life will then, if contact information has been given, make contact with the missing student's emergency contact within 24 hours of the determination that the student is missing by USM Public Safety.
- Students are advised that if the student who is missing is under 18 years of age and not emancipated, USM Residential Life must notify a custodial parent or guardian within 24 hours of determining that the student is missing, in addition to notifying the confidential contact person designated by the student.
- For all missing students, USMPS will immediately take appropriate action to notify the surrounding and state agencies.

Contact Information

- USM Public Safety Department
  207-780-5211 (non-emergency number)
  https://usm.maine.edu/public-safety/
- Office of Residential Life
  207-780-5240
  https://usm.maine.edu/residential-life/

Dating & Domestic Violence, Sexual Assault, and Stalking

The University of Southern Maine prohibits dating and domestic violence, sexual assault, and stalking in all forms (as defined by the Clery Act). USM reaffirms its commitment to maintaining a campus environment that emphasizes the dignity and worth of all members of the university community. University policy prohibits any unlawful sexual act and/or forced sexual contact, relationship violence, and stalking.

Toward that end, USM issues this statement of policy to inform the campus community of our programs to address dating violence, domestic violence, sexual assault, and stalking, as well as the procedures for institutional disciplinary action in cases of alleged dating violence, domestic violence, sexual assault, or stalking, which will be followed regardless of whether the incident occurs on or off campus when it is reported to a University official. Policies and procedures can be found online, or printed copies are available in the Dean of Students Office.

Violators may be subject to criminal prosecution and disciplinary measures up to and including dismissal. The complete sexual assault policy and relationship violence and stalking policy are located in policies at: https://www.maine.edu/board-of-trustees/policy-manual/section-402/

Additional policies and procedures can be found in the Student Code of Conduct: https://www.maine.edu/board-of-trustees/policy-manual/section-501/

Campus education programs are conducted to increase awareness, understanding, and prevention of sexual harassment and violence, relationship abuse, and stalking. These programs include primary prevention and awareness campaigns for students, faculty, and staff. All students and employees must participate in all required educational programs.

Primary educational programs include:

- Interpersonal Violence Prevention Training - an online training for students
- Sex-Based Harassment Prevention Training - an online training for employees and student employees
- Presentations during Virtual and In-Person New Student Orientation programs
- And many others.

Ongoing awareness campaigns include:

- Community Advocate Resource Tabling
- Floor and Hall Meetings
- USM Confidential Resource Advisor social media postings
- USM It's On Us Student Group Chapter
- Educational Bulletin Boards,
- Consent Days,
- Take Back the Night Rallies
- Among others.

The University prohibits the crimes of dating violence, domestic violence, sexual assault, and stalking as defined by federal Clery Act regulations. Maine law defines the crimes of dating violence, domestic violence, sexual assault, and stalking differently than the federal Clery regulations.

Both the Clery Regulation and Maine laws are defined as follows:

Dating Violence

Clery Act Regulations

Dating violence is violence committed against a person by an individual who is or has been in a social relationship of a romantic or intimate nature with the victim.

1. The existence of such a relationship shall be based on the reporting party's statement with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.
2. For the purpose of this definition –
    A. Dating Violence includes but is not limited to, sexual or physical abuse or the threat of such abuse.
    B. Dating Violence does not include acts covered under the definition of domestic violence.

For the purpose of complying with the requirements of this section and §668.41, any incident meeting this definition is considered a crime for the purpose of Clery Act reporting.

Maine Law

Maine Statute Title 17A §207
Intentionally, knowingly, or recklessly causing bodily injury or offensive physical contact to another person.

In Maine, there are no laws concerning dating violence. If individuals are in a consensual romantic relationship that does not meet the definition of domestic violence (family or household member as defined in Title 19A Section 4002 subsection 4) dating violence would be considered assault.

Domestic Violence

Clery Act Regulations

A felony or misdemeanor crime of violence committed—

1. By a current or former spouse or intimate partner of the victim
2. By a person with whom the victim shares a child in common
3. By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner
4. By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred or
5. By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

For the purpose of complying with the requirements of this section and §668.41, any incident meeting this definition is considered a crime for the purpose of Clery Act reporting.

Maine Law

Maine Statute Title 17A §207A

Intentionally, knowingly or recklessly causing bodily injury or offensive physical contact to another person and the victim is a spouse or domestic partner or former spouse or former domestic partner, an individual presently or formerly living together as a spouse, a natural parent of the same child, adult household member related by consanguinity or affinity or minor children of a household member when the defendant is an adult household member and, individuals presently or formerly living together and individuals who are or were sexual partners. Holding oneself out to be a spouse is not necessary to constitute "living as spouses." For purposes of this definition, "domestic partners" means 2 unmarried adults who are domiciled together under long-term arrangements that evidence a commitment to remain responsible indefinitely for each other's welfare.

Sexual Assault

Clery Act Regulations

An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's Uniform Crime Reporting (UCR) program. Per the National Incident-Based Reporting System (NIBRS) user manual from the FBI UCR Program, a sex offense is "any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent." Sexual assault means an offense that meets the definition of *rape, fondling, incest, or statutory rape*.

- *Rape* is the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.
- *Fondling* is the touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.
- *Incest* is sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- *Statutory rape* is sexual intercourse with a person who is under the statutory age of consent.

Maine Law

Gross Sexual Assault

Maine Statute Title 17A §253

1. A person is guilty of gross sexual assault if that person engages in a sexual act with another person and:
    A. The other person submits as a result of compulsion.
    B. The other person, not the actor's spouse, has not in fact attained the age of 14 years.
    C. The other person, not the actor's spouse, has not in fact attained 12 years of age.
2. A person is guilty of gross sexual assault if that person engages in a sexual act with another person and:

A. The actor has substantially impaired the other person's power to appraise or control the other person's sexual acts by furnishing, administering, or employing drugs, intoxicants, or other similar means.
B. The actor compels or induces the other person to engage in the sexual act by any threat.
C. The other person suffers from mental disability that is reasonably apparent or known to the actor, and which in fact renders the other person substantially incapable of appraising the nature of the contact involved or of understanding that the person has the right to deny or withdraw consent.
D. The other person is unconscious or otherwise physically incapable of resisting and has not consented to the sexual act.
E. The other person, not the actor's spouse, is under official supervision as a probationer, a parolee, a sex offender on supervised release, a prisoner on supervised community confinement status or a juvenile on community reintegration status or is detained in a hospital, prison or other institution, and the actor has supervisory or disciplinary authority over the other person.
F. The other person, not the actor's spouse, has not in fact attained the age of 18 years and is a student enrolled in a private or public elementary, secondary, or special education school, facility or institution and the actor is a teacher, employee or other official having instructional, supervisory, or disciplinary authority over the student.
G. The other person, not the actor's spouse, has not attained the age of 18 years and is a resident in or attending a children's home, child care facility, facility operated by a family child care provider, children's residential care facility, drug treatment center, youth camp licensed under Title 22, section 2495 or similar school, facility or institution regularly providing care or services for children, and the actor is a teacher, employee or other person having instructional, supervisory or disciplinary authority over the other person.
H. The other person has not in fact attained the age of 18 years and the actor is a parent, stepparent, foster parent, guardian, or other similar person responsible for the long-term care and welfare of that other person.
I. The actor is a psychiatrist, a psychologist or licensed as a social worker or purports to be a psychiatrist, a psychologist or licensed as a social worker to the other person and the other person, not the actor's spouse, is a current patient or client of the actor.
J. The actor owns, operates or is an employee of an organization, program or residence that is operated, administered, licensed, or funded by the Department of Health and Human Services and the other person, not the actor's spouse, receives services from the organization, program or residence and the organization, program or residence recognizes the other person as a person with an intellectual disability or autism. It is an affirmative defense to prosecution under this paragraph that the actor receives services for an intellectual disability or autism or is a person with an intellectual disability, as defined in Title 34-B, section 5001, subsection 3, or autism, as defined in Title 34-B, section 6002.
K. The actor owns, operates or is an employee of an organization, program or residence that is operated, administered, licensed, or funded by the Department of Health and Human Services

and the other person, not the actor's spouse, receives services from the organization, program or residence and suffers from a mental disability that is reasonably apparent or known to the actor.

L. The actor is employed to provide care to a dependent person, who is not the actor's spouse or domestic partner and who is unable to perform self-care because of advanced age or physical or mental disease, disorder, or defect. For the purposes of this paragraph, "domestic partners" means 2 unmarried adults who are domiciled together under a long-term arrangement that evidences a commitment to remain responsible indefinitely for each other's welfare.

Unlawful Sexual Touching

Maine Statute Title 17A §260

A person is guilty of unlawful sexual touching if the actor intentionally subjects another person to any sexual touching and:

1. The other person has not expressly or impliedly acquiesced in the sexual touching.
2. The other person is unconscious or otherwise physically incapable of resisting and has not consented to the sexual touching.
3. The other person, not the actor's spouse, is in fact less than 14 years of age and the actor is at least 5 years older.
4. The other person suffers from a mental disability that is reasonably apparent or known to the actor that in fact renders the other person substantially incapable of appraising the nature of the touching involved or of understanding that the other person has the right to deny or withdraw consent.
5. The other person, not the actor's spouse, is under official supervision as a probationer, a parolee, a sex offender on supervised release, a prisoner on supervised community confinement status or a juvenile on community reintegration status or is detained in a hospital, prison or other institution and the actor has supervisory or disciplinary authority over the other person.
6. The other person, not the actor's spouse, is in fact less than 18 years of age and is a student enrolled in a private or public elementary, secondary, or special education school, facility or institution and the actor is a teacher, employee or other official having instructional, supervisory, or disciplinary authority over the student.
7. The other person is in fact less than 18 years of age and the actor is a parent, stepparent, foster parent, guardian, or other similar person responsible for the long-term general care and welfare of that other person.
8. The other person submits as a result of compulsion.
9. The actor owns, operates or is an employee of an organization, program or residence that is operated, administered, licensed, or funded by the Department of Health and Human Services and the other person, not the actor's spouse, receives services from the organization, program or residence and the organization, program or residence recognizes that other person as a person with an intellectual disability or autism. It is an affirmative defense to prosecution under this paragraph that the actor receives services for an intellectual disability or autism or is a person with an intellectual disability, as defined in Title 34-B, section 5001, subsection 3, or autism, as defined in Title 34-B, section 6002.
10. The other person, not the actor's spouse, is in fact less than 18 years of age and is a student enrolled in

a private or public elementary, secondary, or special education school, facility or institution and the actor, who is at least 21 years of age, is a teacher, employee or other official in the school district, school union, educational unit, school, facility or institution in which the student is enrolled.

11. The actor is a psychiatrist, a psychologist or licensed as a social worker or purports to be a psychiatrist, a psychologist or licensed as a social worker to the other person and the other person, not the actor's spouse, is a current patient or client of the actor.
12. The actor owns, operates or is an employee of an organization, program or residence that is operated, administered, licensed, or funded by the Department of Health and Human Services and the other person, not the actor's spouse, receives services from the organization, program or residence and suffers from a mental disability that is reasonably apparent or known to the actor.
13. The actor is employed to provide care to a dependent person, who is not the actor's spouse or domestic partner and who is unable to perform self-care because of advanced age or physical or mental disease, disorder, or defect. For the purposes of this paragraph, "domestic partners" means 2 unmarried adults who are domiciled together under a long- term arrangement that evidences a commitment to remain responsible indefinitely for each other's welfare.

Sexual Abuse of a Minor

Maine Statute Title 17A §254

A person is guilty of sexual abuse of a minor if:

1. The person engages in a sexual act with another person, not the actor's spouse, who is either 14 or 15 years of age and the actor is at least 5 years older than the other person.
    a. The person violates paragraph A, and the actor knows that the other person is related to the actor within the 2nd degree of consanguinity.
    b. The person violates paragraph A, and the actor is at least 10 years older than the other person.
2. The person is at least 21 years of age and engages in a sexual act with another person, not the actor's spouse, who is either 16 or 17 years of age and is a student enrolled in a private or public elementary, secondary or special education school, facility or institution and the actor is a teacher, employee or other official in the school district, school union, educational unit, school, facility or institution in which the student is enrolled.
3. The person violates paragraph C and the actor knows that the student is related to the actor within the 2nd degree of consanguinity.
4. The person violates paragraph C and the actor is at least 10 years older than the student.

Incest

Maine Statute Title 17A §556

A person is guilty of incest if:

1. The person is at least 18 years of age and:
    A. Engages in sexual intercourse with another person who the actor knows is related to the actor within the 2nd degree of consanguinity.

    1-A. It is a defense to a prosecution under this section that, at the time the actor engaged in sexual intercourse with the other person, the actor was legally married to the other person.

Stalking

Clery Act Regulations

Stalking is engaging in a course of conduct directed at a specific person that would cause a reasonable person to—

1. Fear for the person's safety or the safety of others; or
2. Suffer substantial emotional distress.

For the purposes of this definition –

1. *Course of conduct means two or more acts, including, but not limited to, acts which the stalker directly, indirectly, or through third parties, by any action, method, device or means follows, monitors, observes, surveils, threatens, or communicates to or about, a person, or interferes with a person's property.*
2. *Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.*
3. *Substantial emotional distress means significant mental suffering or anguish that any, but does not necessarily, require medical or other professional treatment or counseling.*

For the purpose of complying with the requirements of this section and §668.41, any incident meeting this definition is considered a crime for the purpose of Clery Act reporting.

Maine Law

Maine Statute Title 17A §210A

A person is guilty of stalking if:

1. The actor intentionally or knowingly engages in a course of conduct directed at or concerning a specific person that would cause a reasonable person:
    A. To suffer serious inconvenience or emotional distress;
    B. To fear bodily injury or to fear bodily injury to a close relation;
    C. To fear death or to fear the death of a close relation;
    D. To fear damage or destruction to or tampering with property; or
    E. To fear injury to or the death of an animal owned by or in the possession and control of that specific person.

Consent

It is not consent to sexual activity if:

1. The injury inflicted or the injury threatened was such as to endanger life or to cause serious bodily injury
2. The conduct and the injury are not reasonably foreseeable hazards of joint participation in a lawful athletic contest or competitive sport; or
3. The conduct and the injury are reasonably not foreseeable hazards of an occupation or profession or of medical or scientific experimentation conducted by recognized methods, and the persons subjected

to such conduct or injury have not been made aware of the risks involved prior to giving consent.

4. It is given by a person who is declared by a statute or by a judicial decision to be legally incompetent to authorize the conduct charged to constitute the crime, and such incompetence is manifest or known to the actor;
5. It is given by a person who, by reason of intoxication, physical illness, mental illness, or mental defect, including, but not limited to, dementia and other cognitive impairments, or youth, is manifestly unable, or known by the defendant to be unable, to make a reasonable judgment as to the nature or harmfulness of the conduct charged to constitute the crime; or
6. It is induced by force, duress or deception or undue influence.

USM Consent Definition

Consent: An individual's agreement to engage in sexual activity.

1. Consent must be:
    A. Informed, freely, and actively given, and consist of a mutually agreeable and understandable exchange of words or actions.
    B. Clear, knowing, and voluntary.
    C. Active, not passive.
2. Consent may be withdrawn at any time.
3. Silence, in and of itself, cannot be interpreted as consent.
4. Consent can be given by words or actions, as long as those words or actions create mutually understandable clear permission regarding willingness to engage in (and conditions of) sexual activity.
5. Past consent does not imply future consent.
6. Consent to engage in one form of sexual activity does not imply consent to engage in any other sexual activity.
7. Consent to engage in sexual activity with one person does not imply consent to engage in sexual activity with any other person.
8. There is no consent when the exchange involves unwanted physical force, coercion, intimidation and/or threats.
9. If an individual is mentally or physically incapacitated or impaired such that one cannot understand the fact, nature, or extent of the sexual situation, and the Incapacitation or impairment is known or should be known to a Reasonable Person, there is no consent. This includes conditions resulting from alcohol or drug consumption, or being asleep, or unconscious.
10. Consent is not valid if the person is too young to consent to sexual activity under Maine law, even if the minor wanted to engage in the activity.

Maine Law

Maine Statute *Title* 17-A MRSA §251, sub-§1, ¶E-1; 17-A MRSA §253, sub-§2, ¶M; 17-A MRSA §255-A, sub-§1, ¶A; 17-A MRSA §255-A, sub-§1, ¶B; 17-A MRSA §260, sub-§1, ¶A

This *law* changes the terms "expressly or impliedly acquiesced" and "acquiesced" to "consented" in the elements of the criminal offenses of gross sexual assault, unlawful sexual contact, and unlawful sexual touching, and provides a definition of consent for these offenses as "a word or action by a person that

indicates a freely given agreement."

How to be a Bystander/up-stander

Bystanders play a critical role in the prevention of sexual and relationship violence. They are "individuals who observe violence or witness the conditions that perpetuate violence. They are not directly involved but have the choice to intervene, speak up, or do something about it." We want to promote a culture of community accountability where bystanders are actively engaged in the prevention of violence without causing further harm. We may not always know what to do, even if we want to help. Below is a list of some ways to be an active bystander or up-stander. If you or someone else is in immediate danger, dial 911. This could be when a person is yelling at or being physically abusive towards another, and it is not safe for you to interrupt.

1. Watch out for your friends and fellow students/employees. If you see someone who looks like they could be in trouble or need help, ask if they are okay.
2. Confront people who seclude, hit on, try to make out with, or have sex with people who are incapacitated.
3. Speak up when someone discusses plans to take sexual advantage of another person.
4. Believe someone who discloses sexual assault, abusive behavior, or experience with stalking.
5. Refer people to on or off-campus resources listed in this document for support in health, counseling, or legal assistance.

Bystander/up-stander Intervention

Bystander intervention means safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault, or stalking. Bystander intervention includes recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene.

Information on Risk Reduction

Risk reduction means options designed to decrease perpetration and bystander inaction and to increase

empowerment for victims in order to promote safety and help individuals and communities address conditions that facilitate violence. With no intent to victim blame and recognizing that only abusers are responsible for their abuse, the following are some strategies to reduce one's risk of sexual assault or harassment (taken from Rape, Abuse, & Incest National Network: www.rainn.org)

1. **Be aware** of your surroundings. Knowing where you are and who is around you may help you find a way to get out of a bad situation.
2. Try to **avoid isolated areas.** It is more difficult to get help if no one is around.
3. **Walk with purpose.** Even if you don't know where you are going, act like you do.
4. **Trust your instincts.** If a situation or location feels unsafe or uncomfortable, it probably isn't the best place to be.
5. **Try not to load yourself down** with packages or bags, as this can make you appear more vulnerable.
6. **Make sure your cell phone is with you** and charged and that you have cab money.
7. **Don't allow yourself to be isolated** from someone you don't trust or someone you don't know.
8. **Avoid putting music headphones in both ears** so that you can be more aware of your surroundings, especially if you are walking alone.
9. **When you go to a social gathering, go with a group of friends.** Arrive together, check in with each other throughout the evening, and leave together. Knowing where you are and who is around you may help you to find a way out of a bad situation.
10. **Trust your instincts.** If you feel unsafe in any situation, go with your gut. If you see something suspicious, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.).
11. **Don't leave your drink unattended** while talking, dancing, using the restroom, or making a phone call. If you've left your drink alone, just get a new one.
12. **Don't accept drinks from people you don't know or trust.** If you choose to accept a drink, go with the person to the bar to order it, watch it being poured, and carry it yourself. At parties, don't drink from the punch bowls or other large, common open containers.
13. **Watch out for your friends, and vice versa.** If a friend seems out of it, is way too intoxicated for the amount of alcohol they've had, or is acting out of character, get him or her to a safe place immediately.
14. **If you suspect you or a friend has been drugged, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.).** Be explicit with doctors so they can give you the correct tests (you will need a urine test and possibly others).
15. If you need to get out of an uncomfortable or scary situation, here are some things that you can try:
    A. **Remember that being in this situation is not your fault.** You did not do anything wrong; it is the person who is making you uncomfortable that is to blame.
    B. **Be true to yourself.** Don't feel obligated to do anything you don't want to do. "I don't want to" is always a good enough reason. Do what feels right to you and what you are comfortable with.
    C. **Have a code word with your friends or family** so that if you don't feel comfortable, you can call them and communicate your discomfort without the person you are with knowing. Your friends or family can then come to get you or make up an excuse for you to leave.

D. **Lie.** If you don't want to hurt the person's feelings, it is better to lie and make up a reason to leave than to stay and be uncomfortable, scared, or worse. Some excuses you could use are needing to take care of a friend or family member, not feeling well, having somewhere else that you need to be, etc.

16. **Try to think of an escape route.** How would you try to get out of the room? Where are the doors? Windows? Are there people around who might be able to help you? Is there an emergency phone nearby?
17. **If you and/or the other person have been drinking,** you can say that you would rather wait until you both have your full judgment before doing anything you may regret later.

Prevention Programs

The university engages in comprehensive, intentional, and integrated programming, initiatives, strategies, and campaigns intended to end dating violence, domestic violence, sexual assault, and stalking that:

1. Are culturally relevant, inclusive of diverse communities and identities, sustainable, responsive to community needs, and informed by research, assessed for value, effectiveness, or outcome; and
2. Consider environmental risk and protective factors as they occur on the individual, relationship, institutional, community, and societal levels.

Educational programming consists of primary prevention and awareness programs for all incoming students, and annual primary prevention education for employees, and ongoing awareness.

What to do if you Experience Dating Violence, Domestic Violence, Sexual Assault, or Stalking

1. Get to a safe location. If you are a student and are unsure where to go or can think of nowhere that is safe at this time, please consider calling Public Safety at 207-780-5211 or local law enforcement at 911. Campus Life Staff are also available to assist with housing arrangements as well.
2. Consider asking a trusted friend or relative to be with you for support.
3. Seek medical care as soon as possible. You may need basic medical treatment for injuries, and you may have injuries of which you are unaware. You also may be at risk of acquiring a sexually transmitted infection, and women may be at risk for pregnancy. Trained staff at Health Services or Maine Medical Center can speak with you about all of the medical options available and provide information about a sexual assault forensic examination. In Maine, evidence may be collected even if you choose not to make a report to law enforcement.
4. You may choose to file a report with the local law enforcement agency. Your report puts in place support systems that you may choose to use. The University will provide someone to assist you in filing a report with Law Enforcement if you wish.
5. Preserve all evidence of the incident. If you choose to file a report with the police, it is important that you:
    A. Do not bathe, wash your hands, brush your teeth, drink, eat, or even use the restroom—all these things can destroy evidence that may be helpful in a criminal investigation; however, if you have done any of these things since the incident, evidence can still be collected; it is important that a victim of sexual assault not bathe, douche, smoke, change clothing or clean

the bed/linen/area where they were assaulted if the offense occurred within the past 96 hours. This is so evidence may be preserved that may assist in proving that the alleged criminal offense occurred/or is occurring or may be helpful in obtaining a protection order. In circumstances of sexual assault, if victims do not opt for forensic evidence collection, healthcare providers can still treat injuries and take steps to address concerns of pregnancy and/or sexually transmitted infections.

B. Do not clean or remove anything from the location where the incident occurred;
C. Write down as much as you can recall about the incident and the people involved.
D. Victims of sexual assault, domestic violence, stalking, and dating violence are encouraged to also preserve evidence by saving text messages, instant messages, social networking pages, and other communications, as well as keeping pictures, logs, or other copies of documents if they have any, that would be useful to University adjudicators/investigators or police.
E. As time passes, evidence may dissipate or become lost or unavailable, thereby making investigation, possible prosecution, disciplinary proceedings, or obtaining a protection from abuse order related to the incident more difficult. If a victim chooses not to make a complaint regarding an incident, they nevertheless should consider speaking with USM Public Safety or other law enforcement to preserve evidence in the event that the victim decides to make a formal report of the incident at a later date. Doing so will assist in proving that the alleged criminal offense occurred or that may be helpful in obtaining a protection order.

6. Seek some form of emotional support. While taking care of your physical needs may be the first step in taking care of yourself, it is important not to neglect the emotions you may be experiencing as a result of the assault, violence, or stalking. University Counseling Services has employees who are specially trained to assist students with recovery and healing. CIGNA EAP services are available for employees at 1-877-622- 4327.
7. It is your choice to determine when and in what manner you recover from your trauma. Give yourself the time you need, and know that it is never too late to get help.
8. Know that what happened was not your fault and you are not alone.

Reporting Incidents

If you have been a victim of domestic violence, dating violence, sexual assault, or stalking, you should report the incident promptly to the Title IX Coordinator, Dr. Sarah Holmes, by calling, writing, or coming into the office to report in person. A report can also be made to Public Safety if the victim so desires. All reports of domestic violence, dating violence, sexual assault, and stalking made to USM Public Safety will automatically be referred to the Title IX Coordinator for investigation, regardless of whether the complainant chooses to pursue criminal charges.

Recordkeeping

All records will be maintained for a period of seven years. All records include:

1. Any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment;
2. The basis for UMS's conclusion that UMS's response was not deliberately indifferent;
3. Document that UMS has taken measures designed to restore or preserve equal access to the UMS

education program or activity;

4. If UMS does not provide a Complainant with supportive measures, then UMS must document the reasons why such a response was not clearly unreasonable in light of the known circumstances.
5. The documentation of certain bases or measures does not limit UMS in the future from providing additional explanations or detailing additional measures taken.
6. Each sexual harassment investigation, including any determination regarding responsibility and any audio or audiovisual recording or transcript;
7. Any appeal and the result therefrom;
8. Any informal resolution and the result therefrom; and
9. All materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process. UMS must make these training materials publicly available on its website.

Contact Information

- Dr. Sarah Holmes, Associate Vice President for Student Affairs & Deputy Title IX Coordinator
  180 Portland Commons, Portland Campus
  207-780-5767
  sarah.e.holmes1@maine.edu
  usm.titleix@maine.edu
- Elizabeth Lavoie, University of Maine System Title IX Coordinator
  5713 Chadbourne Hall, Room 412, Orono, ME 04469
  207-581-5866
  elizabeth.lavoie@maine.edu
  titleix@maine.edu
- USM Public Safety
  9 Ronald Saindon Dr., Gorham (24/7)
  66 Falmouth St, Sullivan Gym, Portland
  207-780-5211
  usm.dispatch@maine.edu

How to File a Complaint and How the University Will Respond

The University strongly encourages anyone who has experienced sex discrimination, sexual harassment, retaliation, sexual violence, sexual assault, domestic violence, dating violence, intimate partner violence or stalking to report the incident to the appropriate contact at the University (see VI (A)). A report can be made under this policy at any time, regardless of when or where the incident happened. Reporting the incident to the University does not mean that you have to file a formal complaint or report the incident to the police. Reporting the incident, however, will allow the University to provide individuals involved with information about available support and services, both on campus and off campus.

Any individual may make a third-party complaint about a violation of this policy. Individuals are encouraged to contact the appropriate office identified below as soon as possible. After receiving a complaint, the

University will determine what further action, including contacting the alleged victim, is warranted. If a concern is reported by someone other than the alleged victim and the alleged victim is unwilling or unable to cooperate with an investigation, the University's ability to respond may be significantly limited. The identity of a reporting/complaining party and the responding party and all information related to an incident covered under this policy are confidential and may not be disclosed by the University except as necessary to carry out a disciplinary process or as otherwise permitted under state or federal law.

An investigation, including any hearing and resulting disciplinary proceedings, must be conducted by an individual who received not less than annual training on issues relating to sexual violence, intimate partner violence or stalking, investigatory procedures and hearing procedures to protect the safety and rights of students and employees, promote accountability objectivity, impartiality, and a trauma-informed response.

The reporting party and the responding party will be provided with a copy of the policy and procedures regarding the submission and consideration of evidence that may be used during a disciplinary hearing. Both parties will be simultaneously informed in writing of the results of a disciplinary proceeding not later than 7 business days after a final determination of a complaint, not including time for appeal, unless good cause for additional time is shown. Both parties will be informed of any appeal process.

The UMS Title IX Coordinator is responsible for the University's overall compliance and response to incidents of sexual assault, sexual harassment and sex discrimination in general.

How and Where to File a Complaint

1. Complaints or Reports of Employees' Conduct
    a. All complaints or reports relating to violations of this policy by a University employee should be made to the UMS Title IX Coordinator, Liz Lavoie, at 207-581-5866 or titleix@maine.edu or to the Equal Opportunity Office, Amie Parker, at 207-581-1226 or equal.opportunity@maine.edu.
    b. Upon receiving a complaint or report of a violation of this policy by a University employee, the UMS Title IX Coordinator will assess the complaint or report and will follow the procedures described in the University of Maine System Equal Opportunity Complaint Procedure or the Title IX Sexual Harassment Procedure. The UMS Title IX Coordinator will provide the complainant with information about options for filing a formal complaint and explain the formal investigation and grievance process, supportive measures, and any options of informal resolution. The UMS Title IX Coordinator will provide the complainant with a written explanation of the complainant's rights, options, and supportive measures. Supportive measures are available to complainants even if they do not file a formal complaint. When a formal complaint is decided, the University will use a preponderance of the evidence standard – whether it is more likely than not that the alleged violation occurred. For more information about the Equal Opportunity Complaint Procedure, follow this link: https://www.maine.edu/human-resources/university-equal-opportunity-officers/equal-opportunity-complaint-procedure/ For more information about the Title IX Sexual Harassment Process, follow the link in Article XVI of this Policy.

2. Complaints or Reports of Students' Conduct
    a. All complaints or reports relating to violations of this policy by a University student regardless of where the offense occurred should be made to the campus Deputy Title IX Coordinator, Dr. Sarah Holmes at 207-780-5767 or sarah.e.holmes@maine.edu, usm.titleix@maine.edu, who will notify the UMS Title IX Coordinator of the complaint or report.
    b. Upon receiving a complaint or report of a violation of this policy by a University student, the Deputy Title IX Coordinator/Title IX Coordinator will assess the complaint or report and follow the procedures described in the University of Maine System Student Conduct Code or the Title IX Sexual Harassment Process. The Deputy Title IX Coordinator/Title IX Coordinator will provide the complainant with information about options for filing a formal complaint and explain the formal investigation and grievance process, offer supportive measures, and explain any options of informal resolution. The Deputy Title IX Coordinator/Title IX Coordinator will provide the complainant with a written explanation of the complainant's rights and options. When a formal complaint is decided, the University will use a preponderance of the evidence standard – whether it is more likely than not that the alleged violation occurred. For more information about the procedure for adjudicating complaints against students, see the UMS Student Conduct Code at: https://www.maine.edu/board-of-trustees/policy-manual/section-501/ or the Title IX Sexual Harassment Process at https://www.maine.edu/title-ix/procedures/
    c. Under the University of Maine System Student Conduct Code, the Student Conduct Officer may initiate and supervise investigations of dating violence, domestic violence, sexual assault and stalking which are brought to his/her attention by employees, students, or members of the general public. Upon concluding the investigation, the Officer shall notify the Respondent and the Complainant in writing of the Officer's decision on whether charges will be filed. The Officer shall conduct a hearing or may forward the matter to a Student Conduct Committee for a hearing. The Student Conduct process normally will be concluded within sixty (60) days of receiving the complaint. University staff responsible for this process will respond to complaints as expeditiously as possible and will attempt to meet all deadlines, but failure to do so will not prevent the complaint process from continuing.
3. Complaints or Reports of Third Parties' Conduct (Campus Guests, Vendors, Contractors, etc.)
    a. All concerns regarding violations of this policy by third parties such as vendors, contractors and campus guests should be made to the UMS Title IX Coordinator at 207-581-5866 or titleix@maine.edu or to the Equal Opportunity Office at 207-581-1226 or equal.opportunity@maine.edu.
    b. Upon receipt of a report or complaint, the University will respond appropriately depending on the nature of its relationship to the third party.
4. Confidential Resource Advisors (CRA's)
    a. CRA's are also available to the University Community. CRA's are confidential and can assist a person in filing a formal complaint. A CRA can provide all of the same resources that a Title IX Coordinator or Deputy Title IX Coordinator can assist with. Please see pg.26 for a list of supportive measures. A disclosure under this policy to a CRA or the performance of a service by

a CRA shall not be considered actual or constructive notice of such an alleged incident to the University. For a list of University CRA's please click here.

How the University will Respond

The University's investigation and decision-making process is separate from and does not serve as a substitute for any criminal or civil investigation and adjudication regarding the same incident. The University will provide a prompt, fair, impartial, and equitable investigation and resolution of the complaint. The investigation and decision-making shall be conducted by officials who receive annual training on discrimination, harassment, retaliation, intimate partner violence, domestic violence, dating violence, sexual violence, sexual assault, and stalking, and how to conduct an investigation and hearing process that protects the safety and rights of all individuals and promotes accountability, objectivity, impartiality and a trauma-informed response.
Both the complainant and the respondent have the right to have another present during any investigative or disciplinary meeting or proceeding, including the opportunity to be accompanied to any related meeting or proceeding by an advisor of their choice, who may be, but is not required to be, an attorney. The University will not limit the choice or presence of an advisor for either the complainant or respondent in any meeting or grievance proceeding; however, the University may establish restrictions regarding the extent to which the advisor may participate in the meetings or proceedings, as long as the restrictions apply equally to both parties.

In investigating allegations covered by this Policy, the investigator and decision-makers will not question the complainant about the complainant's prior sexual conduct with anyone other than the respondent unless relevant to establish that someone else committed the conduct alleged to be a violation of this policy. Information regarding any prior sexual conduct or dating relationship between the complainant and the respondent by itself shall not imply consent or preclude a finding of a violation, but may be relevant to understand the nature and context of the parties' relationship and how consent to sexual activity was communicated between the parties. No direct questioning of the either party by the other will be permitted, though in the Title IX sexual harassment process, the parties' advisors have the opportunity to cross-examine the other party and witnesses during the hearing process.

The respondent's use of alcohol and other drugs in connection with a violation of this policy does not mitigate accountability for the behavior or diminish the seriousness of the incident, unless it is determined that the respondent was incapacitated and unable to consent to the sexual activity at issue. The respondent's intentional use of a substance to affect an individual in order to facilitate a violation of this policy will be considered relevant when determining responsibility and appropriate sanctions.

In the investigation and decision-making processes for all complaints of sexual assault, domestic violence, dating violence or stalking made under this policy, both the complainant and the respondent shall be simultaneously informed, in writing, of: (1) the outcome of any institutional disciplinary proceeding that arises from the alleged violation including all sanctions and the rationale for the result and sanctions; (2) the procedure for the respondent and the complainant to appeal the results of the institutional disciplinary proceeding; (3) any change to the results that occurs prior to the time that the results become final; and (4)

when the results are final. The University shall not require a party to abide by a non-disclosure agreement in writing or otherwise regarding the final results of the institutional disciplinary proceeding.

Any student or employee found to have violated this policy may be subject to disciplinary action, up to and including suspension or dismissal/termination from the University. Sanctions for third parties who violate this policy will be in accordance with the circumstances.

For information about sanctions, students should refer to the Student Conduct Code at: https://www.maine.edu/board-of-trustees/policy-manual/section-501/. All of the possible sanctions that the University may impose upon a student following the results of any University disciplinary proceeding for an allegation of dating violence, domestic violence, intimate partner violence, sexual violence, sexual assault, or stalking are:

1. **Assigned Educational Projects:** This may include research projects, reflective essays, counseling assessments, sanction seminars or other related assignments intended to promote learning.
2. **Community Service**: The type of service may be related to the nature of the violation.
3. **Deferred Sanction**: A specific period of time during which a Respondent's continued enrollment or housing contract at the University is clearly in jeopardy. Any further violation of the Code during that time will minimally result in the imposition of the deferred sanction and any additional sanctions deemed necessary.
4. **Disciplinary Dismissal:** Permanent separation (subject to the right of review after five years) from the University.
5. **Disciplinary Probation**: A period of time when a Respondent is under closer scrutiny of the University. It may include the loss of one or more privileges.
6. **Disciplinary Suspension**: Separation from the University for a stated period of time and/or until a stated condition(s) is met.
7. **Fine**: Payment of money. Respondents who are unable to pay may discuss alternate payment arrangements.
8. **Loss of Contact with a Specific Person(s)**: With this sanction, the person may not initiate direct or indirect contact with a specified person(s).
9. **Loss of Visitation Privileges**: This loss of visitation may be to any designated area(s) of campus.
10. **Official Warning:** Official acknowledgment of a violation and the expectation that it will not be repeated.
11. **Removal from University Housing**: Removal from a particular hall or all housing.
12. **Restitution**: Restitution, up to the replacement value of the items damaged, stolen, removed, or used without authority and damages incurred.
13. Such other action as the Committee or Officer may reasonably deem appropriate (e.g., suspension of an organization's official campus recognition or suspension of a student from an extracurricular activity).

All of the possible sanctions that the University may impose upon an employee following the results of any University disciplinary proceeding for an allegation of dating violence, domestic violence, sexual assault, or

stalking are:

1. Oral Warning
2. Written Warning
3. Suspension
4. Termination
5. Such other action as the University may reasonably deem appropriate.

Investigation Procedures

The University will provide a prompt, fair, and impartial process from the initial investigation to the final resolution of the complaint. The investigation and decision-making shall be conducted by officials who receive annual training on domestic violence, dating violence, sexual assault, and stalking, and how to conduct an investigation and hearing process that protects the safety of all individuals and promotes accountability.

The complainant and the respondent are entitled to the same opportunities to have others present during any investigative interview, including the opportunity to be accompanied by an advisor of their choice. The University will not limit the choice of advisor or presence for either the accuser or respondent in any meeting.

The University has procedures in place that serve to be sensitive to victims who report sexual assault, domestic violence, dating violence, and stalking. The procedures include informing individuals about their right to file criminal charges as well as the availability of counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid and other services on and/or off campus as well as additional remedies to prevent contact between a complainant and an accused party. Additional remedies include: changes to housing, academic, protective orders, transportation, and working situations, if reasonably available. The University will make such accommodations or protective measures if the victim requests them and if they are reasonably available. These will be provided regardless of whether the victim chooses to report the crime to Campus Police or city/town police department. Students and employees should contact Dr. Sarah Holmes.

If a report of domestic violence, dating violence, sexual assault or stalking is reported to the University, below are the procedures that the University will follow:

Initial Assessment of Report/Complaint

Upon receiving notice of a possible violation of Board Policy 402: Sex Discrimination, Sexual Harassment, Sexual Assault, Relationship Violence, Stalking, Retaliation, and Title IX Sexual Harassment, UMS will promptly initiate an assessment of the report to determine next steps, taking into consideration the Complainant's expressed wishes about how they want to proceed.

Outreach to Complainant

In conjunction with the campus Deputy, the UMS Title IX Coordinator will determine which member of the Title IX Team will reach out to the person who reported the incident. The designated Title IX team member will promptly reach out to the individual who reported the information and/or the individual named as a Complainant. The UMS Title IX team member will provide the following:

1. Information to the Complainant on the availability of supportive measures, whether the Complainant wants to file a formal complaint or not, and consideration of the Complainant's wishes regarding supportive measures; such measures are designed to restore or preserve equal access to the Complainant's education and activities; these supports are non-punitive, do not unreasonably burden the other party; and protect the safety of all individuals and the campus community.
2. The name and location of the nearest medical facility where they may request a forensic examination; information on transportation options and reimbursement, if available; the contact information for local sexual assault support center and domestic violence resource center and a description of the services they provide, the telephone number and website for a confidential statewide sexual assault helpline and a national 24-hour hotline that provides information on sexual assault; information on any programs that may financially assist a reporting party with the cost of emergency medical assistance, including the Victim's Compensation Fund pursuant to 5 M.R.S.A. Ch. 316-A.
3. Information on the formal Title IX complaint process and how to file a formal complaint.
4. Information regarding the right to have an Advisor of Choice through the process; and offer for UMS to provide an Advisor at no cost.
5. Information on the informal process (noting that a formal complaint must be filed before initiating this step.
6. Information about their rights under the process.
7. A copy of (or website link) to the Title IX Sexual Harassment policy and procedures.
8. The UMS Title IX team member will file any applicable anonymous Clery documentation and assessments

Formal Complaints

Upon confirming that a Complainant would like to file a formal complaint, the Title IX Coordinator, Deputy Title IX Coordinator, or the Equal Opportunity Officer is required to get a physical or electronic signature indicating the Complainant would like to file a formal complaint. If the Complainant is not actively on campus, the University will accept an email from the Complainant stating that they would like to file a formal complaint.

In instances in which the Complainant does not wish to file a formal complaint, the UMS Title IX Coordinator reserves the right to file a formal complaint. However, the UMS Title IX Coordinator would not become a Complainant or otherwise become a party in the formal complaint. The UMS Title IX Coordinator will inform the Complainant of this decision in writing, and the Complainant need not participate in the process further but will receive all notices issued under this process.

Complainants are only able to file a Formal Complaint under these Procedures if they are currently participating in the education programs or activities of the University, including as an employee. For complainants who do not meet this criteria, complainants may still file a complaint under BOT Policy 402 and the appropriate procedures which are linked in BOT 402.

Nothing in this process or BOT 402 prevents a Complainant from seeking the assistance of state or local law enforcement separate from or alongside the appropriate on-campus process.

In response to a formal complaint the Title IX Coordinator, Deputy Title IX Coordinator, or the Equal Opportunity Officer will:

1. Treat all parties equitably by offering supportive measures to both parties throughout the process; (Supportive measures may include information on counseling, health, safety, academic, and other support services available on campus or within the local community)
2. Continue to provide supportive measures to parties even after the formal complaint process has concluded;
3. Provide remedies designed to restore or preserve equal access to the party's educational program or activity if a Respondent is found responsible at the end of the informal or formal grievance process;
4. Make all parties aware that the University grievance process and disciplinary proceedings may not serve as a substitute for the criminal justice process.
5. Offer a UMS trained Advisor free of cost to each party;
6. Presume that the Respondent is not responsible for the alleged conduct until a determination of responsibility has been concluded through the informal or formal grievance process.
7. Require an objective evaluation of all relevant evidence – including both inculpatory and exculpatory evidence.
8. Ensure that credibility determinations will not be based on a person's status as a Complainant, Respondent, or witness.
9. Require that any individual involved in the formal or informal complaint process, other than an Advisor designated by the University, not have a conflict of interest or demonstrated bias for or against complainants or respondents generally or an individual Complainant or Respondent.
10. Ensure that the University will not publicly disclose the identity of the reporting or responding party, or any information relating to an incident of sexual violence, intimate partner violence or stalking, except as necessary to carry out a disciplinary proceeding or as otherwise permitted or required under state or federal law.

Initial Notice of Investigation and Allegations

The Title IX Coordinator, Deputy Title IX Coordinator, or the Equal Opportunity Officer will provide written notice to the parties regarding the formal complaint. The written notice will be provided via the parties' University email address or other provided contact means with sufficient time to prepare a response before any initial interview of a party. The written notice of investigation and alleged allegation(s) of potential sexual harassment shall include:

1. Sufficient details known at the time including, but not limited to:
   Identity of the parties involved in the incident;
    1. Alleged conduct allegedly constituting sexual harassment;
    2. The date and location of the alleged incident, if known;
    3. A statement that the Respondent is presumed not responsible for the alleged conduct;
    4. A statement that the determination of responsibility is made at the conclusion of the complaint process;

5. Informing the parties that the UMS Student Conduct Code and the UMS Board of Trustee Policy Manual prohibits knowingly making false statements or knowingly submitting false information during the complaint process;
6. Informing the parties that they have a right to an Advisor of their choice, who may be, but is not required to be, an attorney;
7. The right to a free, trained UMS Advisor;
8. The parties and their Advisors have the right to review evidence obtained as part of the investigation that is directly related to the allegations raised in the formal complaint, including the evidence upon which the University does not intend to rely in reaching a determination regarding responsibility, and evidence that both tends to prove or disprove the allegations, whether obtained from a party or other source.
9. Information about their rights under the process.
10. A copy (or website link) to the Title IX Sexual Harassment policy and procedures.
11. A day, time, and location to meet with the Title IX Coordinator, Deputy Title IX Coordinator, or the Equal Opportunity Officer who sent the letter; ensuring reasonably available supportive measures are offered to the Respondent.

Investigation

The investigation will be conducted by a member of the Title IX Team who has been trained on: the definition of Title IX Sexual Harassment; the scope of the UMS' education program and activities; how to conduct an investigation and the complaint process, including hearings, appeals, and informal resolution processes; including how to serve impartially and how to avoid prejudgment of the facts; conflicts of interest; bias; relevance of questions and evidence – including rape shield protections; how to write a fair investigative report; and any technology used during the investigation and live hearing.

During investigation of a formal complaint the burden of proof and gathering evidence is always on UMS, never the parties. A party or witness will be asked to provide any necessary documents, pictures, screenshots, etc. that may assist the University in gathering evidence. The parties will have an equal opportunity to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence. Parties will receive written notice of the date, time, location, participants, and purpose of all hearings, investigative interviews, or other meetings at which either party's participation is invited or expected, with sufficient time for the party involved to prepare to participate. UMS will not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence during the investigation.

All investigative and hearing interviews will be recorded and transcribed. UMS does not permit any other unauthorized recording (including audio and/or video) of the interview or meeting.

Parties will not be asked to provide medical or psychological records; or evidence collected during a forensic sexual assault or interpersonal violence medical assessment unless disclosed voluntarily with express, written consent. However, should a party choose to provide any records that are maintained by a physician, psychiatrist, psychologist, or other licensed professional or paraprofessional acting in the professional's or

paraprofessional's capacity or assisting in that capacity, a party will need to provide voluntary, written consent. Please note that any documentation that a party provides will be seen by all parties and their Advisors.

If, in the course of an investigation, the Investigator determines to investigate additional allegations about the Complainant or Respondent that were not included in the original notice, the Investigator must provide notice of any additional allegation(s) to the parties.

Time Frames

The investigation process, barring any unusual circumstances, will be resolved within ninety to one-hundred-twenty (90-120) business days. In certain circumstances, this time frame may not be reasonable if there are extenuating or unusual circumstances. UMS will do its best to resolve all investigations in a reasonable timeframe. UMS appreciates the impact that investigations can have on all parties involved. If there is good cause for delay in the investigation, the parties will be notified in writing of the temporary delay and the reason for the action. Good cause could include concurrent law enforcement activity, accommodations of disabilities, or other matters that could have a direct impact on the investigation.

Prior to the completion of the investigative report, the University will send to the parties and their Advisors evidence that is directly related to the allegations in the formal complaint that was collected during the investigation. The parties and their advisors will have 10 days to review this evidence and submit a written response to the investigator. The Investigator(s) will share the response(s) with the other parties and their Advisors, and will then consider the responses and take any necessary further investigatory action. Any follow up action needed will then be completed by the Investigator(s).

If no follow up action is needed, the Investigator(s) will write an investigative report that fairly summarizes the relevant evidence within 14 business days of receipt by the Investigator of the parties' responses to the evidence. If follow up action is needed, the Investigator(s) will write an investigative report that fairly summarizes the relevant evidence within 14 business days of the Investigator's completion of the follow up action. The Investigator will communicate with the parties regarding the status of the report at least once during any follow up action.

The Investigator(s) will then forward their report to the UMS Title IX Coordinator or their designee for review. Any suggested changes to the report will be provided to the Investigator(s) within 5 business days. Any suggested changes will be incorporated into the investigative report by the Investigator within 5 business days. The parties and their Advisors will have another review period for 10 days in which to review the investigative report and submit a written response prior to the hearing. The Investigation phase is then concluded. No determination of credibility, findings or determination of responsibility will be included in the Investigator(s) report.

The Investigator(s) will then provide the completed report to the UMS Title IX Coordinator, Deputy Coordinator, or Equal Opportunity Officer overseeing the case; who will then forward the completed

investigative report to the Decision-maker(s) assigned to the case. Notification of the names of the Decision-maker(s) will be sent to both parties and their Advisors by the UMS Title IX Coordinator, Deputy Coordinator, or Equal Opportunity Officer overseeing the case, at least five (5) business days prior to the hearing.

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

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

Hearings

The UMS Title IX Coordinator, Deputy Coordinator, or Equal Opportunity Officer shall provide the reporting party and the responding party with written notice of a disciplinary hearing sufficiently in advance of the hearing to provide the reporting and responding parties with the opportunity to meaningfully exercise their rights. The written notice of the hearing will include notices of where the BOT Policy 402 and these Procedures are available and outreach resources for reporting parties and responding parties.

The hearing will be composed of a single Decision-maker or a panel of three Decision-makers at the discretion of the UMS Title IX Coordinator or the Equal Opportunity Officer. If the hearing is composed of three Decision-makers, one of them will be designated as a voting Chair. In either case, the Decision-maker or Chair will reach out to both parties and their Advisors for separate pre-hearing meetings to discuss rules of decorum, process, and any witnesses that need to be present for the hearing.

A live hearing is required and will be recorded by UMS. All recordings are property of UMS. No other recording of any kind will be permitted. At the live hearing, the parties must be able simultaneously to see and hear the party or the witness answering questions.

All live hearings will be conducted using Zoom or another telecommunication method. A party may request an in person live hearing. Such a request for a live in person hearing will be subject to the agreement of the other party and must be submitted to the UMS Title IX Coordinator, Deputy Title IX Coordinator, or Equal Opportunity Officer within 24 hours of receiving notice of the hearing date and time. The request will be evaluated by the Title IX Team involved; after a determination of the request has been made, a written response will be provided to both parties and their Advisors, within 2 business days of the receipt of the request.

Should either party need assistance with participating in or finding a private place to participate in the hearing they should reach out to the UMS Title IX Coordinator, Deputy Title IX Coordinator, or Equal Opportunity Officer within 24 hours of receiving the notice of the hearing date and time.

At the hearing all parties and their Advisors, will have the same materials as the decision- maker(s). At the hearing the decision-maker(s) or the Chair may ask relevant questions of both parties and the witnesses.

All other members of the committee (if using the three-member panel process) will be able to ask relevant questions of both parties and witnesses; however, the Chair will need to determine the relevance of the question and explain any decision to exclude the question as not relevant before the party or witness may answer.

The advisor of each party will also be able to ask relevant questions of the other party and any witness during the hearing. However, prior to the party or witness answering the question, the Chair must:

1. Determine if the question is relevant.
2. If the question is not relevant, the Decision-maker (or Chair) will state why the question is not relevant and the party or witness will not answer the question. (At any time the Decision-maker [or Chair] may call a recess to confer with UMS General Counsel.)
3. The Decision-maker or Chair may ask the Advisor to explain the relevance of the question posed in order to render a ruling on relevance. However, the Advisor will otherwise not be permitted to discuss or argue with the Decision-maker's (or Chair's) determination.

During the hearing the decision-maker(s) and the advisor(s) will not question the Complainant about the Complainant's prior sexual conduct with anyone other than the Respondent unless the question is relevant to establish that someone else committed the conduct alleged to be a violation of this policy. Information regarding any prior sexual conduct or dating relationship between the Complainant and the Respondent by itself shall not imply consent or preclude a finding of a violation, but may be relevant and explored during questioning to understand the nature and context of the parties' relationship and how consent to sexual activity was communicated between the parties.

If a party or witness is not present at the hearing or does not answer any or all cross-examination or other questions at the hearing, the decision-maker(s) cannot draw an inference about the determination regarding responsibility based solely on a party's or witness' absence from the hearing or refusal to answer any or all cross-examination or other question(s). The University may still proceed with the live hearing in the absence of a party, and may reach a determination of responsibility in their absence, including through any evidence gathered. If a Complainant chooses not to participate in the hearing or refuses to answer cross-examination questions, by the Respondent, through the hearing panel, the case may not be able to proceed.

If either party chooses to not attend the hearing, they must have their advisor attend to cross- examine the other party. Should a party's advisor not attend the hearing, UMS reserves the right to provide a free advisor of its choice to the party, so the advisor may cross-examine the other party and/or any witnesses. The decision-maker(s) may not draw any negative inferences from the absence of one or both parties' attendance of the hearing.

Should a party or the party's advisor choose not to cross-examine a party or witness, the party shall affirmatively waive cross-examination through a written or oral statement to the Chair or Panel. A party's waiver of cross-examination does not eliminate the ability of the Chair or Decision-maker(s) to use prior statements made by the party.

Standard of Evidence

The standard of evidence used is called *Preponderance of the Evidence*. Preponderance of the Evidence means that "more likely than not" the incident occurred.

Decision Making

The decision-maker(s), who will not be the same person as the Investigator or the Title IX Coordinator, must issue a written determination regarding responsibility within 7 business days after a final determination of the complaint, unless good cause for additional time is shown.

To reach this determination, the decision-maker(s) must apply the Preponderance of the Evidence standard. Deliberations are not recorded and will be kept confidential. The written determination must be sent to the parties simultaneously and include:

1. Identification of the allegations potentially constituting Title IX Sexual Harassment as defined in the University of Maine System, Board Policy 402, Section XVI, Title IX Sexual Harassment (pages 20-24);
2. A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held;
3. Findings of fact supporting the determination;
4. Conclusions regarding the application of the University of Maine System, Board Policy 402, Section XVI, Title IX Sexual Harassment (pg.'s. 20-24) to the facts
5. A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the UMS imposes on the Respondent, the rationale for each sanction, and whether remedies designed to restore or preserve equal access to the UMS' education program or activity will be provided by the UMS to the Complainant; and
6. Procedures and permissible bases for the Complainant and Respondent to appeal.

If the Respondent is found responsible for a violation; the decision-maker(s) will consider any previous disciplinary action involving the Respondent when determining sanctions.

The recording of the hearing will be available for review (though copies will not be provided) by the parties within 7 business days after a final determination of the complaint, unless good cause for additional time is shown.

Appeals

UMS offers both the Complainant and the Respondent the ability to file an appeal. Each party has five business days from the date the formal notification is sent out to file their appeal. Both the Complainant and the Respondent may file an appeal from a determination regarding responsibility, and from UMS's decision, if

any, to dismiss a formal complaint, or any allegation therein, on the following bases:

1. Procedural irregularity that affected the outcome of the matter;
2. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and
3. The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or demonstrated bias for or against complainants or respondents generally or the individual Complainant or Respondent that affected the outcome of the matter.

The appeal should be sent to the UMS Title IX Coordinator, the Deputy Title IX Coordinator, or the Equal Opportunity Officer overseeing the case.
When an appeal is received the Title IX Coordinator, Deputy Title IX Coordinator, or the Equal Opportunity Officer will:

1. Notify the other party in writing and implement the appeal procedures equally for both parties;
2. Ensure that the decision-maker(s) for the appeal is not the same person as the decision-maker(s) that reached the determination regarding responsibility or dismissal, the investigator(s), or the Title IX Coordinator;
3. Ensure that the decision-maker(s) for the appeal complies with the standards set forth in section 4(h) and section 14 of this document;
4. Give the non-appealing party 5 business days to submit a written response to the other party's appeal. In the event of cross appeals, each party will be given 5 business days to submit a written response to the other party's appeal;
5. Issue a written decision describing the result of the appeal and the rationale for the result within 10 business days after the appeal and response timeframe has ended; and
6. Provide the written decision simultaneously to both parties.

Dismissal of Investigation

UMS must investigate allegations in all formal complaints. If the alleged conduct, in a formal complaint would not constitute Title IX Sexual Harassment as defined in the University of Maine System, Board Policy 402, Section XVI, Title IX Sexual Harassment (p. 20), UMS will promptly dismiss the formal complaint; such dismissal does not preclude UMS from taking action under other applicable provisions of Board Policy 402, the Equal Opportunity Complaint Procedures or the Student Conduct Code. Nor does it preclude the University from providing supportive measures or offering to assist the Complainant in filing a complaint with law enforcement, another institution/employer.

Reasons for Dismissal

1. The alleged conduct in a formal complaint, if proven, would not constitute Title IX Sexual Harassment as defined in the University of Maine System, Board Policy 402, Section XVI, Title IX Sexual Harassment (p. 20).
2. The Complainant requests to withdraw the formal complaint or any allegations therein and UMS agrees to dismiss the complaint and or allegations.
3. UMS and both parties agree to an informal resolution.

4. The alleged sexual harassment did not occur within the context of UMS's educational program or activity.
5. The alleged conduct did not occur within the United States.
6. At the time of filing the formal Title IX Sexual Harassment complaint, the Complainant was not participating in or attempting to participate in UMS's education program or activity. If the Complainant is not participating or attempting to participate in UMS's educational program or activity the complaint will be referred to the Office of Equal Opportunity or Student Conduct, depending on the status of the Respondent.

Upon notification of the formal complaint dismissal both the Complainant and the Respondent have a period of five business days to appeal the dismissal. The written appeal should be sent to the UMS Title IX Coordinator, Deputy Title IX Coordinator, or the Equal Opportunity Officer who dismissed the complaint. Please see section 9 for further information on appeals.
Dismissal does not preclude UMS from taking action under other applicable provisions of Board Policy 402, the Equal Opportunity Complaint Procedures or the Student Conduct Code.

Resigning or Withdrawing Pending an Open Investigation

In the event that the Complainant withdraws from the institution or resigns, the University may dismiss the case. However, UMS will then evaluate the case to determine if it needs to be referred to the Student Conduct Process or the Equal Opportunity Complaint Procedures for Investigation.

In the event that a Respondent withdraws from the institution the investigation may continue or the University may place a hold on the student's account not allowing them to access their transcripts or enroll in classes until the matter is fully resolved.

In cases where the Respondent is an employee and resigns from their position, UMS will not allow the individual to be rehired, for any reason, pending resolution of the investigation. Any future inquiries about employment matters may reveal that the employee resigned during an open and still pending disciplinary investigation. UMS will not disclose that it was a pending Title IX investigation, unless there is written consent provided by the Respondent and Complainant.

Informal Resolution

UMS offers the opportunity for an informal resolution process where the parties voluntarily consent to engage in such an informal process following the filing of a formal complaint. UMS may not require as a condition of enrollment or continuing enrollment, or employment or continuing employment, or enjoyment of any other right, waiver of the right to an investigation and adjudication of formal complaints of sexual harassment consistent with this section.

UMS may not require the parties to participate in an informal resolution process under this section and may not offer an informal resolution process unless a formal complaint is filed. However, at any time prior to reaching a determination regarding responsibility UMS may facilitate an informal resolution process, such as

mediation, that does not involve a full investigation and adjudication, provided UMS obtains voluntary, written consent from both parties and provides written notice to both parties:

1. Disclosing the allegations;
2. The requirements of the informal resolution process including any provisions in which a formal complaint cannot be filed on the same allegations
3. The right of either party and the University to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint;
4. Any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared;
5. Notice that statements made during the informal resolution process may not be brought up in a formal hearing.

An informal resolution process may never be used to resolve allegations that an employee sexually harassed a student as defined under Title IX.

Retaliation

The University and the law prohibit retaliation against an individual for opposing any practice forbidden under this policy, for bringing a complaint, for assisting someone with a complaint, for attempting to stop a violation of this policy, or for participating or for refusing to participate in any manner in an investigation or resolution of a complaint. It is central to the values of this University that any individual who believes they may have been the target of a violation of this policy feels free to report their concerns for appropriate investigation and response, without fear of retaliation or retribution. After making, assisting with or otherwise participating in a report or complaint to the University, any individual who believes they have been subjected to retaliation by the complainant, respondent, the University or any other person or group should report the alleged retaliation immediately to the appropriate person identified in this policy. The University will take strong responsive action when retaliation is found to have occurred.

Options Regarding Law Enforcement

The University strongly encourages all members of the community to report crimes to law enforcement. An individual who has experienced dating violence, domestic violence, sexual assault, or stalking, or any other conduct which may violate criminal laws, has a right, at their own discretion, to:

1. Notify law enforcement authorities, including Public Safety and city/town police;
2. Be assisted by campus authorities in notifying law enforcement if the victim so desires; or
3. Decline to notify law enforcement.

USM Public Safety: Gorham	9 Ronald Saindon Dr., open 24/7	207-780-5211
USM Public Safety:Portland	66 Falmouth Street, Sullivan Gym	usm.dispatch@maine.edu
Gorham Police Department	270 Main Street, Gorham	207-839-5581
Portland Police Department	109 Middle Street, Portland	207-874-8479
Lewiston Police Department	171 Park Street	207-795-9010

University officials may, however, provide law enforcement with details about an incident under some

circumstances if a determination has been made that such disclosure is required by law and/or is necessary to secure campus safety. Complainants have a right to proceed simultaneously with a criminal investigation and a University internal investigation. If necessary to the criminal investigation, the University may defer its investigation for a limited time for fact gathering by law enforcement, and then will promptly resume its investigation.

Confidentiality

Except as required by law, the University shall not include personally identifiable information about a complainant in its campus crime statistics or report, its campus crime log, publicly available police reports or timely warning notices. Furthermore, if a Timely Warning Notice is issued on the basis of a report of dating violence, domestic violence, sexual assault, or stalking, the name of the victim and other personally identifiable information about the victim will be withheld.

The University shall maintain as confidential any accommodations or protective measures provided to the complainant or another party, to the extent that maintaining such confidentiality would not impair the ability of the University to provide the accommodations or protective measures or to the extent otherwise required by law.

Victims may request that directory information on file with the University be withheld by request to the Office of the Registration and Scheduling Services at 107 Bailey Hall, Gorham or 140 Luther Bonney Hall, Portland or call 207-780-5230. Regardless of whether a victim has opted-out of allowing the University to share "directory information", personally identifiable information about the victim and other necessary parties will be treated as confidential and only shared with persons who have a specific need-to-know, i.e., those who are investigating/adjudicating the report or those involved in providing support services to the victim, including accommodations and protective measures.

The University encourages people who have experienced sex discrimination, sexual harassment, sexual violence, sexual assault, dating violence, intimate partner violence, domestic violence, stalking, or retaliation to talk to somebody about what happened so they can get the support they need, and so the University can respond appropriately. People on campus and off-campus have different abilities to maintain confidentiality depending on their roles and responsibilities.

Confidential Communications

1. Professional and Pastoral Counselors.
    a. Professional, licensed individuals who provide mental health services as part of their job responsibilities (including those who act in that role under the supervision of a licensed professional) and pastoral counselors (clergy, ministers, priests, rabbis, etc.) who provide religious counseling to members of the school community are not required to report any information about an incident to the Title IX Coordinator without an individual's permission provided that such information was disclosed in a counseling context. A person can seek assistance and support from these individuals without triggering a University investigation that could reveal the person's identity or that the person has disclosed the incident. This does not

apply to professional, licensed individuals who receive a report outside of their licensed duties, such as when acting in a teaching capacity. On Campus Counseling Contact Information: Campus Counseling – University of Maine System

b. Speaking with a professional or pastoral counselor does not constitute notice to or a report or complaint to the University. The University will be unable to conduct an investigation into the incident or pursue disciplinary action against the respondent based on such a disclosure.
c. NOTE: Professional counselors may maintain a person's confidentiality within the University, but they may have external reporting or other obligations under state law (such as mandatory reporting to law enforcement in case of abuse of minors; imminent harm to self or others; requirement to testify if subpoenaed in a criminal case). A person who initially requests confidentiality may later decide to file a complaint with the University or report the incident to local law enforcement and have the complaint investigated. Professional and pastoral counselors can assist a person who later decides to file a complaint or report.

2. Licensed Health Professionals
    a. Certain licensed health professionals who receive information about an incident in connection with the provision of health care services may not report that information to the Title IX Coordinator without an individual's permission provided that such information was disclosed in a healthcare setting. However, some licensed health professionals who are designated as Campus Security Authorities may be required to report non-identifying statistical information to the University as required by federal law. Speaking with a licensed health care professional does not constitute notice to or a report or complaint to the University, and the University will be unable to conduct an investigation into the incident or pursue disciplinary action against the respondent.
    b. NOTE: Licensed health professionals may maintain a person's confidentiality within the University, but they may have external reporting or other obligations under state law (such as mandatory reporting to law enforcement in case of abuse of minors).
3. Reporting to Another Student or a University Volunteer.
    a. If you discuss a violation of this policy with another student or with a University volunteer, that person may be able to maintain your confidentiality, except as described within section C, Mandatory Reporting. All University students and volunteers are strongly encouraged to report all that they witnessed or heard regarding a violation of this policy to the designated University officials identified above.
4. Mandatory University Reporting
    a. All University employees (except as provided within section A) have a duty to report incidents of sexual misconduct potentially covered under this policy (including gender discrimination, sexual assault, sexual harassment, domestic violence, dating violence, and stalking) to the Title IX Coordinator. Student employees, peer advocates and volunteers who learn of a potential violation of this policy in the course of their employment, programming or volunteer responsibilities are also required to report.
    b. If a University employee receives or becomes aware of an incident covered by this policy, if possible before hearing it fully, the employee should be clear with the complainant that (1) they

are not a confidential resource, if they are not so designated, and (2) they are obligated to report any incident to the Title IX Coordinator.

c. If a University employee receives or becomes aware of an incident covered by this policy, the University employee shall promptly report to the Title IX Coordinator all relevant details about the alleged incident shared by the complainant that the University will need to determine what happened – including the names of the complainant and respondent(s), any witnesses, and any other relevant facts, including the date, time and specific location of the alleged incident. To the extent possible, information reported will be shared only with people responsible for handling the University's response to the report. If the University determines that there is a continuing threat to the safety of members of the University community, it may have to issue a timely warning regarding the incident.

5. Miscellaneous
    a. Public awareness events such as "Take Back the Night," the Clothesline Project, candlelight vigils, protests, "survivor speak outs" or other forums in which students or employees disclose violations of this policy, are not considered notice to the University of violations of this policy for purposes of triggering its obligation to investigate a particular incident(s). Such disclosures may, however, inform the need for campus-wide education and prevention efforts, and the University may provide information about students' and employees' Title IX rights at these events. If conduct which might constitute Title IX Sexual Harassment is disclosed at such an event, and the Title IX Coordinator, Deputy Title IX coordinator or an Official with Authority is present, the University may be required to contact the complainant as described in Article XVI below.
6. F. Anonymous Reporting
    a. Although the University encourages complainants to talk to someone, the University provides a form for anonymous reporting. Providing personally identifying information through an anonymous reporting system may serve as notice to the University for the purpose of triggering the University's obligation to reach out to the complainant to explain the options for filing a formal complaint, offer supportive measures, and describe the formal and informal resolution processes. This is the mechanism for anonymous reporting on your campus.: University of Maine System | Reporting (maxient.com)

Victim Support

Whether or not an individual who has experienced dating violence, domestic violence, sexual assault, or stalking files a formal complaint, reporting the incident will allow the University to provide all individuals involved with available support and services, both on-campus and off- campus. The University can also take interim measures to promote the safety and well-being of both the complainant and respondent, including, but not limited to, moving the complainant or respondent to a new living, dining, or working situation; issuing a no contact order; changing class or work schedules; changing transportation; financial aid accommodations; and other academic and/or employment accommodations and support. These remedies may be applied to one, both, or multiple parties involved. 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 as determined by USM University.

Assistance for Victims: Rights & Options

Regardless of whether a victim elects to pursue a criminal complaint or whether the offense is alleged to have occurred on or off campus, the university will assist victims of sexual assault, domestic violence, dating violence, and stalking. The university will provide each victim with a written explanation of their rights and options. Such written information will include:

- The procedure victims should follow if a crime of dating violence, domestic violence, sexual assault, or stalking has occurred;
- Information about how the institution will protect the confidentiality of victims and other necessary parties;
- A statement that the institution will provide written notification to students and employees about victim services within the institution and in the community;
- A statement regarding the institution's provisions about options for available assistance in, and how to request accommodations and protective measures; and
- An explanation of the procedures for institutional disciplinary action

University-Initiated Protective Measures

Upon receipt of a report of dating violence, domestic violence, sexual assault, or stalking, the University of Southern Maine will provide written notification to the student(s) and/or employee(s) about the accommodations available. These accommodations include living, academic, transportation, protective orders and working situations. The written notification will include information regarding the accommodation options, available assistance in requesting accommodations, and how to request accommodations and protective measures.

At the victim's request, and to the extent of the victim's cooperation and consent, university offices will work cooperatively to assist the victim in obtaining accommodations. If reasonably available, a victim may be offered changes to academic, living, working, protective measures or transportation situations regardless of whether the victim chooses to report the crime to campus police or city/town law enforcement. Examples of options for a potential change to the academic situation may be to transfer to a different section of a class, withdraw and take a class at another time if there is no option for moving to a different section, etc. Potential changes to living situations may include moving to a different room or residence hall. Possible changes to work situations may include changing working hours. Possible changes in transportation may include having the student or employee park in a different location, assisting the student or employee with a safety escort, etc.

These remedies may be applied to one, both, or multiple parties involved. Violation of the Title IX Coordinator's directives and/or protective measures may constitute related violations that may lead to additional disciplinary action.

Accommodation Measures Available

- **Living:** Changes to living situation includes but is not limited to residence hall relocation. To request changes to the living situation on campus the party(s) must contact Residential Life. Their office is located in Gorham at 125 Upton Hall, 52 University Way or call 207-780-5240.
- **Academic:** Changes to academics includes but is not limited to adjustments of course schedule. To request changes to academics, the party(s) must contact the Registrar's Office. Their offices are located in Gorham at 107 Bailey Hall, 16 University Way or in Portland at 140 Luther Bonney Hall, 85 Bedford St or call 207-780-5230.
- **Working:** Changes to working situations includes but is not limited to reassignment to a different supervisor or position. To request changes to working situations, the party(s) must contact Human Resources. Their office is located in Gorham at 149 State St, or in Portland at 120 Bedford St. or call 207-5989.
- **Parking:** Changes to parking includes but is not limited to being granted a change in parking location. To request changes to parking, the party(s) must contact Parking Services. Their office is located on the Portland Campus at 88 Bedford St (in the parking garage) or call 207-780-4718.

Protective Measures

In addition to accommodation measures that can be taken, the Title IX Coordinator or their designee will determine whether interim interventions and protective measures should be implemented. And, if so, take steps to implement those protective measures as soon as possible. Examples of interim protective measures include but are not limited to: a University order of no contact, or a leave of absence. Protective measures imposed may be temporary pending the results of an investigation or may become permanent as determined by the University.

Legal Support

The University will provide assistance or referrals for a student or employee who wishes to obtain a protection-from-abuse or protection-from-harassment order. If a protection-from- abuse or protection-from-harassment order has been issued by a court in a civil or criminal proceeding, a copy of the order should be provided to University police or security and the deputy/Title IX Coordinator as soon as possible to enable enforcement by the appropriate authorities.

The University of Southern Maine complies with Maine state law in recognizing orders of protection by locating, serving, and enforcing the orders and restrictions of the Court on defendants including the investigation of violations of such court orders for criminal prosecution, up to and including arrest. In addition, The University works with victims to form a plan for their safety, makes referrals to victim advocacy and assistance services, makes referrals to alternate safe housing assistance, and assists victims with academic or other University services arrangements for safety and wellbeing. Any person who obtains an order of protection from Maine or any other state should provide a copy to the University's Department of Public Safety (police) and the Title IX Coordinator. A complainant may then meet with campus police and other University officials to develop a Safety Action Plan, which is a plan for campus police and the victim to reduce risk of harm while on campus or coming and going from campus. This plan may include, but is not

limited to: campus safety escorts, special parking arrangements, changing classroom location, or working with academic departments to allow remote attendance.

While the University cannot apply for a legal order of protection, no contact order or restraining order for a victim from the court, transportation assistance is available. A victim or complainant is required to apply directly for these services. Protection orders may be available at the following locations:

Protection from Abuse Order (PFA)

Who Can File	Family or household members, including: • Spouses, former spouses • Parent, child, foster parent • People who have kids together • Intimate partners Same-sex couples are eligible.
Court	Maine District Court in the division in which either the plaintiff or defendant resides. If the plaintiff has left the plaintiff's residence to avoid abuse, the plaintiff may bring an action in the division of the plaintiff's previous residence or new residence.
Based Upon	Attempt or causing bodily injury or assault, including sexual assaults; Fear of bodily injury; Force, threat of force, or intimidation to engage in conduct from which the person has a right or privilege to abstain; Restricting the movements of another person; Threats to commit a crime of violence dangerous to human life; Repeatedly and without reasonable cause: (1) Following the plaintiff; or (2) Being at or in the vicinity of the plaintiff's home, school, business, or place of employment; Engaging in the unauthorized dissemination of certain private images is prohibited; Engaging in aggravated sex trafficking or sex trafficking.

Protection from Harassment Order (PFH)

Who Can File	Any person
Court	Maine District Court
Based Upon	A course of conduct of intimidation, confrontation, physical force, or the threat of physical force directed against any person with the intention of causing fear, intimidation, or damage to personal property; A single act or course of conduct constituting a violation of Maine Criminal Code for crimes against the person including, but not limited to; stalking, assault, terrorizing, threatening, and domestic violence.

The University may issue an institutional 'no contact order' if deemed appropriate or at the request of the victim or the accused. If the University receives a report that such an institutional 'no contact order' has been violated, the University will initiate disciplinary proceedings appropriate to the status of the accused (student, employee, etc.) and will impose sanctions if the accused is found responsible for violating the no contact order.

On and Off-Campus Services for Victims

The University can assist all individuals involved in obtaining counseling on or off campus and provide information regarding medical care and other resources, such as victim advocacy, legal assistance and visa and immigration assistance. The University will provide written notification to students and employees about existing resources, both within the University and the community. The University will provide written notification to complainants and respondents about how to request the above services and accommodations. The University must make such accommodations or provide such protective measures if the complainant requests them and if they are reasonably available, regardless of whether the complainant chooses to report the crime to campus police or local law enforcement.

The resources provided to victims for both on and off campuses include the following:

On-Campus	Type of Service Available	Service Provider	Contact information
Counseling	Psychological and substance abuse assessment & counseling, psychoeducation, and stress management	University Counseling Services	207-780-4050
Health	Physical exam, STI Screening	University Health Services	207-780-5411
Mental Health	Depression and anxiety, substance use and suicide screening CCAPS	University Counseling Services	207 780-4050
Substance Abuse	Peer support for students in recovery from substance use and other mental health conditions.	ROCC	207-780-4678

Off-Campus	Type of Service Available	Service Provider	Contact Information
Health	SANE exam, Physical exam, STI Screening	Maine Medical Center Hospital	207-662-0520 ER: 22 Bramhall St, Portland
Health	Physical exam, STI Screening	Northern Lights Mercy Hospital	207-879-3000 ER: 175 Fore River Parkway, Portland
Health	Physical exam, STI Screening	Mercy Quick Care	207-535-1400 19 South Gorham Crossing Rd, Gorham
Health	Physical exam, STI Screening	Convenient MD	207-517-3800 950 Main St, Westbrook 207-517-8338 191 Marginal Way Suite A, Portland
Support	Connecting the entire state of Maine to local support centers	Maine Coalition Against Sexual Assault (MECASA)	1-800-871-7741
Support	Local and confidential resources. Advocates for the right of all people to live free from domestic abuse and all forms of violence.	Maine Coalition to End Domestic Violence (MCEDV)	1-866-834-HELP Deaf or Hard of Hearing 1-800-437-1220
Support	Increase the capacity of tribal communities to respond to domestic and sexual violence, and influence tribal, national, and regional systems to increase awareness, safety, justice, and healing for all our relations.	Wabanaki Women's Coalition	207-538-0858
Support	Support and empower transgender people. *NOTE: This organization does not provide crisis support or case management.*	Maine TransNet	info@maintransnet.org
Support	Providing free services in York and Cumberland counties to anyone affected by sexual harassment, sexual abuse, or sexual assault through prevention programs, support, education, and advocacy.	Sexual Assault Response Services of Southern Maine (SARSSM)	1-800-871-7741
Support	Collaborates with local partners for confidential resources for all affected by abuse.	Through These Doors	1-800-537-6066

Support	Offers culturally and linguistically sensitive services to promote a healthy and equitable Maine.	Immigrant Resource Center of Maine (IRCM)	1-800-871-7741

Other resources available to persons who report being the victim of sexual assault, domestic violence, dating violence, or stalking include:

http://www.rainn.org - Rape, Abuse, and Incest National Network
http://www2.ed.gov/about/offices/list/ocr/index.html Department of Education, Office of Civil Rights

More info: https://www.maine.edu/board-of-trustees/policy-manual/section-402/

Training of Title IX Team

The Title IX Team consists of the UMS Title IX Coordinator, Deputy Title IX Coordinator, Investigators, Decision-makers, Advisors, and Hearing Hosts. The entire team is trained annually and have the ability to attend continuing education courses offered throughout the year. The Title IX team is trained on the following:

1. Definition of Title IX sexual harassment;
2. Definition of education program or activity;
3. Definition of sexual violence, intimate partner violence, and stalking; Trauma informed response for both the complaining and responding parties;
4. Informal resolution processes and promoting accountability
5. How to conduct an investigation and complaint process including hearing, appeals, and informal resolution processes to protect the safety and rights of students and employees and promote accountability, objectivity, impartiality and a trauma-informed response;
6. How to be objective, impartial, including avoiding stereotypes, prejudgments, conflicts of interest, and bias;
7. On issues of relevance during questioning, evidence, investigating, and the hearing process;
8. Rape shield protections;
9. Investigative report writing & summarizing evidence;
10. Technology used throughout the investigative and hearing process;
11. Protecting the safety and rights of students,

All of the training materials used will be provided on the Title IX website for review.

The Deputy/Title IX Coordinators are the employees at USM responsible for the University's overall compliance and response to incidents of sexual assault, sexual harassment, and gender discrimination in general.

Crime Statistics Report

The following statistics, provided in compliance with the ***Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act of 1998***, as amended, are for your information. If you have any questions about these numbers, please contact Public Safety at 207-780-5211.

In compliance with the Clery Act, statistics are disclosed in four geographic categories:

1. On Campus (All educational buildings and other property on campus)
2. Of the crimes in (1), the number of crimes that took place in dormitories or other residential facilities for students on campus
3. Non-Campus (Remote facilities and other properties that are student-used, including sororities and fraternities)
4. Public Property within or immediately adjacent to and accessible from the campus

Statistics for the three most recent calendar years (that occurred on or within the University's Clery geography, described above, and that are reported to USMPS, city/town law enforcement agencies, or to a campus security authority) for the following crimes are listed below:

1. Criminal homicide
    A. Murder and non-negligent manslaughter
    B. Manslaughter by Negligence
2. Robbery
3. Aggravated assault
4. Burglary
5. Motor vehicle theft
6. Arson
7. Liquor, weapon, and drug law violations
    A. Arrests for liquor law violations
    B. Arrests for drug law violations
    C. Arrests for illegal weapons possession
    D. Referred for Disciplinary Actions: Persons not included in 8-A for liquor law violations
    E. Referred for Disciplinary Actions: Persons not included in 8-B for drug law violations
    F. Referred for Disciplinary Actions: Persons not included in 8-C for illegal weapons possession.
8. Sex offenses
    A. Rape
    B. Fondling
    C. Incest
    D. Statutory Rape
9. Dating violence, domestic violence, and stalking.
10. Hate crimes

A. Any crime reported above that manifests evidence the victim was intentionally selected because of the perpetrator's bias against the victim based on the victim's actual or perceived race, gender, gender identity, religion, sexual orientation, ethnicity, national origin, or disability. Must be reported by category of bias.
B. Larceny, theft, simple assault, intimidation, and destruction, damage, or vandalism to property that manifests evidence the victim was intentionally selected because of the perpetrator's bias against the victim based on the victim's actual or perceived race, gender, gender identity, religion, sexual orientation, ethnicity, national origin, or disability. Must be reported by category of bias.

10. The total number of crime reports that were unfounded

60-Day Crime Log

USM Public Safety also maintains a 60-day crime log that contains all crimes reported to the department, including the crime, date and time, general location, and status of the complaint. Entries or updates are made within two business days. The Log is available at Public Safety in Gorham upon request and online at https://usm.maine.edu/public-safety/60-day-campus-crime-and-fire-log/. The 60-day crime log contains the crimes for both the Gorham and Portland Campuses.

The Lewiston Campus does not have a campus police department or security office. Lewiston-Auburn College has their 60-day crime long available online at:
https://usm.maine.edu/lewiston-auburn-campus/lewiston-campus-safety/

Clery Act Statistics

Gorham Campus

Murder, Non-Negligent Manslaughter	On-Campus	Residence Halls	Non-Campus Property	Public Property
2022	0	0	0	0
2023	0	0	0	0
2024	0	0	0	0

Negligent Manslaughter	On-Campus	Residence Halls	Non-Campus Property	Public Property
2022	0	0	0	0
2023	0	0	0	0
2024	0	0	0	0

Robbery	On-Campus	Residence Halls	Non-Campus Property	Public Property
2022	0	0	0	0
2023	0	0	0	0
2024	0	0	0	0

Aggravated Assault	On-Campus	Residence Halls	Non-Campus Property	Public Property
2022	0	0	0	0
2023	0	0	0	0
2024	0	0	0	0

Burglary	On-Campus	Residence Halls	Non-Campus Property	Public Property
2022	0	0	0	0
2023	0	0	0	0
2024	0	0	0	0

Motor Vehicle Theft	On-Campus	Residence Halls	Non-Campus Property	Public Property
2022	**2**	0	0	0
2023	0	0	0	0
2024	0	0	0	0

Arson	On-Campus	Residence Halls	Non-Campus Property	Public Property
2022	0	0	0	0
2023	**3**	**3**	0	0
2024	0	0	0	0

Arrests

Liquor Law Violations	On-Campus	Residence Halls	Non-Campus Property	Public Property
2022	0	0	0	0
2023	0	0	0	0
2024	0	0	0	0

Drug Law Violations	On-Campus	Residence Halls	Non-Campus Property	Public Property
2022	0	0	0	0
2023	0	0	0	0
2024	0	0	0	0

Illegal Weapons	On-Campus	Residence Halls	Non-Campus Property	Public Property
2022	0	0	0	0
2023	0	0	0	0
2024	0	0	0	0

Referred for Disciplinary Action

Liquor Law Violations	On-Campus	Residence Halls	Non-Campus Property	Public Property
2022	**52**	**46**	0	0
2023	**109**	**109**	0	0
2024	**48**	**48**	0	0

Drug Law Violations	On-Campus	Residence Halls	Non-Campus Property	Public Property
2022	**49**	**49**	0	0
2023	**32**	**32**	0	0
2024	**20**	**20**	0	0

Illegal Weapons	On-Campus	Residence Halls	Non-Campus Property	Public Property
2022	0	0	0	0
2023	0	0	0	0
2024	0	0	0	0

Sexual Offenses

Rape	On-Campus	Residence Halls	Non-Campus Property	Public Property
2022	**6**	**6**	0	**1**
2023	**4**	**3**	0	**1**
2024	**8**	**9**	0	0

Fondling	On-Campus	Residence Halls	Non-Campus Property	Public Property
2022	**4**	**4**	0	0
2023	**4**	**2**	0	0
2024	**1**	**1**	0	0

Statutory Rape	On-Campus	Residence Halls	Non-Campus Property	Public Property
2022	0	0	0	0
2023	0	0	0	0
2024	0	0	0	0

Incest	On-Campus	Residence Halls	Non-Campus Property	Public Property
2022	0	0	0	0
2023	0	0	0	0
2024	0	0	0	0

VAWA

Dating Violence	On-Campus	Residence Halls	Non-Campus Property	Public Property
2022	**1**	**1**	0	0
2023	**1**	**1**	0	0
2024	**2**	**2**	0	0

Domestic Violence	On-Campus	Residence Halls	Non-Campus Property	Public Property
2022	**3**	**3**	0	0
2023	0	0	0	0
2024	0	0	0	0

Stalking	On-Campus	Residence Halls	Non-Campus Property	Public Property
2022	**4**	**4**	0	0
2023	0	0	0	0
2024	**2**	**3**	0	0

Additional Statistics

	Reported Hate Crimes	Unfounded Crimes
2022	0	0
2023	0	0
2024	0	0

Portland Campus

Murder, Non-Negligent Manslaughter	On-Campus	Residence Halls	Non-Campus Property	Public Property
2022	0	n/a	0	0
2023	0	0	0	0
2024	0	0	0	0

Negligent Manslaughter	On-Campus	Residence Halls	Non-Campus Property	Public Property
2022	0	n/a	0	0
2023	0	0	0	0
2024	0	0	0	0

Robbery	On-Campus	Residence Halls	Non-Campus Property	Public Property
2022	0	n/a	0	0
2023	0	0	0	0
2024	0	0	0	0

Aggravated Assault	On-Campus	Residence Halls	Non-Campus Property	Public Property
2022	0	n/a	0	0
2023	0	0	0	0
2024	0	0	0	0

Burglary	On-Campus	Residence Halls	Non-Campus Property	Public Property
2022	0	n/a	0	0
2023	0	0	0	**1**
2024	0	0	0	0

Motor Vehicle Theft	On-Campus	Residence Halls	Non-Campus Property	Public Property
2022	0	n/a	0	0
2023	0	0	0	0
2024	0	0	0	0

Arson	On-Campus	Residence Halls	Non-Campus Property	Public Property
2022	0	n/a	0	0
2023	0	0	0	0
2024	0	0	0	0

Arrests

Liquor Law Violations	On-Campus	Residence Halls	Non-Campus Property	Public Property
2022	0	n/a	0	0
2023	0	0	0	**2**
2024	**2**	0	0	0

Drug Law Violations	On-Campus	Residence Halls	Non-Campus Property	Public Property
2022	0	n/a	0	0
2023	**2**	0	0	0
2024	0	0	0	0

Illegal Weapons	On-Campus	Residence Halls	Non-Campus Property	Public Property
2022	0	n/a	0	0
2023	0	0	0	0
2024	0	0	0	0

Referred for Disciplinary Action

Liquor Law Violations	On-Campus	Residence Halls	Non-Campus Property	Public Property
2022	0	n/a	0	0
2023	**11**	**11**	0	0
2024	**20**	**20**	0	0

Drug Law Violations	On-Campus	Residence Halls	Non-Campus Property	Public Property
2022	0	0	0	0
2023	**1**	1	0	0
2024	**4**	**4**	0	0

Illegal Weapons	On-Campus	Residence Halls	Non-Campus Property	Public Property
2022	0	n/a	0	0
2023	0	0	0	0
2024	0	0	0	0

Sexual Offenses

Rape	On-Campus	Residence Halls	Non-Campus Property	Public Property
2022	0	n/a	0	0
2023	0	0	0	0
2024	**1**	**1**	0	0

Fondling	On-Campus	Residence Halls	Non-Campus Property	Public Property
2022	0	n/a	0	0
2023	**1**	**1**	0	0
2024	0	0	0	0

Statutory Rape	On-Campus	Residence Halls	Non-Campus Property	Public Property
2022	0	n/a	0	0
2023	0	0	0	0
2024	0	0	0	0

Incest	On-Campus	Residence Halls	Non-Campus Property	Public Property
2022	0	n/a	0	0
2023	0	0	0	0
2024	0	0	0	0

VAWA

Dating Violence	On-Campus	Residence Halls	Non-Campus Property	Public Property
2022	0	n/a	0	0
2023	0	0	0	0
2024	**2**	**2**	0	0

Domestic Violence	On-Campus	Residence Halls	Non-Campus Property	Public Property
2022	**3**	n/a	0	0
2023	**1**	**1**	0	0
2024	**1**	**1**	0	0

Stalking	On-Campus	Residence Halls	Non-Campus Property	Public Property
2022	0	n/a	0	0
2023	**1**	0	0	0
2024	**4**	**3**	0	0

Additional Statistics

	Reported Hate Crimes	Unfounded Crimes
2022	0	0
2023	0	0
2024	0	0

Lewiston-Auburn Campus

Murder, Non-Negligent Manslaughter	On-Campus	Non-Campus Property	Public Property
2022	0	0	0
2023	0	0	0
2024	0	0	0

Negligent Manslaughter	On-Campus	Non-Campus Property	Public Property
2022	0	0	0
2023	0	0	0
2024	0	0	0

Robbery	On-Campus	Non-Campus Property	Public Property
2022	0	0	0
2023	0	0	**1**
2024	0	0	0

Aggravated Assault	On-Campus	Non-Campus Property	Public Property
2022	0	0	0
2023	0	0	0
2024	0	0	0

Burglary	On-Campus	Non-Campus Property	Public Property
2022	0	0	0
2023	0	0	0
2024	0	0	0

Motor Vehicle Theft	On-Campus	Non-Campus Property	Public Property
2022	0	0	0
2023	0	0	0
2024	0	0	0

Arson	On-Campus	Non-Campus Property	Public Property
2022	0	0	0
2023	0	0	0
2024	0	0	0

Arrests

Liquor Law Violations	On-Campus	Non-Campus Property	Public Property
2022	0	0	0
2023	0	0	0
2024	0	0	0

Drug Law Violations	On-Campus	Non-Campus Property	Public Property
2022	0	0	0
2023	0	0	0
2024	0	0	0

Illegal Weapons	On-Campus	Non-Campus Property	Public Property
2022	0	0	0
2023	0	0	0
2024	0	0	0

Referred for Disciplinary Action

Liquor Law Violation	On-Campus	Non-Campus Property	Public Property
2022	0	0	0
2023	0	0	0
2024	0	0	0

Drug Violations	On-Campus	Non-Campus Property	Public Property
2022	0	0	0
2023	0	0	0
2024	0	0	0

Illegal Weapons	On-Campus	Non-Campus Property	Public Property
2022	0	0	0
2023	0	0	0
2024	0	0	0

Sexual Offenses

Rape	On-Campus	Non-Campus Property	Public Property
2022	0	0	0
2023	0	0	0

2024	0	0	0

Fondling	On-Campus	Non-Campus Property	Public Property
2022	0	0	0
2023	0	0	0
2024	0	0	0

Statutory Rape	On-Campus	Non-Campus Property	Public Property
2022	0	0	0
2023	0	0	0
2024	0	0	0

Incest	On-Campus	Non-Campus Property	Public Property
2022	0	0	0
2023	0	0	0
2024	0	0	0

VAWA

Dating Violence	On-Campus	Non-Campus Property	Public Property
2022	0	0	0
2023	0	0	0
2024	0	0	0

Domestic Violence	On-Campus	Non-Campus Property	Public Property
2022	0	0	0
2023	0	0	0
2024	0	0	0

Stalking	On-Campus	Non-Campus Property	Public Property
2022	0	0	0
2023	0	0	0
2024	0	0	0

Additional Statistics

	Reported Hate Crimes	Unfounded Crimes
2022	0	0
2023	0	0

2024	0	0

Annual Fire Safety Report

Introduction

Higher Education institutions that have residence halls are required by the Higher Education Opportunity Act of 2008 to publish an annual fire safety report specific to the residence halls along with statistics about fires that have occurred in the residence halls. To comply with the HEOA, USM offers the following important information on fire safety and statistics for the residence halls. Residence halls for the University of Southern Maine are located on both the Portland and Gorham Campuses.

Both Portland and Gorham Fire Departments are full-time, professional, full-service fire departments, on duty 24 hours per day, 365 days per year. These departments respond to all types of fire and medical and hazardous material emergencies both in Portland, the Town of Gorham and on the USM Gorham campuses respectively.

Both departments provide EMS with the first response from the EMT-intermediate level up to the EMT-paramedic level. The Gorham fire station is situated near campus on Main Street in Gorham. The Portland fire Station is located on Congress Street in Portland. Both Departments are situated approximately 1.5 miles from each campus.

Fire Safety Equipment & System

At USM, each of our residence halls has an addressable evacuation system in addition to fully functional fire suppression systems.

The fire alarm system is tested annually. In addition to the fire safety systems, every residence hall has fire extinguishers on every floor and wing. The fire extinguishers are checked nightly by resident assistants on building checks. When a smoke or fire alarm system is activated, it registers at an alarm monitoring center that notifies USM Public Safety, which sends a patrol officer to the scene, as well as the Town of Gorham Fire Department or the Portland City Fire Department.

Plans for Improvement to Fire Safety

The University is currently maintaining the fire safety systems on campus within the scope of continuously upgrading older fire panels in several buildings.

Fire Safety Education and Training Programs

Basic fire safety instruction is provided to all students by multiple means. Each residence hall room is

provided with an instructional sign located on the back side of the room door that contains information on what to do during an emergency. Students also receive annual fire drills to ensure they understand the proper building evacuation procedures during an emergency. At least once a year, Resident Advisors conduct a cooking safety course for each building to educate students to reduce fires and fire alarms. Additionally, RAs receive specific training on their responsibilities during fire and medical emergencies. Additional hands-on practical training in fire extinguishers that utilizes live fire exercises is available upon request. During these programs, trainers emphasize that participation in fire drills is mandatory. Students with disabilities are given the option to have a "buddy" assigned to them. Fire safety education and training programs are taught by local fire authorities.

Evacuation Procedures & Annual Fire Drill

The evacuation procedures for each residence hall meet the National Fire Protection Association minimum requirements; under the NFPA requirement, all signs must show the furthest point and closest exit with a red line showing how to get there.

Evacuation procedures, along with other emergency procedures, are also in the policies section of the Residence Life website at www.usm.maine.edu/reslife. The residential life staff conducts an unannounced fire drill every fall and spring semester in each residence hall.

In the event of a fire, the University expects all campus community members to evacuate by the nearest exit, closing doors and activating the fire alarm system (if one is present) as they leave. Once safely outside a building, it is appropriate to contact 911 and the Department of Public Safety at 207-780-5211. Students and/or staff are informed where to relocate to by staff if circumstance warrants at the time of the alarm.

In the event fire alarms sound, University policy is that all occupants must evacuate from the building, closing doors as they leave. No training is provided to students or employees in firefighting or suppression activity as this is inherently dangerous. Each community member's only duty is to exit the building as safely and quickly as possible, shutting doors along the exit path as they go to contain the spread of flames and smoke. At no time should the closing of doors delay the exit from the building.

Student Housing Evacuation Procedures In Case of a Fire

1. If you hear the fire alarm, immediately evacuate the building using the nearest available exit. **Do not attempt to fight a fire unless you have been trained to do so.**
2. Awaken any sleeping roommate or suitemates. Prepare to evacuate by putting on shoes and coats if necessary. Feel the doorknob and the door. If they are hot, do not open the door. If they are cool, open slowly; if heat or heavy smoke rushes in, close the door immediately and remain inside.
3. When leaving your room, be sure to take your key in case it is necessary to return to the room should conditions in the corridor deteriorate. Make sure to close the door tightly when evacuating.
4. Resident life staff members who are present on their floors should facilitate the evacuation of their floor/section if possible. When the alarm sounds, shout (For example, if there is an emergency in the

building, leave by the nearest exit) and knock on doors as they make their way to the nearest exit and out of the building.

5. When exiting in smoky conditions, keep your hand on the wall and crawl to the nearest exit. Always know more than one path out of your location and the number of doors between your room and the exit.
6. DO NOT USE ELEVATORS. Elevator shafts may fill with smoke, or the power may fail, leaving you trapped. Elevators have features that recall and deactivate the elevator during an alarm. Standing and waiting for an elevator wastes valuable time. Each resident should report to their assigned assembly area. Resident life staff should report to their assigned assembly area and make sure that students have cleared the building. Conduct a head count and do not allow re-entry into the building until emergency personnel are directed to do so.

Policies Related to Fire Safety

For the benefit of the University community, particularly residential students, the fire safety policies of Residential Life are copied below.

For your safety and protection, fire drills and inspections will be conducted periodically throughout the academic year, at least once per semester. The sole purpose of fire drills is to ensure the operation of the fire safety system and to practice evacuation procedures. All residents must vacate the building by following emergency procedures and go to designated areas when the alarm sounds. Everyone must stand clear of entrances and walkways to permit passage of the Fire Department personnel and equipment. After the building has been vacated, the Fire Department will communicate with residents of the building through staff members regarding the status of the fire call. Students will be permitted back into the building only when the Fire Department issues an approval for reoccupation. Should there be a lengthy period of time when remaining outside is probable, students will be temporarily relocated.

The firefighting equipment, the fire alarm system, and appropriate procedures are provided for the protection of life and property of residents. Tampering with or the misuse of fire alarms, smoke detectors, fire extinguishers, and/or failure to comply with related procedures is a serious infraction of University policy and is a crime and will be dealt with appropriately.

Because of the sensitive nature of fire protection equipment, items may not be hung from, nor covered, sprinklers, pipes, or smoke/heat detectors in residence hall rooms. For timely and safe evacuation, all hallways should be free from obstructions (sports equipment, shoes, trash bags, etc.)

All residence halls have heat/smoke detectors in the hallways and heat/smoke detectors mounted on the ceilings of individual student rooms. Each hall and all buildings on campus are equipped with fire extinguishers and pull boxes. Fire equipment is not to be used for any reason other than putting out fires. Tampering with fire equipment may be grounds for dismissal from the University.

To avoid fire hazards, smoking cigarettes, burning candles or incense or other similar open flame devices, and

using space heaters, electric heaters, and halogen lamps are not permitted in the residence halls. Ceiling hangings of any kind, including flags, drapes, tapestries, sheets, etc., are also prohibited. The storage of BBQ grills, charcoal, lighter fluid, and propane is prohibited in facilities. BBQ grills are allowed outside ONLY with permission from Public Safety.

Electrical Appliances

The following electrical appliances are permitted as long as they draw less than 800 watts:

- Computers
- Low Power Stereos and radios
- Televisions, VCRs, DVD players, Video-gaming systems

One university-owned micro-fridge unit will be provided for Gorham Campus dorms for each double or single. A second university-owned micro-fridge unit will be provided for triples or four-person suites without kitchens. Only one university-owned micro fridge will be provided for over-assigned rooms, but an additional micro fridge may be requested by the resident director. No other refrigerator or microwave units will be allowed for Gorham Campus dorms. Micro fridge units must be left clean and unplugged, and the refrigerator and freezer doors must be open when all occupants check out of the room at the end of the fall and spring semesters.

The use or possession of high-wattage and/or dangerous electrical appliances such as high-powered stereo systems, subwoofers, air conditioners, coffee makers, hot pots, electric skillets, grills (including George Foreman grills, quesadilla makers, and sandwich makers) hot plates, heaters, popcorn poppers, toasters, waffle makers, is strictly prohibited. The discovery of any of these items may lead to disciplinary action, and you will be requested to remove the item from the residence hall.

Electric Extension Cords

A UL-rated power strip that has a switch, 15-amp circuit breaker, ground fault protection, and surge protection must be used and may not be plugged into another power strip. For fire and safety reasons, extension cords are not allowed in residence hall rooms as a substitute for permanent wiring.

Holiday Decorations

Due to potential fire hazards, the use of holiday decorations MUST adhere to the University guidelines. No live trees, treated or untreated, are permitted. It is against policy to leave electrical lights on when no one is present in the room to attend to them. Holiday lights may not be hung from ceilings, nor may they obstruct doors or windows.

Kitchen Facilities

There is absolutely no cooking (as opposed to warming pre-cooked foods in a microwave) in any residence hall rooms due to fire regulations, with the exception of apartments and suites with full kitchens. You are welcome to cook in the common kitchens in the halls (Woodward does not have a common kitchen, but students may use the Anderson Hall kitchen).

Not Allowed

HIGH-WATTAGE (OVER 800 WATTS) ELECTRICAL APPLIANCES - air conditioners, skillets, heaters, etc.

FIRE HAZARDS -Candles and incense, including decorative candles and oil-burning lamps, hot pots, toasters, popcorn poppers, BBQs, coffee makers, sunlamps, halogen lamps, George Foreman grills, extension cords, water pipes, bongs, hookahs, etc.

DANGEROUS DECORATIONS - live Christmas trees, non-UL rated holiday lights, CEILING HANGINGS of any kind

Please note wall hangings may only cover 25%.

Safety Inspections

The Residential Life staff of Student and University Life in Gorham performs Residence Hall Health and Safety (H&S) Inspections at least twice a year, once in the fall and once in the spring. Inspections will be announced at least 24 hours before they are to begin. The H&S inspections are primarily designed to find and eliminate safety violations. The inspections include, but are not limited to, a visual examination of electrical cords, sprinkler heads, smoke detectors, fire extinguishers, and other life safety systems. In addition, each room will be examined for the presence of prohibited items (e.g., sources of open flames, such as candles; non-surge protected extension cords; halogen lamps; portable cooking appliances in non-kitchen areas; etc.) or prohibited activity (e.g., smoking in the room; tampering with life safety equipment; possession of pets; etc.). This inspection will also include a general assessment of food and waste storage and the cleanliness of the room.

Smoking/Vaping

Smoking or vaping is not permitted on campus.

Fire Safety Report Log

Institutions that maintain on-campus student housing facilities must maintain a written, easily understood fire log that records any fire that occurred in an on-campus student housing facility by the date that the fire was reported. This log must include the nature, date, time, and general location of each fire. The Institution must make an entry or an addition to an entry to the log within two business days of receipt of the information. The fire log for the most recent 60-day period is open to public inspection at Public Safety. Any portion of the log older than 60 days is available within two business days of a request for public inspection. The log also includes document plans for future improvements in fire safety, if determined necessary by the Institution.

Please report fires that have already been extinguished in on-campus student housing for which you are unsure whether Public Safety may already be aware by calling USM Public Safety at 207-780-5211. When calling, please provide as much information as possible about the location, date, time, and cause of the fire. For fires in progress, please call 911 for an emergency response.

Fire Statistics- Dormitories

Anderson	2022	2023	2024
Total Number of Fires	0	0	0
Number of Incidents	0	0	0
Cause of Fire	N/A	N/A	N/A
Number of Injuries Requiring Treatment or Death	0	0	0
Value of Damage	N/A	N/A	N/A

Robie-Andrews	2022	2023	2024
Total Number of Fires	0	0	0
Number of Incidents	0	0	0
Cause of Fire	N/A	N/A	N/A
Number of Injuries Requiring Treatment or Death	0	0	0
Value of Damage	N/A	N/A	N/A

Philippi	2022	2023	2024
Total Number of Fires	0	0	0
Number of Incidents	0	0	0
Cause of Fire	N/A	N/A	N/A

Number of Injuries Requiring Treatment or Death	0	0	0
Value of Damage	N/A	N/A	N/A

Portland Commons	2022	2023	2024
Total Number of Fires	0	0	0
Number of Incidents	0	0	0
Cause of Fire	N/A	N/A	N/A
Number of Injuries Requiring Treatment or Death	0	0	0
Value of Damage	N/A	N/A	N/A

Upperclass	2022	2023	2024
Total Number of Fires	0	0	0
Number of Incidents	0	0	0
Cause of Fire	N/A	N/A	N/A
Number of Injuries Requiring Treatment or Death	0	0	0
Value of Damage	N/A	N/A	N/A

Upton-Hastings	2022	2023	2024
Total Number of Fires	0	**3**	**0**
Number of Incidents	0	**3**	**0**
Cause of Fire	N/A	**Arson**	**N/A**
Number of Injuries Requiring Treatment or Death	0	0	0
Value of Damage	N/A	N/A	

Woodward	2022	2023	2024
Total Number of Fires	0	0	0
Number of Incidents	0	0	0
Cause of Fire	N/A	N/A	N/A
Number of Injuries Requiring Treatment or Death	0	0	0
Value of Damage	N/A	N/A	N/A

SOUTHERN MAINE
HUSKIES