



Eastern Maine
Community College

2024

Annual Safety and Security Report

(Reporting Year 2023)

Eastern Maine Community College
354 Hogan Road, Bangor, ME 04401
www.emcc.edu

Available ONLINE :

<https://www.emcc.edu/student-life/resources/safety-security/crime-report/>

Table of Contents

Letter from the President	2
Clery Act Overview	3
Clery Act Reporting	3
Reporting of an Emergency or a Crime	4
EMCC Campus Resources	5
Timely Warnings/Campus Crime Alerts	5
Crime Prevention and Safety Programs	5
CARE Team/Behavioral Intervention Team-	6
Access to Campus Facilities and Housing	6
Security Personnel	6
Reporting Crimes	7
Reporting Suspicious Activity	7
Off Campus Crime	8
Firearms	8
Voluntary and Confidential Crime Reporting	8
Daily Crime Report	8
Building Maintenance, Security, and Access	8
Campus Safety and Security Authority	8
Emergency Preparedness and Response Planning	9
Emergency Response Team	9
Emergency Alert System	9
Surveillance Cameras	10
Evacuation Procedures	10
Shelter-in-Place Protocol	12
Drugs and Alcohol	12
Preventing and Responding to Incidents of Sexual Misconduct and Domestic Violence/Stalking	13
Resources for Survivors of Sexual Assault and/or Domestic Violence	14
Protection Orders	16
Confidentiality Statement	17
Alcohol Amnesty/Immunity Statement	17
Prohibition Against Retaliation	17
Registered Sex Offenders	17
Missing Person Procedure	17
Annual Fire Safety Report for Residence Halls	18
Non-Discrimination, Equal Opportunity and Affirmative Action Statement	20
Crime Definitions	21
Geographical Definitions	23
Clery Act Crime Statistics 2021-2023	24
Hate Crime Statistics 2021-2023	26
Links and appendices	
Campus Map	27
Campus Security Authorities-	27
Alcohol and Drug Policies-	28
Policies Prohibiting Sexual Misconduct and Grievance Procedures-	30
Firearms policy	78
Student Code of Conduct	80
Residential Life Handbook	87

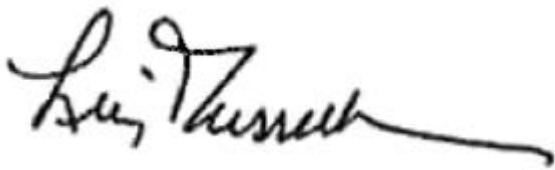
Letter from the President

Creating a safe and welcoming learning environment for all members of our community is a priority for Eastern Maine Community College (EMCC). All members of our community - students, faculty and staff - play a role in maintaining a safe campus.

Each year when we send out this report and throughout the year, community members are encouraged to practice awareness and vigilance when it comes to safety and hold all members of the community to this standard. The various measures EMCC personnel take to enhance safety and security and provide critical information through posters and training are described in this report. Our staff works collaboratively with local police and emergency response personnel in Bangor, Dover-Foxcroft and East Millinocket on both crime prevention and response to emergency situations. Recent steps taken to improve security on campus include completing the installation of keyless entry on all exterior doors, adding more security cameras around campus, updating the Emergency Management Plan, and providing Active Shooter response training, conducted by Bangor Police officers, to interested faculty and staff.

The Annual Security Report provides information regarding incidents of crime on our campus as well as safety resources available to the EMCC community such as important information about EMCC's emergency messaging service (RAVE Alert) and emergency preparedness. Community members can also find summaries of key policies and procedures that link to complete policy documents and contact information for local resources in the Annual Security Report.

Our community relies upon all members to play their part in maintaining a campus environment where all feel safe and are able to focus on learning.

A handwritten signature in black ink, appearing to read "Elizabeth Russell", with a long horizontal flourish extending to the right.

Elizabeth Russell
President

Clery Act - Annual Safety and Security Report

The Eastern Maine Community College Annual Safety and Security Report is published in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (“Clery Act”). This report includes statistics for the previous three years concerning reported crimes that occurred on campus and on public property within, or immediately adjacent to and accessible from the campus. The statistics include crimes reported directly to local law enforcement agencies and to “campus security authorities.” “Campus security authorities” are defined by the Clery Act as college officials who have “significant responsibility for student and campus activities, including, but not limited to, student services, residence life, and the campus safety and security team. The report also includes institutional procedures concerning campus safety and security, alcohol and drug use, crime prevention, the reporting of crimes, sexual assault, and others. These processes are reviewed annually to assess their effectiveness and compliance with applicable statutes.

Overview

The following policies and procedures are provided as part of EMCC’s commitment to safety and security on campus and comply with the Clery Act of 1998. EMCC is a public college located in Bangor, Maine, and is one of seven campuses that comprise the Maine Community College System (MCCS). EMCC also operates two remote locations, offering courses in Dover-Foxcroft and East Millinocket, Maine. Approximately 2000 students were enrolled at the time of this writing, and the College employees approximately 127 staff and faculty. While the majority of classes were offered on-line during the reporting year 2021, the campus is once again open with most courses now offered in person. Recent steps taken to improve security on the campus include increased presence of safety and security officers and the addition of more security cameras around the campus. The Campus also has an updated Emergency Management Plan. The college has contracted on-site security officers. The safety and security officers work under the supervision of the campus Director of Campus Operations and work closely and cooperatively with the Bangor Police (BPD) and Bangor Fire (BFD) Departments. The safety and security officers do not carry weapons and cannot make arrests but will contact the BPD if such action is required.

Clery Act Reporting

Publication of this annual report is required by federal law. The annual crime statistics were compiled by the Vice President and Dean of Students, the Director of Campus Operations, and the Director of Residence Life and Student Engagement. The police departments in the communities of Bangor, Dover-Foxcroft and East Millinocket, Maine were asked to provide information about crimes occurring on our 3 campuses or adjacent public property. Information was provided by the Bangor Police Department, the Bangor Fire Department and other relevant local and state police agencies. Eastern Maine Community College does not have any non-campus locations utilized by students organizations and thus does not request these statistics from local police authorities.

The College’s yearly crime statistics are compiled on a calendar-year basis in accordance with the definitions of crimes provided by the Federal Bureau of Investigation (FBI) for use in the Uniform Crime Reporting (UCR) system. The report includes statistics for the previous three years concerning crimes that occurred on campus and were reported to local law enforcement agencies and to “campus security authorities.” or designated campus officials. Additionally, these statistics include people referred for campus disciplinary action for categories required under the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, including liquor and drug law violations and illegal weapons possession. Statistical information for certain off-campus locations or property owned or controlled by the College, as well as public property within or immediately adjacent to and accessible from campus, are collected or requested from local police departments. For statistical purposes, crime statistics reported to any of these sources are recorded in the calendar year in which the crime was reported. The crime statistics tables are reflective of the requirements mandated by federal law for compiling this report. A daily crime log is available for public review. Contact Abe Chase at achase@emcc.edu.

Reporting an Emergency or Crime

REPORTING AN EMERGENCY OR CRIME	
Emergency telephone numbers include:	
911	Bangor Fire Department, EMS, or Police Emergency
(207) 947-7384	Bangor Police Department (non-emergency)
(207) 564-8021	Dover Police Department (non-emergency)
(207) 746-3555	E. Millinocket Police Department (non-emergency)
(207) 745-6090	Campus Safety & Security
(800) 222-1222	Northern New England Poison Center
(800) 432-7381 or (207) 973-3700	Maine State Police (Bangor)
(207) 973-7000	Northern Light Eastern Maine Medical Center
(207) 262-1006 or (207) 907-1000	St. Joseph's Hospital
(207) 723-5161	Millinocket Regional Hospital
(207) 564-8401	Mayo Hospital
Crisis telephone numbers include:	
988	Suicide & Crisis Lifeline
1-800-871-7741	Rape Response Services Penobscot and Piscataquis Counties
1-800-656-4673	National Sexual Assault Hotline
1-800-624-8404	Adult Abuse
1-800-624-8404	Adult Protective Service - Intake
1-800-452-1999	Child Abuse
1-866-488-7386	Trevor Lifeline (LGBTQ+ Youth)
1-800-245-8889	Mental Health
1-207-947-0496	Partners in Peace(domestic violence survivors)
1-888-568-1112	Maine Crisis Hotline

EMCC Campus Resources

Counseling	Bridget Riffel emcccounseling@mainecc.edu 974-4858
Title IX Coordinator / VP and Dean of Students	Dr. Elizabeth True etrue@mainecc.edu 974-4673
Student Code of Conduct / Director of Student Engagement and Residence Life	Kris Kelley kkelley@mainecc.edu 974-4690
Accessibility Coordinator/Director of Student Learning Support	Dr. Elizabeth Daigle edaigle@mainecc.edu 974-4868
Equal Opportunity Office	Dusty Adams dadams@mainecc.edu 974-4637
Director of Campus Operations	Abe Chase achase@mainecc.edu 974-4805

Choosing who to tell, and when and how to tell someone, is a vital part of a survivor’s recovery process. Recovering from the crisis of a violation can impact on a student’s academic work and class attendance. Victims should be encouraged to seek a counselor to help them through the recovery process. Professional Counselors, when appropriate, can inform individuals of the procedures to report crimes on a voluntary, confidential basis.

Important sources of help for residential students on campus are the Director of Student Engagement and Residential Life and/or the Resident Directors. Campus sources of support and help may also include: the Vice President and Dean of Students, the Campus Counselor, the Navigator, faculty, deans, or department chairs.

Timely Warnings/Campus Crime Alerts

EMCC is committed to promoting a safe and secure environment for all members of the college community. In compliance with the Clery Act, the College will provide a timely warning (Campus Crime Alert) to the college community of any criminal activity that represents a continuing threat to that community. The need for Campus Crime Alerts to the campus community are determined by an analysis of the nature of the crime, the continuing danger to the campus community and any possible risk of compromise to ongoing law enforcement efforts. Campus Crime Alerts will be promptly and properly disseminated to the college community and other entities deemed relevant, through the College’s RAVE emergency notification system, college website (www.emcc.edu), the EMCC portal, electronic mail, posters and flyers, and/or any other means that are available and appropriate.

Safety Programs and Promoting Crime Prevention

Crime prevention at EMCC is based on minimizing or eliminating criminal opportunities and encouraging students and employees to be responsible for their own safety/security and the safety/security of others. The College conducts crime prevention programs upon request to educate the EMCC community on measures the community can take to reduce the chances of becoming a victim of crime. Crime prevention programs for resident students are arranged on an as-needed basis by residence staff. Examples of crime prevention programs offered to all students in 2023-24 include:

- Bystander Training with Tim Collins
- Mocktails (alcohol education)

- Suicide Prevention
- Automotive Safety
- Wake and Bake (drug education)
- Fire Safety Trivia
- Alcohol Education Trivia
- Catalytic Converter etching for theft prevention

New students are provided with information regarding Sexual Harassment, Title IX and Drug and Alcohol policies and resources as part of the on-line New Student Orientation.

While the student handbook is provided on-line rather than in hard copy, a printed copy of the student handbook is provided in each residence hall lobby and includes crime prevention and personal safety tips. During check-in and residence hall meetings, resident students are informed of the on-line location of the student handbook. The resident directors of each hall are responsible for student safety programming, safety related room inspections, and training of staff on proper emergency procedures. The campus safety and security officers offer student, faculty, and staff escort services to and from class upon request. The College's crime prevention efforts are based on the dual concepts of eliminating or minimizing criminal opportunities whenever and wherever possible and encouraging students to be responsible for their own security and the security of others.

Faculty and staff were offered three opportunities for safety training in 2023-2024: Verbal Judo conducted by a Portland police officer, Mental Health First Aid conducted by NAMI Maine, and active shooter training provided by Bangor police officers.

CARE/Behavioral Intervention Team

Faculty, administrators, mental health professionals and campus safety personnel serve on the EMCC CARE team which reviews Students of Concern reports and refers students to appropriate services. If a student exhibits concerning behavior which represents a threat to self or others, the CARE team members also serve as a Behavioral Intervention Team. The team discusses engagement strategies and interventions as well as support services.

Access to Campus Facilities

Campus policies govern access to all campus facilities. Security is monitored, in part, by housekeeping staff, residential life staff, and the Safety and Security Department which includes contracted security personnel. Access to residential life facilities is by keying and by assigned responsibility. Specific residential life policies assist in governing access to student housing units.

Campus Housing

Both residence halls are chemical-free and are locked 24 hours a day. In addition, each building is staffed with a live-in Resident Director as well as Resident Assistants who live on each floor and supervise and monitor the security of the building. Both halls provide internet access, on-site laundry, mail service, vending machines and common rooms with flat-screen TVs, microwaves, game tables and other amenities such as game systems.

Overnight guests must be at least 18 years old and have a valid photo ID (State or College). Exceptions may be made at the Resident Director's discretion for visiting family members.

Security Personnel and Services

Security services are available from the on-duty security officer for students or employees. Students are instructed to call Campus Safety for escort services all day/night Monday through Friday and 7:00 pm through 7:00 am Saturday and Sunday. Advance arrangements can be made by calling (207) 745-6090, or by filling out a request card located outside of the security office.

Student Responsibility

Students must assume responsibility for their own personal safety and the security of their personal belongings by taking simple, common-sense precautions. For example, resident hall room doors should be locked at night and when the room is unoccupied. Valuable items such as stereos, cameras, computers, laptops, gaming systems and televisions should be marked with an engraving instrument. Bicycles should be registered with the local police and should be secured with a sturdy lock. Students with cars must have a valid EMCC Parking Permit displayed in their rear windows, park them in their assigned area and are encouraged to keep their vehicles locked at all times. Valuables should be locked in the trunk.

Reporting Crimes

Victims or witnesses of a crime should contact the appropriate EMCC staff members or the Bangor (or Dover-Foxcroft or East Millinocket) Police Department as soon as they are aware that a crime has been or is being committed on or near campus. At the student's request, officers or administrators will assist in this notification.

A crime may be reported:

- In person at the Security Services primary location at Maine Hall
- By calling the Security Services Office at (207) 745-6090
- By calling the Residential Life office at (207) 974-4690
- By calling the Director of Campus Operations at (207) 974-4805
- By calling the Bangor Police Department at 911 for emergencies

Any student has the right to file a complaint through the Student Code of Conduct if the alleged perpetrator is a member of the EMCC community and/or to pursue criminal charges. EMCC encourages and supports students who do so. Procedures for on-campus disciplinary actions in cases of alleged sexual assault, domestic violence, dating violence or stalking shall follow the guidelines and/or sanctions outlined in the Student Code of Conduct. This includes all rights and procedures regarding student appeals.

A student has the option of meeting with one of the College Non-Discrimination Officers to discuss any harassment concerns or the college disciplinary officer, to discuss judicial alternatives without an official report being filed. Students may also discuss concerns confidentially with the College Counselor/Confidential Resource Advisor. EMCC staff and faculty can discuss the specifics of a case with family members only if the student gives permission; family members are not routinely notified. It is up to the student whether he/she decides to file a formal complaint and/or pursue charges.

Reporting Suspicious Activity

Students and employees are urged to contact EMCC personnel and/or the Bangor Police Department if they notice unusual, suspicious or criminal activity. Suspicious individuals should be reported to Safety and Security, especially if they are seen:

- Attempting to enter a residence hall or a student's room
- Entering an office or lab without apparent purpose
- Loitering in a parking lot, or near residence halls or offices; in possession of two bicycles or bicycle parts
- Trying to forcibly enter a car, window or door
- Attempting to solicit funds
- Acting in a loud, disruptive or threatening manner

Off-Campus Crime

While the local police department has primary jurisdiction for law enforcement services at off-campus locations, off-campus student violations of the law or the Student Code of Conduct may be addressed by the student Code of Conduct. Campus Safety works collaboratively with local law enforcement and frequently exchanges information when appropriate.

Firearms

In accordance with the policy of the Maine Community College System, no person (except law enforcement personnel on campus for official purposes) may possess a firearm on the EMCC campus. This prohibition includes residence halls and motor vehicles parked on college property.

Voluntary and Confidential Crime Reporting

If any EMCC student or employee is a victim of a crime and does not want to pursue action through the criminal justice system, they may still make a confidential report. Any staff member in Student Services, Housing and Residence Life (including resident directors or resident assistants), or campus safety and security officers can file a report on the details of the incident without revealing the student or employees' identity or the identity of others. In addition, the professional counselor on campus may inform students they are counseling that confidential crime reporting is available. The purpose of a confidential report is to allow the College to take steps to ensure the future safety of our students. However, the College may not be able to fully investigate or resolve a confidential report. Reports of crimes filed in this manner are counted and disclosed with the College's annual crime statistics report if their accuracy can be confirmed.

Daily Crime Report

The Safety and Security Department maintains a Daily Crime Log that records the date the incident was reported, all crimes and other serious incidents that occur on campus, in a non-campus building or property, on public property, or within the office's patrol jurisdiction. The Daily Crime Log is available for public inspection at the Safety and Security Department during regular business hours.

The Daily Crime Log includes the nature, date, time, and general location of each crime reported to the office. The office posts specific incidents in the Daily Crime Log within two business days of receiving a report of an incident and reserves the right to exclude reports from the log under certain circumstances.

Building Maintenance, Security, and Access

Most campus buildings and facilities are accessible to the campus community, guests and visitors during normal business hours. Most exterior doors on campus buildings are locked and secured after normal operating hours. Buildings are also open on weekends and holidays on an as-needed basis. Residence halls require an EMCC identification card, or assigned key at all times for entrance. Visitors to the residence halls must be escorted by their resident host at all times, including while in the resident's room. Residents are responsible for the behavior of their visitors while they are on campus and can be held responsible for any violations committed by them of the Student Code of Conduct (Student Handbook). Any problems with the residence hall access control system should be reported to the respective resident assistant/resident director. EMCC is committed to maintaining a safe environment for students, faculty, and staff that extends to maintenance issues such as campus landscaping, lighting, and door locks. Key staff members, facilities maintenance staff, and our evening security officers routinely check the campus for maintenance, safety, and security issues. All members of the campus community are encouraged to report any issues such as exterior lighting deficiencies to security at 745-6090.

Campus Safety and Security Authority

College officials have the authority to ask persons for identification and to determine whether individuals have lawful business at EMCC. Campus safety and security officers also have the authority to enforce college parking regulations

and issue parking tickets which are billed to the financial accounts of students. No EMCC personnel are authorized to arrest individuals. Criminal incidents are referred to the Bangor Police Department (or East Millinocket or Dover-Foxcroft Police) which has jurisdiction at EMCC, and to the VP for possible disciplinary action. In addition to the regular welcome presence of a BPD officer on campus, EMCC maintains a highly professional working relationship between the campus security team and the police department. All crime victims and witnesses are strongly encouraged to immediately report any crime to the BPD. Prompt reporting will allow for Campus Crime Alerts for the campus community and the accurate disclosure of Clery Act crime statistics. When an EMCC student is involved in an off-campus offense, campus officials may assist with the investigation in cooperation with the local police department. The BPD routinely works and communicates with the EMCC Director of Campus Operations on incidents occurring on-campus, in the immediate neighborhood and business areas surrounding our campus.

Emergency Response Planning

Emergency situations on the main EMCC campus are responded to by the Bangor Police Department and/or the Bangor Fire Department. Emergencies at the East Millinocket and Dover-Foxcroft campuses are responded to by the police department and fire department in each town. Depending upon the situation, other emergency services may be provided by the community in which the campus is located as well as county, state, and federal emergency response services. Emergency procedures and notification methods are reviewed frequently. Questions pertaining to emergency procedures or disabilities should be referred to the Director of Campus Operations at 974-4805.

An emergency may be a statewide or localized Civil Emergency issued by the Governor, or a city emergency as issued by the City of Bangor or may be initiated and occur at the College campus. The College President or designee is authorized to take whatever actions are necessary in response to such emergencies to prevent the loss of life and property on the EMCC Campus. Once the College is notified by state or local emergency personnel or the security staff or Director of College Operations confirm the existence of a campus emergency, an emergency alert is initiated through the College RAVE alert system with further details included in campus-wide emails unless use of the emergency notification system would compromise assistance or containment efforts, as advised by local first responders.

The College tests emergency response and evacuation procedures on an annual basis, including:

- Announced and unannounced tests, including tests of the Emergency Alert system and the residence hall fire alarm system;
- Publicizing the emergency response and evacuation procedures in conjunction with at least one test per calendar year;
- Documenting for each test, a description of the exercise, the date, time, and whether it was announced or unannounced.

Emergency Response Team

- EMCC's Emergency Response Team is comprised of key campus administrators. Team members train annually using tabletop exercises. a log is kept documenting each test with a description of what it was, whether it was announced or unannounced, and the date/time if was conducted. When an emergency on campus takes place, members of the Emergency Response Team are notified either by text message or direct communication by faculty or staff and arrive on the scene of an emergency to ensure appropriate support is provided and appropriate emergency personnel are *en route*. The Core Response Team includes:
 - Public Relations and Information: Director of Marketing and Public Relations
 - Security and Safety: Director of Campus Operations and Vice President/Dean of Students
 - Liaison: Executive Assistant to the President
 - Operations and Logistics: Director of Finance, Director of Human Resources, Dean of Workforce, and Director of Campus Operations
 - Medical Services: Director of Campus Operations assisted by Emergency Medical Services. Assistance

from the Nursing Department may be requested.

- Internal Communications: Director of Marketing and Public Relations
- External Communications: Director of Marketing and Public Relations
- Housing: Director of Residential Life and Student Engagement
- Food and Water: Director of Food Service
- Assistance from Culinary Arts faculty may be requested
- Maintenance and Housekeeping: Facilities Supervisor
- Counseling and Morale: Vice President/Dean of Students
- Finance and MCCS Contact: Director of Finance and President
- Employee Assistance: Director of Human Resources
-

If the President is not available, the VP and Dean of Students, the Academic Dean, the Director of Campus Operations, or the Director of Human Resources may serve as incident commander.

Emergency Alert System

EMCC uses the RAVE Alert System to notify students, faculty and staff of emergency situations and provide directions. The RAVE System utilizes text, email and other social media to alert of emergency situations. The system is tested frequently in the form of utilizing the system to alert the community of weather-related closings and the system provides an interface that logs the data to include what type of alert was distributed and to whom.

Surveillance Cameras

EMCC has recently revamped their security camera software into a new NAS (Network Attached Storage) solution that allows for expansion of capabilities with no additional cost for the software or future updates. The cameras and their locations were recently expanded with 15 standard cameras purchased to replace/deploy based on the plan and need from EMCC Security. Four additional PTZ cameras have also been purchased for expanded viewing and capabilities in areas such as parking lots. Coverage and camera capacities will be expanded as needed based on the direction from the Director of Campus Operations.

Evacuation Procedures

The decision to immediately evacuate buildings or the entire campus will be made by the President (or her designee) in coordination with the college Core Response Team and following the Emergency Action Plan. However, in the case of a fire, building evacuation will begin immediately upon sounding of the alarm without waiting for the order from campus staff. EMCC has various systems in place for communicating information quickly that may include audible and visual alarms in each building, the RAVE Alert System, telephones, e-mail, the EMCC website, and/or verbal directives that will be used for notification to evacuate. Evacuation of the college will generally fall into two categories:

- Limited evacuation of a building or designated area
- General evacuation of the entire campus.
- In general, all community members should plan ahead for possible evacuations and know evacuation routes from one's office or classroom and the campus.

Buildings

- If the fire alarm is activated, occupants must leave the building immediately
- Community members may assist people with disabilities and special needs in exiting the building or alert emergency personnel to their location.
- Community members should not
 - re-enter the building for personal items
 - enter restrooms

- use the elevators
- All community members should:
 - Direct visitors or anyone needing assistance to stairwells and exits
 - When outside, check in with one's supervisor, department personnel or instructor

Campus Evacuation

- All persons (students and staff) are to vacate immediately that area of the campus in question and relocate to another part of the campus grounds or off campus as directed
- Students and staff will be informed by the Emergency Notification System, email, campus administrator, security staff, or other forms of communication as described in the college Emergency Action Plan.

Evacuation of Persons with Special Needs

All persons at EMCC, including those with special needs, must prepare for emergencies ahead of time. EMCC recommends that all persons with physical disabilities or other special needs notify residence hall and campus safety staff of any concerns regarding emergencies and evacuation prior to any emergency.

If community members are unable to leave the building due to a physical disability, they should:

- Go to the nearest area where there are no hazards
- Contact campus staff for assistance by telephone (745-6090) or use other means to advise them of the situation
- Be sure to give them the building and room number so they can send help
- If possible, signal out the window to on-site emergency responders

Community Members may wish to assist others during an emergency by utilizing the following tips:

To assist visually impaired persons:

- Announce the type of emergency
- Offer your arm for guidance
- Tell the person where you are going, obstacles you encounter
- When you reach safety, ask if further help is needed

To alert people with hearing limitations:

- Turn lights on/off to gain the person's attention, or
- Indicate directions with gestures, or
- Write a note with evacuation directions

To evacuate people using crutches, canes, or walkers:

- Assist and accompany to evacuation site if possible, or
- Use a sturdy chair (or one with wheels) to move the person, or
- Help carry the individual

To evacuate people using wheelchairs:

- Non-ambulatory persons' needs and preferences vary. Individuals at ground floor locations may exit without help
- Others have minimal ability to move—lifting may be dangerous
- Some non-ambulatory persons have respiratory complications
- Remove them from smoke and vapors immediately
- Wheelchair users with electrical respirators get priority assistance
- Most wheelchairs are too heavy to take downstairs
- If needed, contact the security department at 745-6090 or dial 911. Give building and room number

- Consult with the person to determine best carry options only as a last resort, otherwise wheelchair users should shelter in place and await professional assistance
- Reunite the person with the chair as soon as it is safe to do so

Shelter-in-Place Procedure

In certain emergency situations such as weather emergencies or campus lockdowns, community members may be instructed to shelter-in-place indoors to await further instructions. If the building where you are located is damaged or the scene of an emergency situation, you may be instructed to move quickly to another campus building to shelter-in-place until you are informed that the threat has been resolved. If police or fire department personnel are on the scene, please follow their instructions.

Drugs and Alcohol

The use, possession, sale or distribution of alcoholic beverages or illegal drugs is prohibited on college property or at college related events, as is being under the influence or knowingly in the presence of drugs or alcohol while on college property or at college-related events under the Student Code of Conduct. Exceptions to the College Chem-Free policy can be made by the President. Violations of the code may result in sanctions up to and including dismissal from the College. EMCC prohibits the possession or use of illegal drugs or alcohol on the campus, property owned or controlled by EMCC, or as part of any activity of EMCC. Students, staff, faculty, or visitors are prohibited from attending their work and/or learning environments under the influence of alcohol or illegal drugs. Doing so would not only negatively affect the individual's learning, performance, and safety, but also that of the people around them and the college community as a whole. Individuals who violate this policy and/or federal or state law risk institutional sanctions, including dismissal from the college, as well as legal action. For more information about drug and alcohol policies on campus, please consult the [Maine Community College System Alcohol & Drugs Policy](#). While EMCC does not offer substance/alcohol abuse programs, we do provide professional and confidential counseling as well as referrals to students on campus through our counselor, who can be reached at 974-4858 or briffel@mainecc.edu). Students (who have alcohol or other substance abuse issues) are also strongly encouraged to contact their medical provider or, if in crisis, the Maine Statewide Crisis Hotline at 1-888-568-1112.

Due to the statistics concerning drinking and driving and due to the strict drunk driving law in the State of Maine, Eastern Maine Community College is committed to preventing intoxicated persons from driving. Eastern Maine Community College students, staff and faculty are encouraged to do everything possible to prevent an intoxicated person from driving.

Commuters and other guests who visit the campus, including the residence halls, are expected to be familiar with rules and regulations. Intoxication will not be accepted as a defense or excuse for disorderly conduct and/or damage to property on campus. The Director of Campus Operations, Resident Assistants, Resident Directors, the Director of Student Engagement and Residential Life, Security Officers and members of the Eastern Maine Community College administration have the right to inspect bags or packages on campus that they suspect may contain alcohol and/or drugs.

Residents are not allowed to store containers (full or empty) of beer or alcohol in their rooms in the residence halls. Residents are not allowed to display alcohol containers or other alcohol/drug paraphernalia in the windows or on the doors of the rooms. No possession or consumption of controlled substances is permitted on campus in accordance with State Laws. Non-residents may not transport alcohol into the residence halls. This applies to all non-residents regardless of age.

For more information concerning EMCC's Alcohol and Drug Policy, please see the 2024-2025 Student Handbook by visiting the following link:

<https://www.emcc.edu/student-life/resources/student-handbook/>

Preventing and Responding to Incidents of Sexual Misconduct/Domestic Violence/Stalking

Sex discrimination and sexual misconduct in the form of sexual harassment, domestic violence, dating violence, stalking, sexual violence (rape, sexual assault, and sexual abuse), and gender/sex-based harassment or discrimination, are not allowed on our campus and are prohibited by EMCC/ MCCS policy as those terms are defined for purpose of the Clery Act and in accordance with Title IX of the Higher Education Reauthorization Act and the Violence Against Women Act (VAWA) and Maine state law LD1727. This section of the report informs the campus community of programs designed to prevent and remedy incidents of domestic violence, dating violence, sexual assault and stalking. This section also includes the procedures for institutional disciplinary action in cases of alleged dating violence, domestic violence, sexual assault or stalking, when it is reported to a college official. EMCC provides educational programs and campaigns intended to prevent or end dating violence, domestic violence, sexual assault and stalking. Training programs for all new students consist of prevention engagement during New Student Orientation and a follow-up training course during the first semester and includes definitions of terms, prevention strategies, and victim resources both on and off campus. New employees are required to complete online training on sexual assault, domestic violence, dating violence and stalking. All employees were required to participate in training on the 2024 Title IX regulations at the start of the academic year or start of their employment at the college. Resident students are required to attend a bystander and risk reduction training with speaker Tim Collins early in the fall semester and commuter students are invited to participate as well. Risk reduction training consists of self-examination of healthy choices and dangers in contextual situations where domestic violence, dating violence, sexual assault and stalking occur. This training includes risk assessment and awareness. Active bystander training is addressed in training campaigns throughout the year.

Any behavior that constitutes a sexual assault under this policy will subject the offender to disciplinary action, up to and including dismissal, whether or not criminal charges are filed and without regard to whether the conduct occurred on or off campus. In addition, sexual assault, rape and other sexual offenses are illegal under Maine criminal statutes and may be separately prosecuted in a court of law.

Sexual assault occurs in instances 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 purposes of sexual gratification, without the consent of the victim. Consent requires mutually understandable and communicated words and/or actions demonstrating agreement to participate in the proposed sexual act. Failure to object does not constitute consent. Consent does not exist where it is not expressly given. Consent cannot be given by a person who is underage, asleep, intoxicated, or when they are temporarily or permanently incapacitated. Consent can also not be given where there are threats or intimidation. Attempted sexual assault or rape occurs when a person intends to commit the offense and engages in conduct that could lead to it.

The College can refer victims of sexual offenses to medical and counseling support and police assistance, if desired. Care and consideration of the victim's wishes will be considered throughout the intervention process.

Individuals who feel that they are victims of any sexual offense are urged to file a complaint with the Bangor Police Department and the College Title IX Coordinator. If a complaint is filed with the College, the College will follow the procedures described below to investigate and resolve the complaint. The College will provide the claimant and respondent the same opportunities, including the right to be accompanied to any related proceedings by an advisor of their choice. There is no limit on the choice or presence of an advisor, but the College may establish restrictions for advisor participation in proceedings. The College is also responsible for providing trained advisors for complainants (alleged victims) and respondents (alleged perpetrators) in Title IX cases. If the offense does not meet the federal definition of a Title IX violation, the college will follow procedures for investigating and resolving complaints which violate college and MCCS policies and Maine state law. A list of supporting measures, in writing, is provided to an individual at the time of the report. A list of institutional or community services, in writing, for counseling, health; mental health; victim advocacy; legal assistance; visa and immigration assistance; and student financial aid, is provided to an individual at the time of the report.

EMCC's standards of conduct and the student disciplinary process are outlined in the Student Code of Conduct. The college's procedures for disciplinary action in cases that involve sexual offenses comply with Title IX of the Education Amendments of 1972, the Violence Against Women Act of 1994 and Maine State Law LD1727. In those cases, required by the HEA and VAWA, the accuser and the accused are entitled to the same opportunities throughout the investigative and disciplinary process, including to have others present during the investigative interview and/or during an Appeal Committee hearing and attendant proceedings. For further information about the disciplinary system, contact Kris Kelley, Director of Student Engagement and Residential Life at 207-974-4690 or Elizabeth True, Vice President and Title IX Coordinator at 207-974-4673.

Resources for Survivors of Sexual Assault and/or Domestic Violence	
Counseling/Confidential Resource Advisor	Bridget Riffel emcccounseling@mainecc.edu 974-4858
Title IX Coordinator / VP	Dr. Elizabeth True etrue@mainecc.edu 974-4673
Maine Sexual Assault Helpline	888-871-7741
ME Coalition to End Domestic Violence	1-866-834-HELP
Bangor Police East Millinocket Police	911 or 974-7384 911 or 746-3555(East Millinocket)

The College recommends that victims of sexual assault:

- Seek immediate medical assistance. A victim may have internal or external injuries and may need treatment for disease or infection
- Report such acts to the College Title IX Coordinator, the College Counselor/Confidential Resource Advisor, the Campus Security Department and/or local police. Filing a report with the police provides the opportunity for collection of evidence helpful in prosecution that cannot be obtained later.
- Ideally a victim of sexual assault should not wash, douche, use the toilet, or change clothing prior to a medical exam and sexual crimes investigation kit administered by trained hospital personnel.
- At the victim's request, security officers or college administrators will assist in the notification of local law enforcement. The College's disciplinary system may proceed against any alleged violator of EMCC policy, whether or not state or federal criminal proceedings exist or are pending.
- Seek counseling and/or emotional assistance and support. The Title IX Coordinator or College Counselor/Confidential Resource Advisor can assist with this. Speaking with a trained counselor can be critical to the emotional or mental well-being of the victim following trauma. A full range of support services can be initiated through

the Sexual Assault Crisis Center by calling 1-800-871-7741.

The College will consider requests for changes in academic accommodations and work with survivors to reach a reasonable solution. The College will consider requests for changes in on-campus living accommodations on a space available basis.

College Procedures for Investigating and Resolving a Title IX Complaint

Under Title IX, sexual harassment is unwelcome conduct based on sex that satisfies one of more of the following:

- a. An MCCS employee or agent conditions the provision of an MCCS aid, benefit, or service on an individual's participation in unwelcome sexual conduct.
- b. Unwelcome sexual conduct that, on the basis of the totality of the circumstances, is subjectively and objectively offensive and is so severe or pervasive that it effectively limits or denies a person equal access to MCCS education programs or activities.
- c. Sexual assault, domestic violence, dating violence or stalking as defined by federal law and set forth in MCCS Procedure 202.2.

An institution must address all sex discrimination:

- a. Occurring under its education program or activity in the United States; including when some conduct alleged to be contributing to the hostile environment occurred outside the recipient's education program or activity or outside the United States.
- b. Against a student (an individual who has gained admission) or employee; or an individual other than a student or employee who is alleged to have been subjected to conduct that could constitute sex discrimination and who was participating or attempting to participate in its education program or activity at the time of the alleged discrimination.

Students, faculty, and staff are advised to report allegations of sexual harassment immediately, or as soon as possible. Disclosures/reports can be made informally, anonymously, orally or in writing. Supportive measures are available for students and employees who make a disclosure/report. Reports should be made to the Title IX Coordinator, Elizabeth True at etrue@mainecc.edu or (207) 974-4673. Students who wish to receive counseling or other supportive measures without contacting the Title IX Coordinator can contact the Confidential Resource Advisor, at emcccounseling@mainecc.edu or briffel@mainecc.edu or at 974-4858.

If allegations meet the Title IX definition, then the ensuing investigation and resolution of a Title IX complaint will be conducted by an official with appropriate training. The process will be prompt, fair and impartial and will include the following elements:

- Supportive measures offered to a person at the time of a disclosure/report
- Supportive measures are individualized, non-disciplinary services offered as appropriate and as reasonably available, without fee or charge. The measures are designed to restore or preserve equal access to an educational program or activity without unreasonably burdening the other party. Supportive measures may include, but are not limited to, counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus.
- Notice of formal complaint to the complainant and the respondent
 - Emergency removal of respondent (if necessary, after an individualized safety and risk analysis)
 - Informal resolution if appropriate (only if both parties agree)
 - Investigation: The Title IX Investigator will investigate the complaint. The investigations must be completed in a timely manner in accordance with the procedures linked below.
 - Live hearing – this process is outlined in the procedure linked below and is conducted by a Decision Maker, in accordance with this Procedure and the MCCS Rules for Title IX Live Hearings, who shall use the preponderance of the evidence standard.
 - Findings: Both parties shall be notified simultaneously in writing and provided with the written findings

- Appeals: Both parties have the right to appeal the findings and any discipline imposed. Grounds for appeal are described in the linked procedure below. Appeal requests must be made in writing to the president within two business days of the written notice of findings. The president or designee shall simultaneously issue a written decision to both parties with the result of the appeal and the rationale for the decision.

View the MCCS Title IX Sexual Harassment Procedure here or in the appendix:

https://mymccs.me.edu/ICS/icsfs/Procedure_202.2.pdf?target=035119b9-058b-4252-b76f-df6becb7b980

College Procedures for Investigating and Resolving Sexual Harassment Complaints Not Meeting Title IX Definitions

Below is a summary of the process for allegations that do not meet the Title IX definition of sexual harassment but are nevertheless prohibited by College and state policy/law. Individuals who believe that they are victims of sexual harassment must contact the Title IX Coordinator or the EO Officer. The Title IX Coordinator will determine the applicable procedure after review of the allegations. A complainant should report their complaint as soon as possible after the first date of the alleged discrimination or harassment, and must report, if at all, not later than 300 calendar days after the last date of the alleged discrimination or harassment.

The investigation and resolution will have the following elements:

- Informal procedure (only if both parties agree)
- Within ten working days of receiving the complaint, the Coordinator will
 - meet with complainant to discuss the complaint
 - Provide notice to the respondent.
 - Begin formal investigation
 - Implement appropriate Interim/Supportive Measures

An investigation is complete when the investigator, pertinent supervisor, EO Officer, or student code of conduct officer determines that no additional fact finding is required. The various potential actions and procedures to take action upon findings from the investigation are described in section V of the procedures linked below.

View the MCCS procedures for Discrimination, harassment, sexual harassment and affirmative action complaints which do not meet Title IX definitions here and in the appendix to this report.

https://mymccs.me.edu/ICS/icsfs/Procedure_201.1_and_202.1.pdf?target=81dffbac-8015-48b0-8df0-cae73a43acff

Appeals of College Response to Complaint - Appeals requests can be made of the College President (or the MCCS Director of Human Resources if the President is the respondent to the Complaint) within 10 working days of receiving the report of the investigation.

Supportive Measures Offered at the Time of Sexual Assault Report

Supportive measures are individualized, non-disciplinary services offered as appropriate and as reasonably available, without fee or charge. The measures are designed to restore or preserve equal access to an educational program or activity without unreasonably burdening the other party. Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or housing locations, no-contact orders, leaves of absence, increased security and monitoring of certain areas of the campus. EMCC shall maintain confidentiality for any student receiving supportive measures that they receive, to the extent possible. The Title IX Coordinator or Confidential Resource Advisor will implement and monitor the supportive measures.

Protection Orders

Students have the right to request from a court that a temporary or permanent restraining order, or other protection or no-contact order be issued against an alleged offender. Only the police, and not College security, have the authority to enforce such an order by arresting a person who violates the order. The student should promptly inform the Vice President if such an order is obtained so that the College may be better prepared to more promptly contact the police if necessary.

Confidentiality Statement

The College seeks to protect the confidentiality of the identity and allegations involved in a report, including keeping all records confidential to the extent permissible by law. Information regarding sexual misconduct or assault reports, and any investigation or review of those reports, including sanctioning determinations, will be shared among College officials with a legitimate educational interest or with external individuals or entities only on a need-to-know basis and only as permitted by College policy and applicable law. The College will be required to disclose the Complainant's name, statements and allegations to the Respondent. The College may choose to comment publicly, in writing or otherwise, to the extent permitted by law, regarding the decision reached if, in the judgment of the College, the best interests of the community would be served by such a disclosure. If possible and appropriate, the anonymity of the student(s) involved will be protected.

A student may choose to speak **confidentially** to the College Counselor/Confidential Resource Advisor prior to or without making a report.

Alcohol Amnesty/Immunity Statement

Students who report sexual misconduct will not be disciplined for alcohol violations that are disclosed by their report or disclosed during a related follow-up and are related to the events surrounding the reported misconduct.

Prohibition Against Retaliation

Retaliation, intimidation and/or coercion against any person who in good faith either files a discrimination or harassment complaint or otherwise participates in the complaint process is a violation of law and MCCS policy. Complaints alleging retaliation of any kind shall be reported immediately to the Title IX Coordinator or EO officer.

Registered Sex Offenders

In compliance with the Campus Sex Crimes Prevention Act of 2000, members of the EMCC community may contact the Maine Sex Offender Registry at their website <http://sor.informe.org/sor/> for information concerning registered sex offenders.

The Bangor and East Millinocket police departments maintain a list of registered sex offenders in the Bangor area. Anyone desiring information on a specific known sex offender may receive that information by contacting the Bangor Police Department at (207) 947-7384. A date of birth of the sex offender will be required

Missing Person Procedure

The purpose of this procedure is to establish protocols for EMCC's response to reports of missing students, as required by the Higher Education Opportunity Act of 2008. This procedure applies to students who reside in EMCC campus residence halls. For purposes of this procedure, a student may be considered to be a "missing person" if the person's absence is contrary to their usual pattern of behavior and unusual circumstances may have caused the absence. Such circumstances may include, but not be limited to, a report or suspicion that the missing person may be the victim of foul play, has expressed suicidal thoughts, is drug dependent, is in a life-threatening situation, or has been with persons who may endanger the student's welfare.

Procedures for designation of emergency contact information

1. Adult Students (18+) and emancipated minors. Students are given the opportunity during their housing registration process to designate an individual or individuals to be contacted by the College no more than 24 hours after the time that the student is determined to be missing in accordance with the procedures set forth below. A designation will remain in effect until changed or revoked by the student.
2. Minor Students (under 18 years old and adults with legal guardians). In the event a student who is not emancipated is determined to be missing pursuant to the procedures set forth above, the College is required to notify a custodial parent or guardian no more than 24 hours after the student is determined to be missing in

accordance with the procedures set forth below. During their housing registration process, parents or legal guardians may also identify individuals the school should contact (significant others, family in the area, etc.).

Official notification procedures for missing persons

1. Any individual on campus who has information that a residential student may be a missing person must notify the Director of Student Engagement and Residential Life as soon as possible.
2. The Director of Student Engagement and Residential Life, or their designee, will gather all essential information about the residential student from the reporting person and from the student’s acquaintances (description, clothes last worn, where student might be, who student might be with, vehicle description, information about the physical and mental well-being of the student, an up-to-date photograph, class schedule, etc.). Appropriate campus staff will be notified to aid in the search for the student.
3. If the above actions are unsuccessful in locating the student or it is apparent immediately that the student is a missing person (e.g., witnessed abduction), the College will contact the Bangor Police Department to report the student as a missing person and BPD will take charge of the investigation.

No later than 24 hours after determining that a residential student is missing, the VP and Dean of Students or designee will notify the emergency contact (for students 18 and over) or the parent/guardian (for students under the age of 18) that the student is believed to be missing.

Campus communications about missing students

In cases involving missing persons, law enforcement personnel are best situated to provide information to the media that is designed to elicit public assistance in the search for a missing person. Therefore, all communications regarding missing students will be handled by outside law enforcement authorities, who may consult with the Vice President. All inquiries to the College regarding missing students, or information provided to any individual at the College about a missing student, shall be referred to the VP and/or their designee, who shall refer such inquiries and information to law enforcement authorities. Prior to providing the EMCC community with any information about a missing student, the VP and/or their designee shall consult with the BPD to ensure that communications do not hinder the investigation.

Fire Safety Report

Fire Safety Systems at EMCC Campus					
Student Housing Facility	Sprinkler system	Smoke Detection	Fire Extinguishers	Emergency Evacuation Plans	# of Fire Drills per Calendar Year
Acadia Hall	Yes	Yes	Yes	Yes	2
Kineo Hall	Yes	Yes	Yes	Yes	2

Clery Act Fire Safety Statistics									
Student Housing Facility	2021			2022			2023		
	Fires	Injuries	Death	Fires	Injuries	Death	Fires	Injuries	Death
Acadia Hall	0	0	0	0	0	0	0	0	0
Kineo Hall	0	0	0	0	0	0	0	0	0
TOTALS	0	0	0	0	0	0	0	0	0

In the Event of a Fire

1. Sound the alarm from the nearest fire alarm box, remove yourself to safety
2. Immediately call 911 (8-911 from Bangor campus phones) give your name, the location of the fire by building name, number, and address or the nearest building if not a structure fire, and the nature of the fire.

All members of the EMCC community are encouraged to report any known residence hall fire incidents to the Director of Campus Operations, any resident director or resident assistant, or the Bangor Fire Department.

Supervised Fire Drills

At move-in, residents are informed of points of egress and evacuation staging areas. Supervised unannounced fire drills are conducted for each residence hall in the fall and spring semesters in cooperation with the Bangor Fire Department. Additionally, each time new residents occupy a building during the summer, the EMCC staff person coordinating the group's stay ensures that the temporary residents are familiar with evacuation routes and procedures.

Fire Safety Education

All resident directors (RDs) and resident assistants (RAs) receive fire safety and emergency action plan training and are responsible for covering these policies and procedures with residents during the opening community meetings. All residence hall rooms are equipped with evacuation maps which indicate the safest and most direct exit routes from the room in case of an emergency.

Fire Safety Violations and Prohibitions (including rules on portable electrical appliances, smoking and open flames)

The Student Code of Conduct prohibits "creation of a fire hazard or other dangerous condition" and forbids "unauthorized use or possession of weapons, explosive components or chemicals, including fireworks, firearms, explosives, gas or compressed air." The fire code prohibits certain activities and devices from residence halls. For community safety, residents are expected to comply with the following:

- Unless specifically authorized, no cooking of any kind is permitted in the residence hall rooms. Toasters, toaster ovens, mini grills, rice cookers, electric skillets and hot pots are not allowed. There are no publicly available kitchen facilities in either residence hall
- No appliances other than those specified in the appliances section of the Residence Life Guide are permitted in the residence hall rooms
- No candles or incense are allowed
- No microwaves or microwave ovens, other than specific models permitted by the College
- Gasoline and flammables like paint thinner or stripper may not be stored in the residence halls
- Light fixtures may not be tampered with, especially using items that may serve as electrical conductors. No lights of any kind on strings/cords are allowed.
- Multiple plug outlets are not allowed unless they contain a surge protector. Surge protectors usually contain lights and an on/off switch. They should be stored flat on the floor and should not be daisy-chained (one surge protector cannot be plugged into another surge protector)
- No excessive use of paper on doors and walls is permitted
- No posters, articles of clothing or other items should be taped or hanging near the door of your room where they might obstruct your route of egress from the room
- No tape of any kind should be placed on electric cords and electric cords should not run under carpeting
- No extension cords are allowed. (Surge protectors can be purchased at the hardware store with cords up to 12 ft.)
- Appliances such as irons, hair flat irons or curlers should be turned off and not plugged in when not in use
- No items should be touching, hung from or stored within 18 inches of any sprinkler head. No items should be hung from pipes

All residents are given a copy of the *Residential Life Handbook* at move-in that includes rules related to permissible small appliances and fire safety in general.

Non-Discrimination, Equal Opportunity and Affirmative Action

1. Statement of Intent

The Maine Community College System recognizes that unlawful discrimination in educational programs and employment-based upon race, color, religion, sex, sexual orientation, including gender identity or expression, national origin, disability, age, genetic information, or status as a Vietnam era veteran can foreclose the economic opportunity to a significant number of persons. In order to avoid this inequity and to afford all persons the opportunity to achieve their rightful place in society, the Maine Community College System pledges to eliminate unlawful discrimination upon any group protected by state or federal laws and, in addition, to take affirmative action to recruit, employ and educate qualified members of under-represented groups.

1. Policy Statement

The Maine Community College System provides equal opportunity regardless of race, creed, color, national origin, religion, sex, sexual orientation, including gender identity or expression, age, genetic information, or Vietnam era veteran status pursuant to Titles VI and VII of the Civil Rights Act of 1964; Title IX of the Educational Amendments of 1972; Executive Order 11246 as amended by Executive Order 11375; the Age Discrimination in Employment Act of 1975; the Vietnam Era Veterans Readjustment Assistance Act of 1974; the Immigration Reform and Control Act of 1986; the Genetic Information Nondiscrimination Act of 2008; and the Maine Human Rights Act (5 M.R.S.A., §4551, et. seq.).

Eastern Maine Community College does not discriminate as proscribed by federal and/or state law on the basis of race, color, religion, national origin, sex, sexual orientation, including gender identity or expression, age, genetic information, disability, marital, parental or Vietnam era veteran status in specified programs and activities.

Questions, concerns, complaints, and/or grievances about discrimination in any areas of the college should be directed to Eastern Maine Community College's designated Non-Discrimination Officers.

Affirmative Action/Non-Discrimination Officer

Dusty Adams, Director of Human Resources, EMCC, Maine Hall
354 Hogan Road, Bangor, Maine 04401
207.974.4884
dadams@mainecc.edu

Non-Discrimination Officer

Elizabeth True, Vice President and Dean of Students, EMCC, Katahdin Hall
354 Hogan Road, Bangor, Maine 04401
207.974.4673
etrue@mainecc.edu

United States Department of Education, Office for Civil Rights
33 Arch Street, Suite 900, Boston, MA 02110
617.289.0111, TTY/TDD 617.289.0063, fax 617.289.0150
OCR.Boston@ed.gov | <http://www.ed.gov/about/offices/list/ocr/index.html?src=oc;>

Maine Human Rights Commission (MHRC),
51 State House Station, Augusta, ME 04333-0051
207.624.6050, TTY/TDD 207.624.6064, fax 207.624.6063
<https://www.maine.gov/mhrc/>

Equal Employment Opportunity Commission
475 Government Center, Boston, MA 02203

617.565.3200 or 1.800.669.4000, TTY 617.565.3204 or 1.800.669.6820, fax 617.565.3196

<http://www.eeoc.gov/>.

Inquiries about the College's policies that prohibit discrimination on these bases may be directed to the Non-Discrimination Officer or MHRC identified above.

Reasonable accommodations will be made for students with disabilities as required by Section 504 of the Rehabilitation Act of 1973 (34 CFR Part 104) and Title II of the Americans with Disabilities Act of 1990 upon request.

ADA Compliance Officer: Dusty Adams

Director of Human Resources

(207) 974-4633

Email address: dadams@maineccc.edu

504 Coordinator: Elizabeth Daigle

Director of Student Learning Support

(207) 974-4868

Email address: edaigle@maineccc.edu

***Please see the applicable laws below.**

*Title IX of the Educational Amendments of 1972 (34 CFR part 106),

*Title VI of the Civil Rights Act of 1964 (34 CFR Part 100),

*Section 504 of the Rehabilitation Act of 1973 (34 CFR Part 104),

*Title II of the Americans with Disabilities Act (ADA) of 1990 and its implementing regulations

Clery Crime Definitions

Definitions of crimes for which occurrences are to be reported:

Murder/Non-negligent Manslaughter—The willful (non-negligent) killing of a human being by another.

Negligent Manslaughter—The killing of another person through gross negligence

Sex Offenses — Under the VAWA and Clery Acts, sex offenses (rape, fondling, incest, or statutory rape) are defined and reported in accordance with the FBI's Uniform Crime Reporting Program* as follows:

Rape — The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.

*Note: Under State of Maine Statutes, **Gross Sexual Assault** is defined in Maine Title 17-A, M.R.S.A., Chapter 11.*

Fondling —The touching of the private 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 — Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

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

*The definition of **rape** is from the Summary Reporting System (SRS) User Manual; whereas, the definitions of **fondling**, **incest**, and **statutory rape** are from the National Incident-Based Reporting System (NIBRS) User Manual.

Both of these manuals are from the FBI's Uniform Crime Reporting Program.

Aggravated assault—Unlawful attack upon another with intent to inflict severe injury or great bodily harm

Burglary—Unlawful entry into a structure to commit a felony or theft

Arson—Willful or malicious burning/attempt to burn structure, vehicle, or personal property of another

Motor vehicle theft—Theft of automobiles, trucks, etc., including "joyriding" (taking by person without lawful access)

Bias or Hate Crimes: (*only reported when the crime was motivated by hate or bias based on the following*)

Race	Ethnicity
Gender	Disability
Gender Identity	Sexual Orientation
Religion	National Origin

VIOLENCE AGAINST WOMEN ACT OFFENSES

Dating Violence is defined as violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. The existence of such a relationship is determined based on the following factors:

1. The dating relationship must have existed within the past six months;
2. The nature of the relationship must have been characterized by the expectation of affection or sexual involvement between the parties; AND
3. The frequency and type of interaction between the persons involved in the relationship must have included that the persons have been involved over time and on a continuous basis during the course of the relationship.

Domestic violence is defined as a felony or misdemeanor crime of violence committed— a) By a current or former spouse or intimate partner of the victim; b) By a person with whom the victim shares a child in common; c) By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner; d) 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 e) 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.

Stalking is defined as engaging in a course of conduct directed at a specific person that would cause a reasonable person to: (A) Fear for the person's safety or the safety of others; or (B) Suffer substantial emotional distress. For the purposes of this definition— a) Course of conduct means two or more acts, including, but not limited to, acts in 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. b) Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim. c) Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

Clery Reporting - Definitions of crimes for which arrests must be reported

Liquor Law Violations: violations of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession or use of alcoholic beverages.

Drug Abuse Violations: violation of laws prohibiting the production, distribution, and/or use of certain controlled substances and the equipment or devices utilized in their preparation or use.

Weapons Possessions: violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices, or other deadly weapons.

It is the policy of the Eastern Maine Community College to ensure that the victims and witnesses to crime are aware of their right to report criminal acts to the police and to report College policy violations to the appropriate office (e.g. student conduct violations to the Residential Directors). However, if a reporting person requests anonymity, this request must be honored to the extent permitted by law. Accordingly, no information should be included on an incident report that would personally identify the victim without his/her consent. Based on information received, EMCC will determine the category of the crime or incident and the location under which the incident should be reported in the Annual Security Report. Clery and associated legislation requires that each department's records related to the Clery reportable crime statistics be retained for seven years.

Clery Geography Definitions

The Director of Campus Operations is responsible for identifying and updating all information regarding campus geography for the purposes of the ASR.

On Campus – Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls; and any buildings or property that is within or reasonably contiguous to the area identified in the sentence above that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor).

On-campus Student Housing Facility – any student housing facility that is owned or controlled by the institution or is located on property that is owned or controlled by the institution and is within the reasonably contiguous geographic area that makes up the campus is considered an on-campus student housing facility. This definition includes the following types of housing: a) Undergraduate, graduate and married student housing. b) Single family houses that are used for student housing. c) Summer school student housing. d) Buildings that are used for student housing but also have faculty, staff or other individuals living there.

Non-campus building or property – Any building or property owned or controlled by a student organization that is officially recognized by the institution; or any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.

Public Property – All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from the campus. Public property refers to property owned by a public entity, such as a city or state government.

CRIMINAL OFFENSE AND CRIME STATISTICS MAIN CAMPUS

Offense (by Hierarchy)	Year	On Campus *	Non-Campus	Public Property	Total/Unf**	Residential Facilities
Murder / Non-Negligent Manslaughter	2023	0	0	0	0/0	0
	2022	0	0	0	0/0	0
	2021	0	0	0	0/0	0
Negligent Manslaughter	2023	0	0	0	0/0	0
	2022	0	0	0	0/0	0
	2021	0	0	0	0/0	0
Rape	2023	3	0	0	3/0	3
	2022	2	0	0	2/0	2
	2021	0	0	0	0/0	0
Fondling	2023	0	0	0	0/0	0
	2022	0	0	0	0/0	0
	2021	0	0	0	0/0	0
Incest	2023	0	0	0	0/0	0
	2022	0	0	0	0/0	0
	2021	0	0	0	0/0	0
Statutory Rape	2023	0	0	0	0/0	0
	2022	0	0	0	0/0	0
	2020	0	0	0	0/0	0
Robbery	2023	0	0	0	0/0	0
	2022	0	0	0	0/0	0
	2021	0	0	0	0/0	0
Aggravated Assault	2023	0	0	0	0/0	0
	2022	0	0	0	0/0	0
	2020	0	0	0	0/0	0
Burglary	2023	0	0	0	0/0	0
	2022	0	0	0	0/0	0
	2021	0	0	0	0/0	0
Motor Vehicle Theft	2023	0	0	0	0/0	0
	2022	0	0	0	0/0	0
	2021	0	0	0	0/0	0
Liquor Law Arrests	2023	0	0	0	0/0	0
	2022	0	0	0	0/0	0
	2021	0	0	0	0/0	0

Offense (by Hierarchy)	Year	On Campus *	Non-Campus	Public Property	Total/Unf**	Residential Facilities
Drug Law Arrests	2023	0	0	0	0/0	0
	2022	0	0	0	0/0	0
	2021	1	0	0	1/0	1
Weapons Law Arrests	2023	0	0	0	0/0	0
	2022	0	0	0	0/0	0
	2021	0	0	0	0/0	0
Arson	2023	0	0	0	0/0	0
	2022	0	0	0	0/0	0
	2021	0	0	0	0/0	0

*On Campus category includes incidents reported in Residential Facilities category

**Unf – Unfounded complaint as determined by a police officer

VIOLENCE AGAINST WOMEN ACT (VAWA) OFFENSES

Offense (by Hierarchy)	Year	On Campus *	Non-Campus	Public Property	Total/Unf**	Residential Facilities
Domestic Violence	2023	0	0	0	0/0	0
	2022	0	0	0	0/0	0
	2021	0	0	0	0/0	0
Dating Violence	2023	0	0	0	0/0	0
	2022	0	0	0	0/0	0
	2021	0	0	0	0/0	0
Stalking	2023	0	0	0	0/0	0
	2022	1	0	0	1/0	0
	2021	0	0	0	0/0	0

*On Campus category includes incidents reported in Residential Facilities category

**Unf – Unfounded complaint as determined by a police officer

LIQUOR, DRUG, AND WEAPONS JUDICIAL REFERRALS STATISTICS

Liquor, Drug, Weapon Judicial Referrals	Year	On Campus *	Non-Campus	Public Property	Total/Unf**	Residential Facilities
Liquor Law Violations Referred for Disciplinary Action	2023	5	0	0	5/0	5
	2022	9	0	0	9/0	7
	2021	3	0	0	3/0	3
Drug Law Violations Referred for Disciplinary Action	2023	4	0	0	4/0	4
	2022	4	0	0	4/0	3
	2021	0	0	0	0/0	0
Weapons Law Violations Referred for Disciplinary Action	2023	0	0	0	0/0	0
	2022	0	0	0	0/0	0
	2021	0	0	0	0/0	0

**On Campus category includes incidents reported in Residential Facilities category*

***Unf – Unfounded complaint as determined by a police officer*

HATE CRIME STATISTICS

Eastern Maine Community College is required to publish statistics on crimes which are defined as hate crimes. The hate crime statistics are to be listed by category of prejudice. The numbers for most of the specific crime categories are part of the overall statistics reported for each year. In addition the other crimes reported, the following crimes, if committed as a hate or bias crime, are also reported: Simple Assault, Intimidation, and any other crime that involves bodily injury that is not already included in the required reporting categories. If a hate crime occurs where there is an incident involving Intimidation, Vandalism, Larceny, Simple Assault, or otherbodily injury, the law requires that the statistic be reported as a hate crime even though there is no requirement to report the crime classification in any other area of the compliance document. If there is evidence that the offender was motivated to commit the offense because of their bias against the victim's race, sexual orientation, gender, religion, ethnicity, national origin, gender identity, or disability, the crime is reported in both the hate crime statistic and the campus crime statistics.

2021: No hate crimes reported

2022: No hate crimes reported

2023: No hate crimes reported

CRIMINAL OFFENSE AND CRIME STATISTICS – DOVER-FOXCROFT CAMPUS

No crimes reported in 2021-2023

CRIMINAL OFFENSE AND CRIME STATISTICS – E. MILLINOCKET CAMPUS

No crimes reported in 2021-2023

**To report a crime, contact the on duty Security Officer
at: (207) 745-6090**

LINKS AND APPENDICES

APPENDIX A: Campus Map



<https://www.emcc.edu/discover-emcc/emcc/campus/>

APPENDIX B: Campus Security Authorities

The law defines a Campus Security Authority as “an official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline, and campus judicial proceedings.” People who hold the following positions have been identified by the College as a Campus Security Authority:

- Campus Security Officers
- Director of Campus Operations
- Director of Student Engagement and Residential Life
- Executive Assistant to the President

- Faculty Advisors to Student Organizations
- President
- Resident Assistants
- Resident Directors
- Academic Dean
- Vice President and Dean of Students

APPENDIX C:

Policy regarding the possession, use or sale of alcoholic and illegal drugs

All students, faculty and staff should be familiar with the Maine State Laws, the Student Code of Conduct, and Eastern Maine Community College’s policies pertaining to drugs and alcohol. Violation of the laws, codes or policies may result in referral to the alcohol and drug awareness program; termination of residence hall contracts; disciplinary action, including possible dismissal from school programs; and/or legal action.

Students, faculty, and staff are not permitted to possess and/or consume alcoholic beverages anywhere on the Eastern Maine Community College campus. This applies to any and all functions open to the public such as entertainment, dances, athletic events, and any out-of-doors activities on any part of the campus. This policy also applies to the residence halls where compliance with the section of the Alcohol Policy is the joint responsibility of the room occupant(s) and any visitor(s). Special community events may have alcohol served, only at the discretion of the College President.

Eastern Maine Community College residence halls are chemical free. Students in violation of this policy may be dismissed from the halls. Intoxication on the campus will not be tolerated. Any person who is observed to be “under the influence” will have disciplinary action taken against him/her.

Due to the statistics concerning drinking and driving and due to the strict drunk driving law in the State of Maine, Eastern Maine Community College is committed to preventing intoxicated persons from driving. Eastern Maine Community College students, staff and faculty are encouraged to do everything possible to prevent an intoxicated person from driving.

Commuters and other guests who visit the residence halls are expected to be familiar with rules and regulations. Intoxication will not be accepted as a defense or excuse for disorderly conduct and/or damage to property on campus.

Students who appear unable to safely use dangerous equipment in the respective technology labs or shops will be asked by faculty to leave the area and may be required, at the request of the faculty, to meet with a counselor for further assessment before being allowed to return to the shop or lab.

Resident Assistants, Resident Directors, the Director of Student Engagement and Residential Life, Security Officers and members of the Eastern Maine Community College administration have the right to inspect bags or packages on campus that they suspect may contain alcohol and/or drugs.

Residents are not allowed to store containers (full or empty) of beer or alcohol in their rooms in the residence halls. Residents are not allowed to display alcohol containers or other alcohol/drug paraphernalia in the windows or on

the doors of the rooms. No possession or consumption of controlled substances is permitted on campus in accordance with State Laws. Non-residents may not transport alcohol into the residence halls. This applies to all non-residents regardless of age.

Any individual using illegal drugs (including alcohol for those not legally sanctioned), or abusing legal drugs, will not be exonerated from the legal consequences of their action. An individual is expected to assume responsibility for his/her own behavior while drinking or using any drug and must understand that being under the influence in no way lessens his/her accountability. For more information concerning Eastern Maine Community College's Alcohol and Drug Policy, please see the 2024-2025 Student Handbook by visiting the following link: <https://www.emcc.edu/student-life/resources/student-handbook/>

APPENDIX D

Policies prohibiting sexual misconduct and grievance procedures

MAINE COMMUNITY COLLEGE SYSTEM PROCEDURES MANUAL

GENERAL ADMINISTRATION

Sections 201.1/202.1

**SUBJECT: COLLEGE PROCEDURE FOR DISCRIMINATION, HARASSMENT,
SEXUAL HARASSMENT AND AFFIRMATIVE ACTION COMPLAINTS**

PURPOSE: To establish a procedure for each College when receiving and investigating student, employee, applicant and any other complaints regarding discrimination, harassment, sexual harassment and affirmative action

I. Introduction

Harassment, including sexual harassment, (hereinafter collectively called “harassment”) and discrimination (including retaliation, intimidation and coercion) on the basis of actual or perceived race; color; ancestry or national origin; age; genetic information; sex, including sexual orientation, gender, gender identity, or gender expression; religion; veteran status; familial status; and disability (hereinafter called “discrimination”) are a violation of certain federal and/or state laws, as well as certain Maine Community College System (“MCCS”) and College policies. In addition, federal and/or state law require in some, and permit in other, instances the MCCS and Colleges to engage in affirmative action in its activities.

Except as otherwise provided, this document establishes the procedure for each College in receiving and investigating complaints brought by a student, employee, applicant or any other person (hereinafter the “complainant”) that allege harassment or discrimination by a College student, employee, contractor or other agent (hereinafter the “respondent”). This procedure also applies to complaints regarding the College’s use of affirmative action which, for purposes of this procedure, shall be processed in the same manner as a complaint alleging discrimination.

This procedure does not apply to allegations that meet the Title IX definition of discrimination on the basis of sex, including sexual harassment, as set forth in MCCS Policy 202 section B. Such allegations are governed by MCCS Procedure 202.2.

II. Publication of this Procedure

This procedure must be available to all employees in a location clearly designated by the College; included in the College’s Student handbook; and posted on each College’s Web site. Notice of the College’s non-discrimination statement and contact information of the College’s Equal Opportunity Officer (EO Officer) and ADA compliance officers must also be posted in conspicuous locations on campus.

III. Reporting Discrimination and/or Harassment

A. Where to Report

Any person who believes they have been discriminated against or harassed (“complainant”) must make a timely report to the College’s EO Officer as set forth herein.

If the EO Officer is the person alleged to have discriminated against or harassed, the complainant should report the complaint to the College President. The College President will then assign a person other than the EO Officer to investigate the complaint.

If the College President is the person alleged to have discriminated against or harassed, the role of the College President in this procedure will be executed by the MCCS Chief Human Resources Officer, who may be contacted at 323 State Street, Augusta, Maine, 04330; ph: 207-629-4000, or that Officer’s designee.

B. When to Report

A complainant should report their complaint as soon as possible after the first date of the alleged discrimination or harassment, and must report, if at all, not later than 300 calendar days after the last date of the alleged discrimination or harassment.

C. How to Report

A complaint may be made orally or in writing, and it must be particular. It must disclose the identity of the person(s) alleged to have engaged in discrimination or harassment (“respondent”), and the location(s), date(s) and description of the alleged acts. If a complainant discusses a complaint with an employee of the College, that employee should promptly refer the complainant to the EO Officer and inform the Officer of that employee’s knowledge of the complaint.

The College cannot take complaints “off the record.” Once the College receives such information, it has a duty to investigate and possibly take action even if, at the time of the complaint, the complainant does not want the College to do either. Unless the complainant signs a written statement specifying withdrawal of the complaint, the complainant may not be deemed to have withdrawn her or his complaint.

A report filed under this procedure will not be deemed to be a “grievance” under any applicable collective bargaining agreement. If a complainant seeks to file a collective bargaining-based grievance, the complainant must do so in addition to complying with this procedure.

D. Disability Accommodation Complaints

A person whose discrimination complaint relates to a disability accommodation must first comply with the College's ADA or Disability Services policy and procedure, and present any such concerns to the College's ADA or Disability Coordinator prior to reporting a complaint to the EO Officer.

IV. Investigation of Complaints

The following procedures apply to the investigation of discrimination and harassment complaints subject to this procedure. In some instances, the College President or MCCS Chief Human Resources Officer may authorize a qualified person other than the EO Officer to conduct the investigation and/or act upon its findings, which person shall then assume the EO Officer's duties as designated.

A. Informal Procedure

The EO Officer will attempt to resolve a complaint of discrimination or harassment as informally as possible by seeking information and cooperation from both the complainant and respondent.

If the parties agree to use this informal procedure, such procedure will be completed within 20 working days of the EO Officer's receipt of the complaint. This timeframe may be extended by the EO Officer as the Officer deems reasonably necessary, provided that any such extension does not impose undue delay, and provided further that the EO Officer documents the dates of, and reasons for, each delay.

If either the complainant or respondent declines to use the informal procedure, or such informal procedure is not otherwise successful, the EO Officer will use the following formal procedure.

B. Formal Procedure

The formal procedure, if used, will be completed within 60 working days of the EO Officer receipt of a complaint under this procedure.

1. Within 10 working days of receiving the complaint

Within 10 working days of receiving the complaint, the EO Officer will:

- a. meet with the complainant to discuss the complaint;
- b. provide to the respondent that notice of the complaint as may be required by the Student Code of Conduct, a collective bargaining agreement, or applicable employment policy or agreement;
- c. begin to collect evidence and arrange interviews of witnesses; and
- d. interview the respondent.

2. Within 5 working days of completing the investigation

An investigation is complete when the pertinent supervisor (e.g., Dean of Students, College President) and EO Officer determine that no additional fact finding is required. Within 5 working days of completing the investigation, the College will decide upon its response to the complaint and so inform the complainant and respondent of the nature of that response. Personnel privacy obligations may prevent the College from disclosing to the complainant the details of the specific action that the College will take.

3. Extension and Coordination of Above Timeframes

The timeframes specified above may be extended by the EO Officer as the Officer deems reasonably necessary, provided that any such extension does not impose undue delay, and provided further that the EO Officer documents the dates of, and reasons for, each delay.

In addition, this formal procedure must be applied as consistently as possible with the related procedures set forth in the MCCS Student Code of Conduct and MCCS collective bargaining agreements. When a timeframe specified in this formal procedure conflicts with a specific timeframe set forth in the Student Code of Conduct or collective bargaining agreement, the timeframe in the Code and agreements shall control, provided that such control shall not unduly delay the completion of the College's investigation under this procedure.

C. Interim Steps

While a complaint is under review, the EO Officer may recommend to the appropriate supervising authority at the College that such authority take, consistent with the applicable procedures and standards set forth in the College's Student Code of Conduct and/or any employment policy or agreement, any appropriate or necessary interim action such as removing the complainant from contact with the respondent.

D. Limit on Confidentiality

The College may need, as part of its investigation, to disclose the complainant's name, statements and allegations to certain relevant other persons, including the alleged discriminator or harasser.

V. Action Upon Findings from the Investigation

If the College determines that it will take disciplinary or other responsive action as a result of its investigation, that action will be taken without undue delay as follows.

A. Action Against a Student

To implement discipline or other action in response to complaints against a student, the College will use the MCCS Student Code of Conduct.

B. Action Against an Employee

To implement discipline or other action in response to complaints against an employee, the College will use the applicable collective bargaining agreement or other pertinent employment policy.

C. Action Against Others

To implement discipline or other action in response to complaints against a contractor or other party, the College will consult with the College President.

D. Action to Address Disability Accommodations

To address the College's provision of disability accommodation, the College will follow its pertinent ADA or Disability Services protocol.

VI. Appeals of College Response to Complaint

Any appeals from action taken under *Section V* above shall be taken pursuant to the applicable Code, collective bargaining agreement or employment policy. Only if those sources do not provide an appeal process to an affected party, then the following appeal process shall apply.

Within 10 working days of receiving the report of the investigation, a party to the complaint who is aggrieved by the decision may appeal ("appellant") to the College President (or to the MCCS Chief Human Resources Officer) if the College President is the respondent to the complaint; see *Section III.A.*). Within 10 working days of receipt of the appeal, the College President will meet with each party to discuss the appeal. Within 10 working days after the meeting, the College President will inform the appellant and other party(s) to the complaint of the College President's decision on the appeal. Such timeframes may be extended by the College President as the President deems reasonably necessary, provided any such extension does not impose undue delay, and provided further that the College President documents the dates of, and reasons for, each delay.

VII. External Complaint Procedures

In addition to, or in place of, filing a complaint through this procedure, a complainant has the right to file a private lawsuit or a complaint with outside agencies. For example, a complaint alleging discrimination in the College's education programs and/or activities under Title VI of the Civil Rights Act of 1964 (race, color, national origin), the Age Discrimination Act of 1975 (age), Title IX of the Education Amendments of 1972 (sex), Section 504 of the Rehabilitation Act of 1973 (disability), and/or Title II of the Americans with Disabilities Act of 1990 (disability) may be filed with the United States Department of Education, Office for Civil Rights, 33 Arch Street, Suite 900, Boston, MA 02110, telephone 617.289.0111, TTY/TDD 617.289.0063, fax 617.289.0150, e-mail OCR.Boston@ed.gov, internet <http://www.ed.gov/about/offices/list/ocr/index.html?src=oc>. The Federal government agency that has the responsibility for enforcing anti-discrimination laws in regard to employment is the United States Equal Employment Opportunity Commission, which may be contacted at 475 Government Center, Boston, MA 02203, telephone 617.565.3200 or 1.800.669.4000, TTY 617.565.3204 or 1.800.669.6820, fax 617.565.3196, internet <http://www.eeoc.gov/>.

The State agency in Maine that has the responsibility for enforcing anti-discrimination laws is the Maine Human Rights Commission, which may be contacted at 51 State House Station, Augusta, ME 04333-0051, telephone 207.624.6050, TTY/TDD 207.624.6064, fax 207.624.6063, internet <http://www.state.me.us/mhrc/index.shtml>.

VIII. Retaliation, Intimidation and Coercion

Retaliation, intimidation and/or coercion against any person who in good faith either files a discrimination or harassment complaint or otherwise participates in the complaint process is a violation of law and MCCS policy. Complaints alleging retaliation of any kind shall be reported immediately to the EO Officer as set forth in *Section III* of this procedure.

IX. Other Provisions

A. Communication with Disabled Persons

In implementing this procedure, the College must communicate with a party who has a disability in a format accessible to the party.

B. Record Retention

Unless otherwise directed by the MCCS Human Resources Director or MCCS General Counsel, the AA/ND Officer of the College will retain a record of all information, complaints, decisions, appeals and responses handled under this procedure for at least three (3) years.

C. Interpretation of this Procedure

This Procedure intends to make as clear and consistent as practical the College's best practices in complying with state and federal laws. This procedure is not intended, and shall not be construed, to create or expand substantive or procedural rights under any law.

REFERENCES: 20 U.S.C. 1681 *et seq.*; 34 C.F.R. 106 *et seq.*; MCCS Policies 201 and 202; MCCS Procedure 202.2

DATE ADOPTED: June 28, 2006

DATE(S) AMENDED: January 26, 2010; September 15, 2016; September 27, 2017; December 12, 2017; August 5, 2020 (effective August 14, 2020); June 26, 2024 (effective August 1, 2024)

MAINE COMMUNITY COLLEGE SYSTEM

GENERAL ADMINISTRATION
Section 202

SUBJECT: DISCRIMINATION ON THE BASIS OF SEX, SEXUAL HARASSMENT, SEXUAL ASSAULT AND OTHER SEX BASED CONDUCT, RELATIONSHIP VIOLENCE, AND STALKING

PURPOSE: To define, prohibit and prevent discrimination on the basis of sex, including sexual harassment, sexual assault and certain other acts of a sexual nature, domestic and dating violence and certain other acts within an intimate relationship, sexual violence and stalking.

This policy governs a broad range of sexual and other sex-based conduct defined and prohibited by federal and/or state law. For purposes of this policy, “sex” includes sexual orientation as well as gender, gender identity, and gender expression.

Discrimination on the basis of sex is a violation of state and federal law and a violation of this policy when engaged in by employees or students. As described herein, the federal definition of “sexual discrimination” under Title IX of the Education Amendments of 1972 is substantially broader than the state definition. Discrimination on the basis of sex includes sexual harassment. Sexual harassment includes quid pro quo, hostile environment, sexual assault, dating violence, domestic violence, and stalking. This policy is also violated when students or employees engage in conduct defined by state law as sexual violence, intimate partner violence and stalking. Conduct governed by this policy is collectively referred to herein as “prohibited conduct.”

A full description of the procedure governing the administration of this policy is set forth in MCCS Procedure [202.2](#), which includes definitions, how to disclose/report prohibited conduct, make a complaint, and obtain emergency and ongoing support services and supportive measures; the procedures for resolution; and the investigative, disciplinary and appeals processes. A summary description of procedural information is set forth in Section C herein.

All capitalized terms used herein and not otherwise defined in this Policy 202 shall have the same meaning given to such terms in Procedure 202.2.

Any Maine Community College System employee or student who violates this policy or the applicable laws will be subject to disciplinary action.

A. Sexual Discrimination

1. Title IX of Education Amendments Act of 1972

Under Title IX of the Education Amendments Act of 1972, sexual discrimination includes discrimination based on sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, gender identity, and gender expression. It also includes sex-based harassment.

B. Sexual Harassment

1. Title IX of the Education Amendments Act of 1972

Title IX of the Education Amendments of 1972 has proscriptions against quid pro quo harassment; hostile environment harassment. Title IX also includes sexual assault, stalking, dating violence and domestic violence within the definition of sexual harassment.

Under Title IX, sexual harassment is unwelcome conduct based on sex that satisfies one of more of the following:

- a. An MCCS employee or agent conditions the provision of an MCCS aid, benefit, or service on an individual's participation in unwelcome sexual conduct.
- b. Unwelcome sexual conduct that, on the basis of the totality of the circumstances, is subjectively and objectively offensive and is so severe or pervasive that it effectively limits or denies a person equal access to MCCS education programs or activities.
- c. Sexual assault, domestic violence, dating violence or stalking as defined by federal law and set forth in MCCS Procedure 202.2.

An institution must address all sex discrimination:

- a. occurring under its education program or activity in the United States;
 - i. including when some conduct alleged to be contributing to the hostile environment occurred outside the recipient's education program or activity or outside the United States.
- b. against a student (an individual who has gained admission) or employee; or an individual other than a student or employee who is alleged to have been subjected to conduct that could constitute sex discrimination and who was

participating or attempting to participate in its education program or activity at the time of the alleged discrimination.

2. Title VII of the Civil Rights Act of 1964 and the Maine Human Rights Act

Title VII of the Civil Rights Act of 1964 and the Maine Human Rights Act has proscriptions against the same types of unwelcome sexual and sex-based conduct prohibited by Title IX, although with different definitions of the prohibited conduct. Under Title VII and the Maine Human Rights Act sexual advances, requests for sexual favors, and other unwelcome verbal or physical conduct of a sexual nature, including conduct based on sex, constitute sexual harassment when:

- a. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or educational benefits; or
- b. Submission to or rejection of such conduct is used as the basis for an employment or education decision affecting an individual; or
- c. Such conduct is so severe or pervasive as to have the purpose or effect of substantially interfering with an individual's academic or work performance or creating an intimidating, hostile or offensive employment, educational or living environment, thereby effectively denying equal access to an MCCS program or activity; and
- d. A person of reasonable sensibilities would clearly understand that the conduct was unwelcome, harmful or offensive.

B. State Law Prohibitions on Sexual Violence, Intimate Partner Violence and Stalking

Maine law prohibits conduct that falls within the broad definitions of sexual violence and intimate partner violence, as well as stalking. These categories of conduct are similar to those prohibited by Title IX, but the definitions differ. In addition, unlike Title IX, these categories are not included within the state definition of sexual harassment. The definitions of sexual violence, intimate partner violence and stalking as defined by Maine law are set forth in Procedure 202.2.

C. Procedure for making a Disclosure/Report or Complaint, Obtaining Support Services and Information on Resolution Options

The procedure for making a Disclosure/Report or a Complaint of conduct prohibited by this policy is set forth in MCCS Procedure [202.2](#), which also describes emergency and ongoing support and services and supportive measures; the availability of important information on crisis center support, as well as medical, counseling, law enforcement, legal and financial aid services; the procedures for disclosing/reporting prohibited conduct, making a Complaint and resolution

processes including mediated informal resolution; and the investigative, disciplinary and appeals process.

Individuals who believe that they are victims of conduct prohibited by this policy are strongly encouraged to disclose/report the conduct to their Title IX Coordinator so they can receive emergency support and services, supportive measures and important information as soon as possible. A Complaint is not required in order to receive emergency and ongoing services designed to aid victims of prohibited conduct.

Victims of sexual violence, intimate partner violence and stalking as defined by state law may also seek emergency and ongoing support and services from a Confidential Resource Advisor (“CRA”), a specially trained sexual assault or domestic violence advocate. The roles and responsibilities of the Title IX Coordinator and the CRA are more fully described in Procedure 202.2.

As described in Procedure 202.2, a Complaint is an oral or written request which the Title IX coordinator can objectively understand as a request to investigate the allegation and make a determination regarding discrimination. It is the policy of the Maine Community College System to provide fair and impartial investigations, consistent with related MCCS procedures and guidance, that protects the rights of persons filing complaints of conduct prohibited by this policy, the persons complained against, and the Maine Community College System. All conduct within the scope of this policy is governed by MCCS Procedure 202.2.

Additionally, individuals may also file a sexual discrimination complaint with the Maine Human Rights Commission within 300 days of the alleged incident. Further information is available from the Maine Human Rights Commission at State House Station 51, Augusta, Maine 04333, (207) 287-2326, and/or from the United States Department of Education, Office for Civil Rights, 33 Arch Street, Suite 900, Boston, Massachusetts 02110, tel. 617-289-0111, TTY/TTD 617-289-0063, and fax 617-289-0150.

College presidents are directed to take appropriate steps to distribute this policy statement and to inform students and employees of procedures for making complaints.

D. Confidentiality

Disclosure by the Title IX Coordinator, other MCCS employees or the CRA of information regarding an incident of prohibited conduct, including the identities of the parties, is prohibited except as permitted under federal or state law. A CRA is also prohibited from disclosing any information about the parties, the incident, or other information obtained while providing services unless required by law or with consent of the person. While a person who receives CRA services may refuse to disclose, and refuse to permit a CRA from disclosing, confidential communications between the person and the CRA and any written records, memoranda or reports concerning the person, the CRA may still be required to disclose said information under the law.

E. Protective and No Contact Orders

A person who has experienced an alleged incident of conduct governed by this policy has the right to request from a court that a temporary or permanent restraining order, or other protection or no-contact order be issued against an alleged offender. Only the police, and not College security, have the authority to enforce such an order by arresting a person who violates the order. In the event an order is obtained, a copy should be provided to the Title IX Coordinator or the head of campus security so that the College may be better prepared to promptly contact the police if necessary and to provide such other assistance as may be available and appropriate to the circumstances, including when both parties have an on campus presence due to class schedules or employment responsibilities.

Mutual no contact orders issued by the Title IX Coordinator may be available as a supportive measure for complainants and respondents and are enforced by the college.

F. Retaliation and Immunity

The College will take appropriate steps to ensure that a person who in good faith reports or participates in an investigation under Procedure 202.2 will not be subjected to retaliation by the Respondent or others. Anyone who has experienced retaliation is strongly encouraged to report that concern to the Title IX Coordinator.

A person who reports having experienced an alleged incident of prohibited conduct, or a witness who requests an investigation of such conduct, shall not be subject to disciplinary action for drug and alcohol use, trespassing or unauthorized entry of College facilities prohibited by the MCCS Student Code of Conduct if the College becomes aware of the alleged prohibited conduct as a result of the report or investigation of the alleged conduct, unless the request was not made in good faith or the Code violation was egregious. An egregious violation must include, but is not limited to, an action that places the health and safety of another person at risk.

G. False Reports

It is a violation of this policy to intentionally file a report of any kind with a College official when the person knows that such report, by fabrication or material embellishment, is false.

H. Amendment

Prior to adopting substantive amendments to this policy, MCCS shall provide a draft of the proposed amendments to internal and external parties by electronic or U.S. mail with instructions on how to comment and a reasonable length of time in which to comment. Non-substantive amendments are not subject to these requirements.

REFERENCES: 5 M.R.S.A. §4551– §4632, 5 M.R.S.A. §4601–§4604, 42 U.S.C. §2000e, *et seq.*, 20 U.S.C. §1681, *et seq.*, 34 C.F.R. §106.1, *et seq.*; 20-A MRS 12981, *et seq.*

DATE ADOPTED: June 24, 2009

DATE(S) AMENDED: November 29, 2012, January 24, 2018, July 8, 2020 (effective August 14, 2020); June 21, 2023; June 26, 2024 (effective August 1, 2024)

MAINE COMMUNITY COLLEGE SYSTEM

GENERAL
ADMINISTRATION
Section 202.2

SUBJECT: DISCRIMINATION ON THE BASIS OF SEX, SEXUAL HARASSMENT, SEXUAL ASSAULT AND OTHER SEX-BASED CONDUCT, RELATIONSHIP VIOLENCE, AND STALKING PROCEDURE

PURPOSE: To define and provide a procedure for addressing allegations of discrimination on the basis of sex; sexual harassment; sexual assault and sexual violence; dating, domestic and intimate partner violence; and stalking.

A. Introduction

The purpose of this Procedure is to define and to describe the reporting, investigation and adjudication procedures that govern MCCS' handling of allegations of discrimination on the basis of sex and sexual harassment as defined by Title IX of the Education Amendments of 1972, and allegations of sexual violence, intimate partner violence and stalking as defined by state law, and to provide guidance on the application of those procedures. This Procedure applies uniformly to conduct constituting discrimination on the basis of sex, sexual harassment, including sexual assault, dating violence, domestic violence and stalking as defined by Title IX, and sexual violence, intimate partner violence and stalking as defined by Maine law. These categories of conduct are collectively referred to herein as "prohibited conduct."

As set forth in MCCS Policy [202](#), under Title IX, discrimination on the basis of sex is conduct that effectively denies a person equal access to an MCCS educational program or activity. Sexual harassment is conduct, on the basis of sex, that might be: (a) quid pro quo; (b) unwelcome conduct that, based on the totality of the circumstances, is subjectively and objectively offensive and is so severe or pervasive as to create a hostile environment or (c) sexual assault, dating violence, domestic violence, or stalking. Under applicable Maine law, acts of dating and domestic violence are collectively defined as "intimate partner violence," and sexual offenses, including sexual harassment, are collectively defined as "sexual violence." Stalking also has differing definitions under Title IX and state law.

This Procedure governs all conduct within its scope and its contents are mandated by federal and state laws. It is not a substitution for the criminal justice process.

B. Roles and Responsibilities of the Title IX Coordinator and Confidential Resource Advisor

Each college and the MCCS System Office have a designated Title IX Coordinator, an employee with primary responsibility for overseeing the application of this Procedure. Each college and the System Office also provide the services of a Confidential Resource Advisor (CRA) to act as an

advocate for students and employees who have experienced an alleged incident of prohibited conduct. The roles and responsibilities of the Title IX Coordinator and CRA are as follows.

1. Title IX Coordinator

The Title IX Coordinator is a trained, full time, on-campus employee with primary responsibility for overseeing the application of this Procedure, providing a broad range of information and emergency and ongoing services to students and employees who allege having experienced prohibited conduct. The Title IX Coordinator's services are available to individuals who desire to make a Complaint of prohibited conduct as well as to those who may not yet be ready or do not want to make a Complaint, or who seek only information, emergency assistance, and supportive measures. A Disclosure/Report to the Title IX Coordinator, which can be oral or in writing, is adequate to initiate receipt of information and services.

The Title IX Coordinator is not an advocate for either party and serves in a neutral role to ensure that all parties are treated fairly and that the provisions of this Procedure are uniformly applied. The Title IX Coordinator's services are equally available to individuals accused of engaging in conduct governed by this Procedure.

The Title IX Coordinator is the sole person with authority to initiate the college's investigative and disciplinary process for alleged acts of conduct governed by this Procedure. A Complaint of prohibited conduct to the Title IX Coordinator triggers the college's responsibility to investigate and adjudicate the Complaint and to ensure that neither the Complainant nor any other student or employee are subjected to further harm.

The Title IX Coordinator is bound by the confidentiality provisions of federal and state laws that prohibit the disclosure of information provided to the Title IX Coordinator regarding an incident of prohibited conduct, including the identities of the parties, except as necessary to administer the disciplinary process or as otherwise permitted under the law.

The Title IX Coordinator is responsible for providing the following information and services to students and employees who have experienced conduct prohibited by this Procedure:

- a. An explanation of the confidentiality of Disclosures/Reports or Complaints of prohibited conduct, including that the identity of a Complainant and Respondent and all information relating to the incident of prohibited conduct are confidential and may not be disclosed to the college except as necessary to administer the disciplinary process or as otherwise permitted by state or federal law.
- b. An explanation of the differences between a Disclosure/Report and a Complaint and the options to making a Disclosure/Report or a Complaint.
- c. An explanation of the description of the college's procedure for handling Complaints governed by this Procedure, including the steps involved in the college's investigative, disciplinary and non-disciplinary processes and resolution options for Complaints.

- d. An explanation of the option to make a Complaint to a law enforcement agency, the availability of assistance from the college in filing the Complaint with the appropriate agency; and information explaining the process for local, state or federal law enforcement, depending upon the nature of the conduct at issue.
- e. An explanation that Complaints can be made to either or both the college and law enforcement and that neither process is a substitute for the other.
- f. An explanation of the student or employee's options to seek a protection order from a court and/or a mutual no-contact order from the college, and the college's differing responsibilities regarding a court-issued protection order and college issued no-contact order.
- g. The availability of counseling services on-campus or otherwise through the college.
- h. The availability of counseling and other support services available from a local sexual assault support center or domestic violence resource center, and contact information for the support centers.
- i. Information on medical and mental health services available on- and off-campus.
- j. The availability of on-campus supportive measures, including campus escort services; mutual restrictions on contact between parties; changes in class schedule, academic status, dining, housing, transportation or campus employment; academic course work adjustments; excused absences; academic counseling; and tutoring.
- k. An explanation of the Title IX Coordinator's role in working with relevant college personnel to obtain and implement available on-campus supportive measures.
- l. The availability of off-campus supportive measures available through any memoranda of understanding with sexual assault support centers and domestic violence resource centers.
- m. Implementation, monitoring and review of desired, available supportive measures, including coordinating with relevant college personnel to secure the measures. To the extent possible, the Title IX Coordinator will maintain confidentiality for the complaint and the respondent of any supportive measures received and not disclose the underlying reason for the measures.
- n. For students considering temporary or permanent withdrawal or reduced enrollment, information on the impact of withdrawal or reduced enrollment on student loans, including but not limited to information regarding loan deferment, forbearance or other applicable student loan programs.
- o. The availability of financial resources and/or relief under the control of the college, including tuition credit, opportunities to withdraw or reenroll in a course

without academic or financial penalty and continued eligibility for scholarships and honors for a student who withdraws from a class or the college.

- p. The availability of legal assistance in the community.
- q. The availability of visa and immigration assistance in the community.
- r. The role of the Title IX Coordinator during the investigative and disciplinary process, including that the Title IX Coordinator cannot act as an advisor, support person or counselor for any party to a complaint of prohibited conduct.
- s. Any limits on the ability of the Title IX Coordinator to keep private or confidential the information provided by students and employees.

Contact information for MCCS Title IX Coordinators is available in the Appendix to this Procedure.

2. Confidential Resource Advisor

A Confidential Resource Advisor (“CRA”) is another source of information and emergency and ongoing support services available to students and employees who have experienced an incident of sexual violence, intimate partner violence or stalking, as defined in this Procedure. A CRA is specially trained to advocate on behalf of victims of sexual assault or domestic violence and to provide victim support services. The services of a CRA are not available to those accused of engaging in prohibited conduct.

A CRA is also trained to provide the same services and information available from the Title IX Coordinator described in Section B.1.a-q, herein. In addition, the CRA may act during an administrative adjudication or the college’s disciplinary process as a support person or advisor of choice, and, if licensed, may act as a counselor or therapist to students and employees who qualify for CRA services. A CRA may also obtain confidential criminal record information from law enforcement regarding an alleged perpetrator of sexual violence, intimate partner violence and stalking, for the sole purpose of planning for the safety of the party.

The CRA is subject to the same state and federal confidentiality laws as the Title IX Coordinator and Maine law provides additional confidentiality privileges to a CRA and a person who receives CRA services. Under Maine law, the CRA is not permitted to disclose to the college, law enforcement, a court, or any other entity any information provided by the person utilizing its services, unless disclosure is required by law or permitted in writing by the person. A person who receives CRA services may refuse to disclose, and may refuse to permit a CRA to disclose, confidential written or oral communications between the person and the CRA, as well as any written records, memoranda or reports concerning the person.

Seeking services from a CRA does not constitute a Disclosure/Report, or Complaint to the college of the alleged misconduct and does not initiate any action by the college. Further, the CRA is prohibited from reporting the incident to the college or law enforcement, unless required to do so by law or requested by the person seeking services.

CRA's may not act for or on behalf of the college. A CRA has no authority to take steps to address the offending conduct or initiate the college's investigative or disciplinary process. Because the College may have no information about the alleged misconduct, the college may be unable to take action to ensure that the offending conduct stops, that no further harm comes to the individual seeking CRA services and that no other students or employees are harmed.

Contact information for confidential resource advisors is available in the Appendix to this Procedure.

C. Definitions

1. Title IX Definitions of Sexual Assault, Domestic Violence, Dating Violence and Stalking

- a. **“Sexual assault,”** as defined in 20 U.S.C. 1092(f)(6)(A)(v), means an offense that meets the following definition of rape, fondling, incest, or statutory rape as used in the FBI's Uniform Crime Reporting System:
- 1) **“Rape”** means the penetration, no matter how slight, of the vagina or anus with any body part of object, or oral penetration by a sex organ of another person, without the consent of the victim.
 - 2) **“Fondling”** means 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 their age and/or because of their temporary or permanent mental incapacity.
 - 3) **“Incest”** means sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
 - 4) **“Statutory Rape”** means sexual intercourse with a person who is under the statutory age of consent. In Maine, the age of consent is 16.
- b. **“Domestic Violence,”** as defined in 34 U.S.C. 12291(a)(12), means felony or misdemeanor crimes committed by a current or former spouse or intimate partner of the victim, as well as the use or attempted use of physical or sexual abuse, or a pattern of any other coercive behavior committed, enabled, or solicited to gain or maintain power and control over a victim, including verbal, psychological, economic or technological abuse that may or may not constitute criminal behavior, by a person who:
- 1) Is a current or former spouse or intimate partner of the victim, or person similarly situated to a spouse of the victim;
 - 2) Is cohabitating, or has cohabitated with the victim as a spouse or intimate partner;

- 3) Shares a child in common with the victim; or
 - 4) Commits acts against a youth or adult victim who is protected from those acts under the family or domestic violence laws of the jurisdiction.
- c. **“Dating Violence,”** as defined in 34 U.S.C. 12291(a)(11), means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on a consideration of the following factors:
- 1) The length of the relationship;
 - 2) The type of relationship; and,
 - 3) The frequency of interaction between the persons involved in the relationship.
- d. **“Stalking,”** as defined in 34 U.S.C. 12991(a)(36), means engaging in a course of conduct directed at a specific person that would cause a reasonable person to:
- 1) Fear for his or her safety or the safety of others; or
 - 2) Suffer substantial emotional distress.
2. **State Definitions of Sexual Violence, Intimate Partner Violence, and Stalking**
- a. **“Sexual Violence,”** as defined in 20-A MRS §12981(8), encompasses a range of crimes under the umbrella of sexual assault, unauthorized dissemination of private images, sex trafficking or aggravated sex trafficking, as well as sexual harassment, as defined herein.
- 1) **“Sexual Assault”** means any crime under 17-A MRS Chapter 11, and broadly includes a range of unlawful sexual conduct, including gross sexual assault (commonly referred to as “rape,”), unlawful sexual contact or unlawful sexual touching. For purposes of defining sexual assault, the following state law definitions of “sexual act” “sexual contact” and “sexual touching” apply:
 - (a) **“Sexual Act”** means:
 - (1) Any act between 2 persons involving direct physical contact between the genitals of one and the mouth or anus of the other, or direct physical contact between the genitals of one and the genitals of the other;

- (2) Any act between a person and an animal being used by another person which act involves direct physical contact between the genitals of one and the mouth or anus of the other, or direct physical contact between the genitals of one and the genitals of the other; or
- (3) Any act involving direct physical contact between the genitals or anus of one and an instrument or device manipulated by another person when that act is done for the purpose of arousing or gratifying sexual desire or for the purpose of causing bodily injury or offensive physical contact.

Conduct constituting a sexual act does not require but may include penetration. The crime of gross sexual assault requires a sexual act.

- (b) **“Sexual Contact”** means any touching of the genitals or anus, directly or through clothing, other than as would constitute a sexual act, for the purpose of arousing or gratifying sexual desire or for the purpose of causing bodily injury or offensive physical contact.
- (c) **“Sexual Touching”** means any touching of the breasts, buttocks, groin or inner thigh, directly or through clothing, for the purpose of arousing or gratifying sexual desire.

Under Maine law, sexual contact and sexual touching are unlawful. A sexual act constitutes gross sexual assault when, at the time of the conduct, an additional element is present, including when the person:

- i. Has not expressly or impliedly acquiesced to the sexual activity and the other person was **criminally negligent** with regard to whether the complainant acquiesced;
- ii. Is unconscious or physically incapable of resisting and has not consented to the sexual conduct;
- iii. Has a mental disability that is reasonably apparent or known to the other person that renders the person substantially incapable of appraising the nature of the contact involved or of understanding the right to deny or withdraw consent;
- iv. Is under the statutory age of consent for the nature of the sexual conduct and was not the actor’s spouse;
- v. Submitted as result of **compulsion** (gross sexual assault only);

vi. Was compelled or induced to engage in the sexual act by any threat by the other person (gross sexual assault only); or

vii. Has been furnished with drugs or alcohol by the other person which resulted in substantial impairment of the person's power to appraise or control their sexual acts (gross sexual assault only).

Sexual assault for purposes of this definition also includes sexual crimes against minors, including crimes of [visual sexual aggression against a child](#), [sexual abuse of a minor](#), [sexual misconduct with a child under 14 years of age](#), [solicitation of a child to engage in a prohibited act](#), and [solicitation of a child to engage in prostitution](#).

- 2) **“Unauthorized Dissemination of Certain Private Images”** means to intentionally harass, torment or threaten the depicted person or another person, knowingly disseminates, displays or publishes a photograph, videotape, film or digital recording of another person in a state of nudity or engaged in a sexual act or engaged in sexual contact in a manner in which there is no public or newsworthy purpose when the person knows or should have known that the depicted person is: (i) identifiable from the image itself or information displayed in connection with the image; and (ii) has not consented to the dissemination, display or publication of the private image.
- 3) **“Sex Trafficking or Aggravated Sex Trafficking”** means to knowingly: (i) promote prostitution by compelling a person to enter into, engage in or remain in prostitution; (ii) promote prostitution of a person 15, 16 or 17 years of age; or (iii) promote prostitution of a person who suffers from a mental disability that is reasonably apparent or known to the actor and that in fact renders the other person substantially incapable of appraising the nature of the conduct involved.
- 4) **“Sexual Harassment”** means any unwelcome verbal or physical conduct of a sexual nature directed at a specific person, as well as retaliation for communicating about or filing a complaint of sexual harassment.

b. **“Intimate Partner Violence”** means any act that constitutes abuse under [19-A MRS §4002\(1\)\(A-H\)](#) committed between individuals who are or have been in a social relationship of an intimate nature, regardless of whether the individuals were or are sexual partners. Conduct within the definition of intimate partner violence includes the following:

- 1) Sexual Assault as defined in Section C. 2.a.1 herein.
- 2) Attempting to cause or causing bodily injury or offensive physical contact;

- 3) Attempting to place or placing another in fear of bodily injury through any course of conduct, including, but not limited to, threatening, harassing or tormenting behavior.
 - 4) Compelling a person by force, threat of force or intimidation to engage in conduct from which the person has a right or privilege to abstain or to abstain from conduct in which the person has a right to engage.
 - 5) Knowingly restricting substantially the movements of another person without that person's consent or other lawful authority: (i) removing that person from that person's residence, place of business or school; (ii) moving that person a substantial distance from the vicinity where that person was found; or (iii) confining that person for a substantial period either in the place where the restriction commences or in a place to which that person has been moved.
 - 6) Communicating to a person a threat to commit, or to cause to be committed, a crime of violence dangerous to human life against the person to whom the communication is made or another, and the natural and probable consequence of the threat, whether or not that consequence in fact occurs, is to place the person to whom the threat is communicated, or the person against whom the threat is made, in reasonable fear that the crime will be committed;
 - 7) Repeatedly and without reasonable cause following a person or being at or in the vicinity of the person's home, school, business or place of employment.
- c. **"Stalking,"** means intentionally, knowingly, or recklessly engaging in a course of conduct directed at or concerning a specific person that would cause a reasonable person to; i) suffer serious inconvenience or emotional distress, ii) fear bodily injury or fear bodily injury to a close relation; iii) fear death or fear the death of a close relation, iv) fear damage or destruction to or tampering with property, or v) fear injury to or the death of an animal owned by or in the possession and control of that specific person.

3. Other Applicable Definitions

- a. **"Consent"** means a knowing, voluntary, and mutual agreement among all participants to engage in sexual activity. Consent can be given by words and/or actions, as long as those words and/or actions create clear permission regarding willingness to engage in the sexual activity at the time of the activity. Mere submission to engaging in a sexual activity without communicating an affirmative agreement to participate does not constitute consent. Consent can be withdrawn at any time and, if so withdrawn, the sexual activity shall stop.

Consent has been obtained when a reasonable person in the Respondent's position would understand through words and/or actions that the person has voluntarily agreed to the sexual activity, at the time of the activity. Agreement to engage in one sexual activity (such as a Touching) is not agreement to engage in a different sexual activity (such as an Act). Agreement from a person: i) who is unconscious; ii) whose ability to understand the nature of the conduct or control their sexual acts is substantially impaired by drugs, alcohol or other incapacitation, iii) subjected to threats of or use of physical harm or otherwise placed in fear of physical harm; iv) who withdrew consent or otherwise clearly communicated an objection to the activity; or v) under the statutory age of consent for the nature of the activity shall not be regarded as consent.

- b. **“Complaint”** means an oral or written request to the institution that objectively can be understood as a request for the institution to investigate and make a determination about alleged sex discrimination.
- c. **“Complainant”** for an allegation of sex-based harassment means:
 - 1) a student (an individual who has gained admission) or employee who is alleged to have been subjected to conduct that would constitute sex discrimination or a person other than a student or employee who is alleged to have been subjected to conduct that could constitute sex discrimination and who was participating or attempting to participate in the recipient's education program or activity at the time of the alleged sex discrimination; or
 - 2) a legally authorized representative with the legal right to act on behalf of a complainant.

For instances of allegations of sex-based discrimination, “Complainant” includes the above definitions as well as:

- 1) Any student or employee; or
 - 2) Any person other than a student or employee who was participating or attempting to participate in the institution's education program or activity at the time of the alleged discrimination.
- d. **“Confidential Employee”** means:
 - 1) an employee whose communications are privileged or confidential under Federal or state law;
 - 2) an employee who has been designated as confidential for the purposes of providing services to complainants; or
 - 3) an employee who is conducting IRB-approved human subject research designed to gather information about sex discrimination.
 - e. **“Criminal negligence”** means:
 - 1) When a person fails to be aware of a risk that their conduct will cause a particular result.

- 2) When a person with respect to attendant circumstances fails to be aware of the risk that such circumstances exist.
- 3) The failure to be aware of the risk, when viewed in the light of the nature and purpose of the person's conduct and the circumstances known to the person, must involve a gross deviation from the standard of conduct that a reasonable and prudent person would observe in the same situation.

For example, as applied to sexual activity, the conduct may constitute sexual assault if a person knew or should have known that the other person's ability to appraise or control their sexual activity is substantially impaired by drugs or alcohol, and the person nonetheless engaged in a sexual act, sexual contact or sexual touching with the other person.

- f. **“Disclosure/Report”** means an informal, potentially anonymous, allegation of prohibited conduct.
- g. **“Hostile Environment Harassment”** means unwelcome sex-based conduct that, based on the totality of the circumstances, is subjectively and objectively offensive and is so severe or pervasive that it limits or denies an individual's ability to participate in or benefit from the institution's education program or activity.
- h. **“Quid Pro Quo Harassment”** means an employee, agent, or other person authorized by the institution to provide an aid, benefit, or service under the institution's education program or activity explicitly or impliedly conditioning the provision of such aid, benefit, or service on an individual's participation in unwelcome sexual conduct.
- i. **“Respondent”** means an individual who is alleged to have violated the recipient's prohibition on sex discrimination.
- j. **“Retaliation”** means intimidation, threats, coercion, or discrimination against any person by the institution or any employee or other individual authorized by the institution to provide aid, benefit, or services, or by a student, for the purposes of interfering with any right or privilege secured by Title IX, or because an individual has made a Disclosure/Report or Complaint, testified, assisted, participated or refused to participate in any aspect of this discrimination procedure.

D. **Discrimination Based on Pregnancy or Related Conditions**

MCCS does not discriminate based on pregnancy or related conditions, including childbirth, termination of pregnancy, and recovery. This also includes lactation, and pregnancy-related medical conditions. Pregnancy or related conditions are treated in the same manner and under the same policies as any other temporary medical condition.

The institution must provide reasonable modifications for students, reasonable break time for employees for lactation, and a clean, private lactation space for both students and employees.

If an employee learns from a student that they are pregnant, the employee must provide the students with the Title IX Coordinator's contact information and let them know that the Coordinator can coordinate actions to prevent discrimination and ensure equal access. This includes the option of individualized, reasonable modifications as needed to prevent discrimination and ensure equal access. It may include a voluntary leave of absence for, at minimum, the medically necessary time period, and reinstatement upon return.

The institution cannot require supporting documentation from a student unless doing so is necessary and reasonable.

E. Disclosures/Reports and Complaints

A Disclosure/Report alleging an incident of prohibited conduct can be made informally, anonymously, orally or in writing. Supportive measures are available for students and employees who make a Disclosure/Report. Informal Resolution Facilitation is also available to individuals making Disclosure/Report. A person making a Disclosure/Report is not required to file a Complaint.

Only a Complaint initiates the investigative and adjudication process set forth in this Procedure. A Complaint must be objectively understood as a request for the institution to investigate and resolve the allegation. Supportive measures are available for the Complainant and Respondents named in the Complaint.

1. Disclosures/Reports

- a. Students and employees are advised to Disclose/Report allegations of prohibited conduct immediately, or as soon as possible after the incident of prohibited conduct. Disclosures/Reports can be made via mail, email, phone, web form, or in person.
- b. Disclosure/Reports should be made to the Title IX Coordinator.
 - 1) Any non-confidential employee who has the authority to take corrective action on behalf of the institution or who has responsibility for administrative leadership, teaching, or advising is obligated to notify the Title IX Coordinator.
 - 2) All other non-confidential employees are obligated to either notify the Title IX coordinator or provide the contact information of the Title IX Coordinator and information on how to make a Complaint to any individual who Discloses/Reports to the employee conduct that reasonably may constitute sex discrimination.
 - 3) An individual Disclosing/Reporting a pregnancy to an employee must be provided with the Title IX Coordinator's contact information and informed that the Coordinator can coordinate specific actions to prevent discrimination and ensure equal access.

- c. Reports should include enough information to enable the Title IX Coordinator to follow up with the person alleged to have experienced the prohibited conduct.
- d. The Title IX Coordinator must reach out to, and meet with, the person alleged to have experienced the prohibited conduct, if known, or to the Disclosing/Reporting party if not known, and provide:
 - 1) The option for supportive measures and that Informal Resolution facilitation, as detailed in Section G.3, is available to them;
 - 2) Information required by federal and state laws on available resources; and
 - 3) Information on the Complaint and the Grievance Procedure, including that the person is not required to make a Complaint.
- e. The Title IX Coordinator must document that this information was provided.
- f. If the person does not wish to make a Complaint, the Title IX Coordinator may make a Complaint based on the allegation, and would be the signatory, but not a party to the complaint. This discretion is permitted only after consideration of:
 - 1) The Complainant's request not to proceed with initiating a Complaint;
 - 2) The Complainant's reasonable safety concerns regarding initiation of a Complaint;
 - 3) The risk that additional acts of sex discrimination would occur if a Complaint is not initiated;
 - 4) The severity of the alleged sex discrimination, including whether the conduct, if proven, would require the removal of a respondent from campus or imposition of another disciplinary sanction to end the discrimination and prevent its recurrence;
 - 5) The age and relationship of the parties, including whether the Respondent is an employee;
 - 6) The scope of the alleged sex discrimination, including information suggesting a pattern, ongoing sex discrimination, or sex discrimination alleged to have impacted multiple individuals;
 - 7) The availability of evidence to assist a Decision Maker in determining whether sex discrimination occurred; and
 - 8) Whether the institution could end the alleged sex discrimination and prevent its recurrence without the Title IX Coordinator signing the Complaint.
- g. If the Title IX Coordinator determines there is an imminent and serious threat to the health or safety to an individual or that the alleged conduct prevents

ensuring equal access, they may sign the Complaint, but must notify the Complainant that they are doing so, and address safety concerns.

2. Complaints

- a. Students and employees are to make a Complaint with allegations of prohibited conduct immediately, or as soon as possible. Complaints may be made during or after the complainant's participation or attempted participation in an MCCS education program or activity.
- b. Complaints shall be made to or forwarded to the Title IX Coordinator.
 - 1) Any non-confidential employee who has the authority to take corrective action on behalf of the institution or who has responsibility for administrative leadership, teaching, or advising is obligated to notify the Title IX Coordinator.
 - 2) All other non-confidential employees are obligated to either notify the Title IX coordinator or provide the contact information of the Title IX Coordinator and information on how to make a Complaint to any individual who Discloses/Reports to the employee conduct that reasonably may constitute sex discrimination.
 - 3) An individual Disclosing/Reporting a pregnancy to an employee must be provided with the Title IX Coordinator's contact information and informed that the Coordinator can coordinate specific actions to prevent discrimination and ensure equal access.
- c. Complaints should contain as much detail as possible, including the identity of the person(s) alleged to have engaged in the prohibited conduct, and the location(s), date(s) and description of the alleged conduct.
- d. Upon receipt of a Complaint, the college has sixty business days to conclude any Informal Resolution or conduct the Investigation and issue the draft report. Extensions shall be made only for good cause.
- e. It is a violation of MCCS Policy 202 for any person to intentionally file a Disclosure/Report or Complaint of prohibited conduct with an MCCS official when the person knows that such report, by fabrication or material embellishment, is false.

3. Discretionary Dismissal of a Complaint

MCCS has the discretion to dismiss a Complaint if after seeking clarification from the Complainant:

- a. The institution is unable to identify the Respondent after taking reasonable steps to do so;
- b. The Respondent is not participating in the institution's education program or activity and is not employed by the institution;

- c. The Complainant voluntarily withdraws any or all of the allegations of the complaint, the Title IX Coordinator did not sign the complaint and the institution determines the conduct would not constitute sex discrimination even if proven; or
- d. The institution determines the conduct would not constitute sex discrimination even if proven.

4. Appeal of Dismissal of Complaint

A written notice shall be provided to the Complainant, or both parties if the Respondent has already been placed on notice, if the Complaint is dismissed from this Procedure, including in those situations when the Complaint is dismissed from Title IX jurisdiction, but continues to proceed under state criteria, or vice versa. The notice shall include the right to appeal the decision in writing to the president within two business days of receipt. The request to appeal the decision shall include the grounds for appeal;

- a. Procedural irregularity that would change the outcome;
- b. New evident that would change the outcome and that was not reasonably available when the dismissal was made; or
- c. The Title IX Coordinator, Investigator, or Decision Maker had a conflict of interest or bias for or against the Complainants or Respondents generally or the individual Complainant or Respondent that would change the outcome.

F. Supportive Measures Offered to a Person at the Time of a Disclosure/Report; Supportive Measures Provide Offered to Complainant and Respondent at the Time of a Complaint

Supportive measures are individualized, non-disciplinary services offered as appropriate and as reasonably available, without fee or charge. The measures are designed to restore or preserve equal access to an educational program or activity without unreasonably burdening the other party. Supportive measures may include, but are not limited to, counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus.

MCCS shall maintain confidentiality for the complainant and respondent of any supportive measures that they receive, to the extent possible. The Title IX Coordinator shall implement and monitor the supportive measures. Supportive measures may be reviewed at any time upon request to the Title IX Coordinator.

Parties receiving notices of a supportive measure may appeal a supportive measure by filing with the Title IX Coordinator within two business days of receipt. The request to appeal the decision shall include the grounds for appeal. The Title IX Coordinator will ask an impartial employee to review the appeal and determine whether to modify or reverse the Title IX Coordinator's decision to provide, deny, modify, or terminate a supportive measure applicable to the appealing party.

G. Grievance Procedures

1. Notice of Complaint

Both the Complainant and the Respondent shall be notified, simultaneously, that a Complaint has been made. The notice must include:

- a. Details of the allegation (parties, conduct, date, location);
- b. The grievance resolution Procedure, including that the process shall be equitable, prompt, and impartial;
- c. A statement that retaliation is prohibited;
- d. Both parties may receive supportive measures, and the Title IX Coordinator will work with each party to implement individualized measures;
- e. Both parties may have an advisor, who can be an attorney, of their choice;
- f. Both parties may inspect and review relevant and not otherwise impermissible evidence;
- g. The Respondent is presumed not responsible and a determination regarding responsibility, using the preponderance of evidence standard, shall be made at the conclusion of the grievance process;
- h. The MCCS bears the burden of proof;
- i. An Informal Resolution process may be available if it is appropriate; not already attempted; both parties agree in writing to participate; the parties can return to the Grievance process any time until a resolution has been agreed upon; and documents on the agreement to participate, final resolution, or return to formal grievance process will be kept on record; and
- j. It is a violation of MCCS Policy 202 to make false statements in the course of the investigation.

Additionally, the notice must include statements regarding:

- a. Preserving Evidence;
- b. Confidentiality;
- c. Law Enforcement;
- d. Counseling, Health and Mental Health resources;
- e. Victim Advocacy and Legal Assistance resources;

- f. Visa and Immigration resources; and
- g. Student Financial Aid resources.

2. Emergency Removal of Respondent

A Respondent may not receive any disciplinary sanctions, such as suspension or expulsion, prior to the conclusion of the grievance process. MCCS may remove a Respondent on an emergency basis from the time of a report through to the end of the investigation, provided that MCCS:

- a. Undertakes an individualized safety and risk analysis; and
- b. Determines that there is an immediate risk of physical health or safety to any person arising out of the allegations of sexual harassment.

MCCS shall provide the Respondent with written notice of emergency removal. It shall also provide the opportunity to be heard immediately following the removal. To file an appeal, students shall contact the Dean of Students and employees shall contact the Director of Human Resources or the president's designee. The Dean of Student/Director of Human Resources decision shall be final.

3. Informal Resolution Procedures

- a. The Informal Resolution process shall be guided by a trained mediator.
- b. The Informal Resolution process may be available if both parties agree in writing.
- c. The Informal Resolution process is available at any time prior to reaching a determination regarding responsibility.
- d. Information disclosed by the parties during the Informal Resolution process is confidential and may not be used as evidence during the Grievance process.
- e. At any time until an Informal Resolution has been agreed upon, the parties may leave the Informal Resolution process. If a Complaint has been filed, the parties return to the Grievance process. Likewise, if a Complaint has been made and the Informal Resolution process fails because the parties cannot agree on a resolution, the Complaint shall be referred to the Grievance process.
- f. A successful Informal Resolution process will yield an agreement between the parties. Once the agreement is reached the parties cannot pursue the Grievance process for the same conduct.

- g. Agreements to participate in the Informal Resolution process, Informal Resolutions, and the referral to the Grievance process shall be kept as records.

4. Formal Resolution Procedures

a. Investigation

The College shall investigate Complaints of conduct governed by this Procedure. Both the Complainant and the Respondent shall have the same opportunity to provide evidence and witnesses to the investigator. If the parties do not agree to attempt an Informal Resolution, the investigation will be initiated after the notice of investigation is issued.

All parties shall receive written notice of the date(s), times(s), location(s), participant(s), and purpose of all hearings, investigative interviews or other meetings, with sufficient time for the party to prepare to participate. If the Title IX Coordinator decides the Investigator shall investigate allegations about the Complainant or Respondent that are not included in the initial notice, the Title IX Coordinator shall provide notice of the additional allegations. Further, a College may consolidate Complaints where the allegations of prohibited conduct arise out of the same facts or circumstances.

In gathering evidence, the College may not use records that are privileged without obtaining that party's voluntary written consent. Both parties will have equal opportunity to present witness, expert witnesses, and evidence to the Investigator. Parties shall forward all evidence to the Investigator as soon as the evidence becomes available.

Prior to the completion of the investigative report, the investigator will provide to the parties, and their respective advisors (if the party has one), all gathered evidence relevant to the allegations, and a copy of the draft report. The evidence will either be electronic or hard copy. The parties and their respective advisors (if the party has one) are prohibited from copying, sharing, posting, or otherwise disseminating the evidence. This prohibition does not apply to the use of evidence in a judicial proceeding. The parties have ten business days to submit a written response to the investigator. Those written responses will be appended to the report.

In instances where credibility is not in dispute, the Investigator shall issue the written report and a written finding of responsibility including a statement of and rationale for the finding as to each allegation including a determination regarding responsibility, any disciplinary sanctions the College will impose on the respondent, and whether remedies will be provided to the complainant.

In instances where credibility is in dispute, the Investigator shall issue the final report without findings and remedies/sanctions, and the matter will be referred to a Decision Maker who will conduct a live hearing.

The parties will be provided with a copy of the procedures for a live hearing, as well as the procedures governing the submission and consideration of evidence used during the live hearing.

b. Live Hearing

The hearings shall be live and may be aided by technology so that the parties may see and hear the proceedings from separate rooms. A recording of the hearing shall be provided to both parties no later than ten business days after the hearing and shall not be copied, shared, posted, or otherwise disseminated. The hearings shall be conducted by a Decision Maker in accordance with this Procedure and the MCCS Rules for Title IX Live Hearings and shall use the preponderance of the evidence standard. The Decision Maker shall make determinations of credibility and a determination of responsibility.

Three business days prior to the hearing, parties shall be required to confirm attendance; provide the names of their advisor if they have one; and provide their witness list, in the order the witnesses shall be called. The parties shall also be invited to submit their list of cross-examination questions to the Decision Maker for relevancy predetermination.

The Decision Maker shall open the proceeding and recognize the parties and their respective advisors. The Decision Maker shall question the parties and witnesses and conduct cross examination. The Decision Maker shall make relevancy determinations on every question and follow up question before the question is answered by the party or witness. Parties may not appeal the relevancy determination of the Decision Maker.

The Decision Maker may weigh the credibility of a party or witness, including when a party or witness refuses to respond to relevant and permissible questions. The Decision Maker may not draw an inference as to whether the harassment occurred solely based on an individual's refusal to respond to questions during the live hearing.

All evidence collected during the investigation shall be available at the hearing. The parties and their respective advisors (if applicable) shall not copy, share, post, or otherwise disseminate the evidence. This prohibition does not apply to the use of evidence in a judicial proceeding.

The Decision Maker shall issue in writing a responsibility finding which shall include a statement of and rationale for the finding as to each allegation including a determination regarding responsibility, any disciplinary sanctions the College will impose on the Respondent, and whether remedies will be provided to the Complainant.

c. Findings

Not more than seven business days after final determination of the Complaint, the Decision Maker shall issue written findings which shall include:

- 1) Identification of the allegations potentially constituting sexual discrimination or harassment;
- 2) A description of the procedural steps taken from the receipt of the Complaint through the determination, including all notifications to parties, interviews with parties and witnesses, site visits, methods used to gather evidence and hearings held;
- 3) Findings of fact supporting the determination;
- 4) Conclusions regarding the application of Policy 202 and, if applicable, the MCCS Student Code of Conduct;
- 5) A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanction the College imposes on the respondent, and whether remedies are provided to the complainant; and
- 6) The grounds and procedures for the parties to appeal.

Both parties shall be notified simultaneously in writing and provided with the written findings.

d. Appeals

Both parties have the right to appeal the findings and any discipline imposed. Grounds for appeal are:

- 1) Procedural irregularities affecting the outcome;
- 2) New evidence that was not previously available that would affect the outcome; and
- 3) The Title IX Coordinator, Investigator, or Decision Maker has a conflict of interest or bias for or against Complainants or Respondents, generally, or the individual Complainant or Respondent that would change the outcome.

The appeal request, with grounds for appeal, must be made in writing to the president within two business days of the written notice of findings. MCCS shall notify the other party when an appeal has been filed and both parties shall have five business days to submit a written statement in support of or challenging the grounds for appeal. The president or their designee shall simultaneously issue a

written decision to both parties with the result of the appeal and the rationale for the decision.

H. Discipline

Student respondents found responsible shall be subject to the full range of potential disciplinary measures set forth in Section IV of the Student Code of Conduct, up to and including dismissal from the College. Employees found responsible shall be subject to the full range of potential disciplinary measures from counseling to termination.

I. Record Retention

The College shall maintain records of each sexual harassment investigation including any determination regarding responsibility and any audio or audiovisual recording of the hearing, any disciplinary sanctions imposed on the respondent, any remedies provided to the complainant, any information resolution and the result therefrom, and all training materials for a period of seven years.

J. Primary Authority and Annual Training

The Title IX Coordinator(s) at each college and MCCS System Office shall have primary responsibility for overseeing the application of this Procedure. The Coordinator(s) shall ensure that Senior Officials, Informal Resolution facilitators, Investigators, Decision Makers, Appeals Decision Makers, Resident Directors, Resident Assistants, and other pertinent employees are annually informed about this Procedure, and that all training materials are publicly posted to the College's website. The Title IX Coordinator(s) shall further consult with the MCCS General or Associate Counsel on questions arising under, or recommendations to improve, this Procedure.

In addition, Investigators, Decision Makers and Appeals Decision Makers shall receive not less than annual training on issues related to sexual violence, intimate partner violence or stalking, investigatory procedures and hearing procedures to protect the safety and rights of students and promote accountability, objectivity and a trauma-informed response.

K. Other

Nothing in this Procedure shall be construed to confer a private right of action upon any person to enforce the provisions of this Procedure.

L. Appendix

The referenced Appendix of services and authorities is attached to this Procedure and may be updated as needed, without pre-approval by the presidents.

REFERENCES: 20-A M.R.S.A. §12706(7); The Campus SaVE Act (§304 of the re-authorized Violence Against Women Act of 2013 (VAWA); 20 U.S.C. §1092(f)(8) (Clery); 34 C.F.R. 106.1 et. seq. (Title IX); 20-A MRS §12981 et. seq.; MCCS Policies 202, 501, and 807.

DATE ADOPTED: August 10, 2020 (effective August 14, 2020)

DATES AMENDED: June 20, 2023; June 26, 2024 (effective August 1, 2024)

APPENDIX

TITLE IX COORDINATORS

Central Maine Community College

Dean of Students
nhamel@cmcc.edu
207-755-5284

Eastern Maine Community College

Dean of Students
etrue@emcc.edu
207-974-4673

Kennebec Valley Community College

Dean of Students
cmckenna@kvcc.me.edu
207-453-5019

Northern Maine Community College

Dean of Students
nmgrillo@nmcc.edu
207-768-2792

Southern Maine Community College

Dean of Students
deanofstudents@smccME.edu
207-741-5544

Washington County Community College

Dean of Students
tstoltd@emcc.me.edu
207-454-1032

York County Community College

Dean of Students
cburbank@yccc.edu
207-216-4399

COUNSELING AND MENTAL HEALTH SERVICES

Central Maine Community College

<https://www.cmcc.edu/student-life/resources/health-and-counseling/>

Student Services (207) 755-5293

Eastern Maine Community College

<https://www.emcc.edu/student-life/resources/counseling/>

(207) 974-4858

sking@emcc.edu

Kennebec Valley Community College

<https://www.kvcc.me.edu/student-services/resources/counseling-support>

(207) 453-5150

mclement@kvcc.me.edu

Northern Maine Community College

<https://www.smccme.edu/student-life/counseling/>

Students may also contact:

Aroostook Mental Health Center

(207) 764-3319

Emergency Help Line 207-762-4581 or 1-800-432-7805

Southern Maine Community College

<https://www.smccme.edu/student-life/counseling/>

1-800-434-3000

Washington County Community College

WCCC refers students to:

Aroostook Mental Health Center

<https://www.amhc.org/>

(207) 498-6431

York County Community College

YCCC recommends that students contact:

York County Community Action

Nasson Health Care

<https://yccac.org/health-care/>

(207) 490-6900

SEXUAL ASSAULT SUPPORT SERVICES

Maine Coalition Against Sexual Assault (MeCASA)

24 hour statewide sexual assault crisis and support line

1-800-871-7741 (voice) 711 (Maine Relay)

The Maine Coalition Against Sexual Assault (MeCASA) works towards ending sexual violence by supporting a regional network of sexual assault crisis and support centers across the State of Maine,

funding victim services and prevention efforts in Maine's communities, and advocating for victim-centered public policy and systems change. The regional centers listed below all provide the following free sexual assault support services to persons who have experienced sexual violence, without regard to sexual orientation, gender or gender identity:

- Confidential support, including crisis support, from trained, caring people
- Help, information, and in person support for survivors who go to the hospital, police or court
- Connection to other services in your community
- Support groups

Sexual Assault Response Services of Southern Maine

York and Cumberland Counties
24 hour support line: 1-800-313-9900
www.sarsonline.org

Sexual Assault Support Services of Midcoast Maine

Eastern Cumberland, Lincoln, Sagadahoc, Knox and Waldo Counties
24 hour support line: 1-800-822-5999
Anywhere in Maine: 1-800-871-7742
TTY: 1-888-458-5599
www.sassmm.org

Sexual Assault Prevention & Response Team

Androscoggin, Franklin and Oxford Counties, and the Towns of Bridgton and Harrison
24 hour helpline: 1-888-458-5599
TTY: 1-888-458-5599
www.sapars.org

Sexual Assault Crisis & Support Center

Kennebec and Somerset Counties
24 hour support line: 1-800-871-7741
www.silentnomore.org

Rape Response Services

Penobscot and Piscataquis Counties
24 hour hotline: 1-800-310-0000
TDD: 1-888-458-5599
www.rrsonline.org

AMHC Sexual Assault Services

Aroostook, Hancock & Washington Counties
(207)-498-6431
www.amhc.org

United Somali Women of Maine

Androscoggin and Cumberland Counties
(207) 753-0061
www.uswofmaine.org

Confidential Resource Advisors

Central Maine Community College

SAPARS

Shawna Austin

she/her

shawna.austin@sapars.org

Eastern Maine Community College

Bridget Riffel

she/hers

briffelg@emcc.edu

Kennebec Valley Community College

SAC&SC

Jenna McCarthy

she/her

Jennifer.McCarthy@silentnomore.org

Northern Maine Community College

AMHC

Wendy Page

she/her

WPage@amhc.org

Southern Maine Community College

Ellen Culberson

she/hers

eculberson@smccme.edu

Washington County Community College

AMHC

Wendy Page

she/her

WPage@amhc.org

York County Community College

SARSSM

Andrew Shepard

they/them

andrews@sarssm.org

National Resources

National Sexual Assault Hotline: 1-800-656-HOPE

National Sexual Assault Online Hotline : <https://ohl.rainn.org/online/>

For a list of resources with particular focus on the needs of LGBTQ persons, see: <http://barcc.org/information/resources-online/glb>

DOMESTIC VIOLENCE SERVICES

Maine Coalition to End Domestic Violence (MCEDV)

Statewide Domestic Abuse Helpline: 1-800-437-1220

info@MCEDV.org

<https://www.mcedv.org/get-help/>

The Maine Coalition to End Domestic Violence works to end domestic abuse, dating abuse, stalking, elder abuse and commercial sex trafficking and supports a statewide network of nine member organizations. The member organizations provide the following services to victims, their families and the community: 24 hour helpline, safety planning, legal advocacy, sheltering and housing, support groups, community education, prevention education, and domestic violence/child protective services advocacy.

The following are MCEDV member organizations:

Hope and Justice Project

Aroostook County

24 Hour Helpline: 1-800-439-2323

www.hopeandjusticeproject.org

Next Step Domestic Violence Project

Hancock and Washington Counties

24 hour Helpline 1-800-315-5579

TTY available through relay. Dial 711 and ask the operator to call the 800# above.

www.nextstepdvproject.org

Partners for Peace

Penobscot and Piscataquis Counties

24 hour Helpline: 1-800-863-9909

TTY: 1-800-437-1220

www.partnersforpeaceme.org

New Hope Midcoast

Waldo, Knox, Lincoln and Sagadahoc Counties

24 hour Helpline: 1-800-522-3304

<http://newhopemidcoast.org>

Family Violence Project

Kennebec and Somerset Counties

24 hour Helpline: 1-877-890-7788

<https://www.familyviolenceproject.org/>

Immigrant Resource Center of Maine

Statewide- Serving refugee and immigrant communities through culturally and linguistically sensitive services.

Helpline: 1-866-834; 1-800-437-1220

www.ircofmaine.org

Safe Voices

Franklin, Oxford and Androscoggin Counties

24 hour Helpline: 1-800-559-2927

<https://safevoices.org/>

Through These Doors

Cumberland County

24 hour Helpline: 1-800-537-6066 (TTY accessible)

www.throughthesedoors.org

Caring Unlimited

York County

24 hour Helpline: 1-800-239-7298

www.caring-unlimited.org

SEXUAL ASSAULT AND DOMESTIC VIOLENCE RESOURCES FOR TRIBAL COMMUNITIES

Wabanaki Women's Coalition

(207) 763-3478

<https://www.wabanakiwomenscoalition.org>

The Wabanaki Women's Coalition supports a network of tribal support centers dedicated to serving the needs of survivors of domestic violence, dating violence, sexual violence, stalking and sex trafficking, while working to end violence against Native children and adults. Members of the coalition provide emotional support, crisis intervention, emergency shelter, safety planning, court and legal advocacy, hospital accompaniment, transitional housing assistance, advocacy in expressed areas of need, information and referrals and education.

Members of the coalition are:

Aroostook Band of Micmac Indians Domestic & Sexual Violence Advocacy Center

24 hour Helpline: 207-551-3639

www.wabanakiwomenscoalition.org/micmac-domestic-and-sexual-violence-advocacy-center/

Houlton Band of Maliseet Indians Domestic & Sexual Violence Advocacy Center

24 hour Helpline: 207-532-6401

www.wabanakiwomenscoalition.org/maliseet-domestic-and-sexual-violence-advocacy-center/

Indian Township Passamaquoddy Domestic & Sexual Violence Advocacy Center

24 hour Helpline: 207-214-1917

www.wabanakiwomenscoalition.org/indian-township-passamaquoddy-domestic-violence-program/

Pleasant Point Passamaquoddy Peaceful Relations Domestic and Sexual Violence Advocacy Center

24 hour Helpline: 1-877-853-2613

www.wabanakiwomenscoalition.org/passamaquoddy-peaceful-relations/

Penobscot Indian Nation Domestic & Sexual Violence Advocacy Center

24 hour Helpline: 207-631-4886

www.wabanakiwomenscoalition.org/penobscot-nation-domestic-and-sexual-violence-advocacy-center/

VICTIM COMPENSATION PROGRAM

Maine's Attorney General's Office facilitates a crime victim's compensation program.

https://www.maine.gov/ag/crime/victims_compensation/

Victims' Compensation Program
Maine Office of the Attorney General
6 State House Station
Augusta, Maine 04333-0006
Tel: (207) 624-7882, or (800) 903-7882

POLICE DEPARTMENTS

Municipal police departments are responsible for responding to complaints of civil and criminal conduct occurring within the boundaries of their municipality. Police departments receive and investigate complaints and issue summonses and/or make arrests. With felony level conduct, it is within the discretion of the district attorney (“DA”) to present information to a grand jury which decides whether there is adequate basis to issue an indictment and charge a felony crime. The DA’s office has a dedicated victim/witness advocate who provides support to crime victims while a matter is pending in court.

Below is contact information for the police departments serving the municipalities in which the community colleges are located.

Central Maine Community College

Auburn Police Department
60 Court Street
Auburn, Maine 04210
(207) 333-6650

Southern Maine Community College

South Portland Police Department
30 Anthoine Street
South Portland, Maine 04106
(207) 799-5511

Eastern Maine Community College

Bangor Police Department
240 Main Street
Bangor, Maine 04401
(207) 947-7382

Southern Maine Community College

Brunswick Police Department
85 Pleasant Street
Brunswick, ME 04011
207-725-5521

Kennebec Valley Community College

Fairfield Police Department
One Police Plaza
Fairfield, Maine 04937
(207) 453-9321

Washington County Community College

Calais Police Department
North Street
Calais, Maine 04619
(207) 454-2751

Northern Maine Community College

Presque Isle Police Department
43 North Street, Suite 2
Presque Isle, Maine 04769
(207) 764-4476

York County Community College

Wells Police Department
1563 Post Road
Wells, Maine 04090
(207) 646-9354

SHERIFF’S OFFICES

Sheriff’s Offices are county-wide law enforcement agencies that provide services to communities that do not have a municipal police department. Sheriffs enforce the same laws and in the same manner as municipal police departments. A listing of Maine Sheriff’s Offices can be found at www.courts.maine.gov/help/small-claims/sheriffs.html.

MAINE STATE POLICE

The Maine State Police are a state-wide law enforcement agency with authority to investigate and bring state civil or criminal charges in any area of the state, without regard to municipal or county boundaries. Certain crimes are within the sole jurisdiction of the State Police, such as homicides. Contact information for the State Police can be found at www.maine.gov/dps/msp/about/contact.

FEDERAL BUREAU OF INVESTIGATION

The Federal Bureau of Investigation (“FBI”) is the primary law enforcement for the federal government and is charged with investigating more than 200 categories of federal laws nationwide. For example, the FBI investigates alleged violations of federal laws governing civil rights, human trafficking and kidnapping. Violations of federal laws are prosecuted by the U.S. Attorney for the District of Maine.

The Portland office can be contacted at (207) 774-0332 and the Bangor office can be contacted at (207) 947-6670.

HOSPITALS

Blue Hill Memorial Hospital

57 Water Street, Blue Hill, Maine 04614
(207) 374-3400
<http://www.bhmfh.org/>

Bridgton Hospital

10 Hospital Drive, Bridgton, Maine 04009
(207) 647-6000
<http://www.bridgtonhospital.org/>

C.A. Dean Memorial Hospital

364 Pritham Avenue, Greenville, Maine 04441
(207) 695-5200
<http://www.cadean.org/>

Calais Regional Hospital

24 Hospital Lane, Calais, Maine 04619
(207) 454-7521
<http://www.calaishospital.com/>

Cary Medical Center

163 Van Buren Road, Suite #1, Caribou, Maine 04736
(207) 498-3111
<http://www.carymedicalcenter.org/>

Central Maine Medical Center

300 Main Street, Lewiston, Maine 04240
(207) 795-0111
<http://www.cmmc.org>

Down East Community Hospital

11 Hospital Drive, Machias, Maine 04654
(207) 255-3356
<http://www.dech.org/>

Eastern Maine Medical Center

489 State St., Bangor, Maine 04402
(207) 973-7000
<http://www.emmc.org>

Franklin Memorial Hospital

111 Franklin Health Commons, Farmington, Maine 04938
(207) 778-6031
<http://www.fchn.org/>

Houlton Regional Hospital

20 Hartford Street, Houlton, Maine 04730
(207) 532-2900
<http://www2.houltonregional.org/>

Inland Hospital

200 Kennedy Memorial Drive, Waterville, Maine 04901
(207) 861-3000
<http://www.inlandhospital.org/>

LincolnHealth

35 Miles St., Damariscotta, Maine 04543
(207) 563-1234
<http://www.lhcare.org>

Maine Coast Memorial Hospital

50 Union Street, Ellsworth, Maine 04605
(207) 667-5311
<http://www.mainehospital.org>

MaineGeneral Medical Center

35 Medical Center Parkway, Augusta, Maine 04330
(207) 626-1000
<http://www.mainegeneral.org/>

Maine Medical Center

22 Bramhall Street, Portland, Maine 04102
(207) 662-0111
<http://www.mmc.org/>

Mayo Regional Hospital

897 West Main Street, Dover-Foxcroft, Maine 04426
(207) 564-8401
<http://www.mayohospital.com/>

Mercy Hospital

144 State Street, Portland, Maine 04101
(207) 879-3000
<http://www.mercyhospitalstories.org/>

Mid Coast Hospital

123 Medical Center Drive, Brunswick, Maine 04011
(207) 729- 0181
<http://www.midcoasthealth.com/>

Millinocket Regional Hospital

200 Somerset Street, Millinocket , Maine 04462
(207) 723-5161

<http://www.mrhme.org>

Mt. Desert Island Hospital

10 Wayman Lane, Bar Harbor, Maine 04609
(207) 288-5081

<http://mdihospital.org/site/>

Northern Maine Medical Center

194 East Main Street, Fort Kent, Maine 04743
(207) 834-3155

<http://www.nmmc.org/>

Parkview Adventist Medical Center

329 Maine Street, Brunswick, Maine 04011
(207) 373-2000

<http://www.parkviewamc.org>

Pen Bay Medical Center

6 Glen Cove Drive, Rockport, Maine 04856
(207) 596-8000

<http://www.penbayhealthcare.org/penbaymedicalcenter/>

Penobscot Valley Hospital

Box 368, Lincoln, Maine 04457
(207) 794-3321

<http://www.pvhme.org/>

Redington-Fairview General Hospital

46 Fairview Avenue, Skowhegan , Maine 04976
(207) 474-5121

<http://www.rfgh.net/>

Rumford Hospital

420 Franklin Street, Rumford, Maine 04276
(207) 369-1000

<http://www.rumfordhospital.org/>

Sebasticook Valley Health

447 North Main Street, Pittsfield, Maine 04967
(207) 487-4000

<http://www.sebasticookvalleyhealth.org/>

Southern Maine Health Care-Sanford Medical Center

25 June Street, Sanford, Maine 04073
(207) 283-7000

<http://www.smmc.org/>

St. Joseph Hospital

PO Box 403, Bangor, Maine 04401
(207) 262-1000

<http://www.stjoeshaling.org>

St. Mary's Regional Medical Center

P.O. Box 291, Lewiston, Maine 04243
(207) 777-8100

<http://www.stmarysmaine.com/>

Stephens Memorial Hospital

181 Main Street, Norway, Maine 04268
(207) 743-5933

<http://www.wmhcc.org>

The Aroostook Medical Center

140 Academy Street, Presque Isle, Maine 04769
(207) 768-4000

<http://www.tamc.org/>

Waldo County General Hospital

PO Box 287, Belfast, Maine 04915
(207) 338-2500

<http://www.wcgh.org/index.html>

York Hospital

15 Hospital Drive, York, Maine 03909
(207) 363-4321

<http://www.yorkhospital.com/>

LEGAL SERVICES

Pine Tree Legal Services

Free legal services for low –income Maine residents
for non-criminal matters

Augusta Office

Somerset, Lincoln and Knox Counties
39 Green Street
P.O. Box 2429
Augusta, Maine 04338-2429
(207) 622-4731 or (207) 623-7777

Bangor Office

Penobscot, Piscataquis and Waldo
115 Main Street, 2nd floor
Bangor, Maine 04401
(207) 942-8241

Lewiston Office

Androscoggin, Oxford and Franklin
37 Park Street, Suite 401
Lewiston, Maine 04243-0398
(207) 784-1558

Machias Office

Washington and Hancock
13 Cooper Street
P.O. Box 278
Machias, Maine 04654
(207) 255-8656

Portland Office

Cumberland, York, Sagadahoc,
Androscoggin, Oxford, Franklin, Lincoln and
Knox
88 Federal Street
P.O. Box 547
Portland, Maine 04112
(207) 774-8211

Presque Isle Office

Aroostook County
373 Main Street
Presque Isle, Maine 04769
(207) 764-4349

All Offices

TTY: 711
<http://www.ptla.org>

MAINE COMMUNITY COLLEGE SYSTEM

GENERAL ADMINISTRATION
Section 215

SUBJECT: CONSENSUAL ROMANTIC AND SEXUAL RELATIONSHIPS

PURPOSE: To prohibit certain consensual romantic and sexual relationships.

Romantic or sexual relationships between employees and students or between certain employees within the MCCS that begin consensually can end acrimoniously. Such endings can and do subsequently lead to claims of unprofessional conduct, sexual harassment in violation of MCCS Policy 202, and/or a conflict of interest in violation of MCCS policy. Such claims, even if ultimately determined to be without merit, are often expensive and time-consuming for the MCCS, and difficult for the individuals involved. Accordingly, the MCCS prohibits consensual romantic or sexual relationships between employees when one employee supervises or otherwise has authority over the other employee, and between an employee and a student when the employee instructs, advises or otherwise has authority over the student. Employees who violate these prohibitions are subject to counseling and/or disciplinary action.

In addition, consensual romantic or sexual relationships between an employee and a student located on the same campus, even when the employee does not instruct, advise or otherwise have authority over the student, can give rise to the same claims described above. Consequently, the MCCS strongly discourages such relationships between an employee and a student located on the same campus.

REFERENCES: *MCCS Policy 202*

DATE ADOPTED: January 24, 2018

DATE(S) AMENDED: July 8, 2020

APPENDIX E: Firearms policy

MAINE COMMUNITY COLLEGE SYSTEM

HEALTH AND SAFETY Section 803

SUBJECT: FIREARMS

PURPOSE: To regulate the possession on MCCS property

A. Rationale

The Board of Trustees accepts the recommendation of law enforcement that ready access to firearms by a person in distress contributes significantly to the likelihood of violence. The trustees also recognize the dangers posed by the accidental or careless discharge of a firearm on property owned, operated or occupied by the MCCS. This policy shall be enforced in good faith for the purpose of furthering safety on each campus.

B. Definitions

For purposes of this policy, the following terms have the following meanings:

1. "Firearm" means any weapon, whether loaded or unloaded, which is designed to expel a projectile by the action of an explosive and includes any such weapon commonly referred to as a pistol, revolver, rifle, gun, semi-automatic gun, machine gun, shotgun or any other weapon that can be made into a firearm by inserting a firing pin, or other similar thing, or by repair;
2. "Possession" means ownership, care, custody or control whether concealed or in plain view; and
3. "Property" means all colleges, campuses, off-campus centers, buildings, parking lots and all other grounds owned, operated or occupied by an entity of the MCCS.

C. Regulation

Pursuant to 20-A M.R.S.A. §10009, no person other than those specified below may possess a firearm on property owned, operated or occupied by a college and/or the System. This prohibition includes residence halls and motor vehicles parked on such property. This prohibition also includes any concealed weapon because a concealed carry permit does not authorize firearm possession in a location where, as under §10009, possession has been lawfully prohibited pursuant to express statutory authority. Persons who violate this policy may be subject to removal, discipline and/or other lawful remedies.

This regulation shall not apply to:

1. Law enforcement officials in their official capacity;
2. Supervised educational program personnel expressly approved in advance by a college president; and
3. Persons otherwise approved by the System president.

D. Use of Storage at Local Police Stations

A college or other M CCS location may not store firearms other than as a temporary or interim safety precaution. Each college should determine whether firearm storage for persons attending or visiting an M CCS property is available at a local police station and/or place of business, and advise accordingly those persons who seek such storage.

E. Notice

Each M CCS location shall provide at each location notice of this policy by publications, website and/or signage.

REFERENCES: §12706 (1) and (13); 20-A M.R.S.A. §10009 (superseding P.L. 2007, ch. 67 which amended 20-A M.R.S.A. §6552); 17-A M.R.S.A. §2 (12-A)

DATE ADOPTED: June 24, 2009

DATE(S) AMENDED: May 3, 2013; June 17, 2020

APPENDIX F: Student Code of Conduct

MAINE COMMUNITY COLLEGE SYSTEM

STUDENT AFFAIRS Section 501

SUBJECT: STUDENT CODE OF CONDUCT

PURPOSE: To establish a uniform Student Code of Conduct

The colleges of the MCCS shall use the following Student Code of Conduct.

I. Purpose of Code

The College requires students to conduct their affairs with proper regard and mutual respect for the College and the members of its community. In seeking to encourage responsible conduct, the College will rely upon counseling and admonition. When necessary, the College will use this Code in a prompt, fair and impartial manner to: 1) ensure the orderly administration of the College's academic, athletic and social offerings; 2) secure the opportunity of all students to pursue peacefully their educational objectives; 3) protect the health, safety and welfare of the College and the members of its community; and 4) maintain and protect the real and personal property of the College and the members of its community.

This Code applies *in addition* to other College and System policies and regulations, local ordinances, and state and federal laws. Students whose conduct violates those authorities may also be subject to their sanctions and penalties. Finally, the Residence Hall Agreement between a student and the College imposes similar but additional responsibilities and obligations, and students whose conduct violates both that Agreement and this Code may be disciplined by the College under either or both.

II. Persons Governed by Code

As used in this Code, "student" means any person who a) has been notified of admission to a College; b) is taking courses or otherwise pursuing studies at or through a College; c) has a continuing relationship with a College even if not officially enrolled for a particular term; or d) has withdrawn from a College while a disciplinary matter is pending.

This Code applies to students and to organizations that are student organizations at the time of the alleged conduct. Students and student organizations are also responsible for the conduct of their guests, and this Code may be invoked against students and student organizations whose guests violate the Code. When a student is alleged to have violated the Code at a College other than the College in which the student is enrolled, the violation will be referred for disposition to the student's campus of enrollment.

III. Conduct Governed by Code

This Code applies to conduct, wherever it occurs, that: 1) involves the real property owned, occupied or otherwise used by the College; 2) involves the personal property owned, occupied or

used by the College community; 3) involves a College or College-related activity, event or function; 4) poses an imminent or substantial threat to persons or property in the College community; and/or 5) otherwise interferes with the objectives or adversely affects the interests of the College or members of its community. Examples of violations of this Code include, but are not limited to:

- A. **Fraudulent conduct**, which includes, but is not limited to: 1) supplying or assisting to supply false information to College personnel; 2) violating a professional code of conduct or ethics; 3) unauthorized representation of the College or its personnel; 4) failing to identify oneself to College personnel; and/or 5) tampering with or falsifying official documents or records.

Allegations of plagiarism, cheating and other forms of academic misconduct shall first be handled pursuant the MCCS policies on academic misconduct and/or student issues arising at clinical affiliates which provide(s) for specific procedures and sanctions. Once the procedures and sanctions of those policies have been applied, the provisions of this Code shall apply.

- B. **Conduct that disregards the welfare, health or safety of the College community**, which includes, but is not limited to: 1) assault, harassment or intimidation; 2) false reports of fire or other dangerous conditions; 3) unauthorized use or possession of weapons, explosive components or chemicals, including fireworks, firearms, explosives, gas or compressed air; 4) disturbing authorized activities or the peaceful operation of the College; 5) use, possession, sale or distribution of alcoholic beverages or drugs as prohibited by law or College policy; 6) being under the influence or knowingly in the presence of drugs or alcohol while on College property or at College related events; 7) action prohibited by health or safety regulations; 8) creation of a fire hazard or other dangerous condition; 9) restriction of vehicular or pedestrian traffic flow into or out of College property or facilities; 10) action that produces mental or physical discomfort, embarrassment, harassment or ridicule to any member of the College community; 11) intentionally placing a person or persons in reasonable fear of physical harm; 12) lewd or indecent behavior; 13) tampering with fire or safety equipment; 14) parking violations; 15) disobeying the lawful order of College personnel; and/ or 16) any other conduct that threatens or endangers the health or safety of one's self or others.
- C. **Improper use of property**, which includes but is not limited to 1) misuse, destruction, defacement or unauthorized requisition, removal or use of College or College community property; 2) unauthorized presence on College property; and/or 3) violation of College or System computer use policies.
- D. **Other conduct that interferes with the orderly business of the College**, which includes, but is not limited to 1) interference with or interruptions of classes and other college activities; 2) failure to comply with a sanction or special terms and conditions of admission, enrollment and/or participation imposed by the College; 3) interference or refusal to cooperate with an inquiry under the Code; 4) continuous

violations of the Code; 5) aiding, abetting or inciting others to commit or cover-up a violation of the Code; 6) retaliation against a person for reporting an alleged violation of the Code; 7) acts of discrimination in violation of College or System policy; 8) conduct prohibited by civil or criminal law; 9) conduct that constitutes "special circumstances" as set forth in MCCS Policy 504, Section B.3.a-g; and/or 10) conduct prohibited by College or System policy.

- E. **Sexual misconduct and sexual assault**, as defined in and governed by MCCS Procedure 202.2.
- F. **Sexual harassment**, as defined in MCCS Policy 202 and governed by MCCS Procedure 201.1/202.1 and MCCS Procedure 202.2.
- G. **Dating violence, domestic violence and stalking**, as defined in and governed by MCCS Procedure 202.2.

The College will determine the applicable procedure for sexual harassment, sexual assault, dating violence, domestic violence and stalking after a review of the alleged conduct.

IV. Sanctions for Code Violations

Students who violate this Code may be subject to one or more sanctions which include, but are not limited to: 1) an apology; 2) reprimand; 3) probation; 4) work or service requirement; 5) restitution; 6) fine; 7) prohibition from College classes, functions or facilities; 8) special terms and conditions of enrollment and/or participation; 9) forfeiture of room fee, room deposit and security deposit; 10) suspension or dismissal from a portion of the College; 11) suspension or dismissal from the whole of the College; 12) revocation of admission or a degree; 13) withholding a degree; and/or 14) any other action as the College deems appropriate. The Dean of Students may suspend immediately a student if the Dean determines that the student's presence at the College poses an imminent threat of harm to self or others, or to property in the College community. Such suspension shall take effect when so designated and may not be stayed pending appeal unless otherwise determined by the College President.

V. Procedure

A. General

In applying the provisions of this Code, MCCS accords students alleged to have violated this Code the following opportunities. First, students have the opportunities to be advised of the charges and the nature of the evidence against them, and be heard before an impartial decision-maker. Second, students have the opportunities to have sanctions based on substantial evidence (a standard of "more probable than not"); the decision explained in writing; and, in a Stage Two proceeding, have questions asked of opposing witnesses. Finally, students have the opportunities to be assisted by a person who may observe the proceeding and advise the student, but who may not speak on behalf of the student or otherwise participate in the proceeding. In cases where suspension or dismissal is likely

or where criminal charges are pending, such an assistant may be an attorney, but such an attorney shall not be at the college's expense.

B. Stage One

The College Dean of Students ("Dean") and/or Disciplinary Officer ("Officer") (collectively "Investigator") shall investigate alleged violations of this Code. Such inquiries shall include notice to the student of the: 1) complaint; 2) Code sections that may have been violated; and 3) possible sanctions that may be imposed. The student shall be given an opportunity to be interviewed. If a student does not reasonably respond to interview requests or does not attend a scheduled interview, the Investigator may continue with the investigation.

The Investigator may consider any information that the Investigator believes may be relevant and reliable information in determining whether it is more probable than not that the alleged conduct occurred, and that such conduct violated the Code. Upon concluding the inquiry, the Investigator shall notify the student in writing of the Investigator's findings of fact, Code provision(s) violated, if any, and a sanction(s), if any. The Investigator's decision shall take effect when so noted. Sanctions, other than interim suspension, may, in the discretion of the Dean, be stayed during any appeal. The Dean, but not an Officer, may at this stage impose a sanction of dismissal or suspension.

C. Stage Two

A student who does not accept discipline imposed at Stage One may request a Stage Two proceeding. A person materially affected by the alleged Code violation (such as the victim of the alleged conduct) may request a Stage Two proceeding in order to review a Disciplinary Officer's decision either to dismiss or impose a relatively low sanction in the case.

1. Request

A request for a Stage Two proceeding must be submitted in writing to the Dean within two (2) school days following the day the student receives the Investigator's written decision, and must state specifically the grounds for the request. A student who fails to file a proper and timely request may be deemed to have waived the right.

2. Committee

A Stage Two proceeding shall be heard by a Disciplinary Committee ("Committee") which shall consist of at least three and not more than five members, each appointed by the College President. At least one member should be a faculty member and one member may be a student. The President shall appoint a Chair.

3. Hearing

After receiving the student's request, the Committee Chair shall notify the student, Dean and/or Officer of the time and location for the hearing. A hearing shall be held as soon as practical and shall proceed as follows: The Committee Chair shall preside; the Dean and/or Officer will present the charges, information and findings against the student; the student will respond to the case presented by the Dean and/or Officer; and the Dean and/or Officer and student may then each summarize orally their position.

All or a portion of the hearing may, at the discretion of the Committee, be closed to persons other than those recognized by the Chair. If a student does not attend the hearing, the Committee may commence the hearing or continue the hearing to a later time or date. Only the members of the Committee may pose questions to the witnesses or parties. The Committee is not bound by court rules of evidence or procedure.

4. Decision

The Committee will convene in closed session to find facts and determine any Code violation(s). The Committee may consider any relevant and reliable information in determining whether it is more probable than not that the alleged conduct occurred, and that such conduct violated the Code. The Committee is not bound by the Investigator's findings and sanctions. The Committee may impose any appropriate sanction up to and including dismissal. Disciplinary sanctions imposed by the Committee take effect immediately unless otherwise specified. A majority of Committee members present and voting will prevail.

D. Stage Three

A student may appeal to the College President only a Committee sanction of suspension or dismissal from the College. Such appeal must be submitted in writing to the President within two (2) school days following the day when the student receives the Committee's written decision, and must state specifically the grounds for appeal. Such appeals shall be limited to the Committee's procedures and the appropriateness of the sanction. A student who fails to file a proper and timely appeal may be deemed to have waived the right to appeal. The President may also grant a request by a person materially affected by the alleged Code violation to review a decision of the Disciplinary Committee to dismiss a case or to impose a relatively low sanction. In all cases, the President shall issue a written decision as soon as practical after the hearing. The President is not bound by the decisions of either the Investigator or Committee.

VI. Notice and Receipt of Notice

A College may provide a notice under this Code to a student either in person or to the student's most recent electronic, campus or U.S. mail address on file at the College. A student will be deemed to have received such notice immediately when informed in person; within 24 hours when

notified by electronic or campus mail; and within 72 hours of the date of mailing when notified by U.S. mail. In all instances, a student has an affirmative duty to remain in contact with the College while a matter is pending under this Code.

VII. Coordination of this Code with the MCCS Policy on Special Conditions

When the student conduct at issue involves “special circumstances” as described in MCCS Policy 504, the College may seek guidance from the provisions of that policy.

VIII. Certain Athletic Determinations

The provisions of this Code apply to misconduct related to participation in athletics. The procedures of this Code do not, however, apply determinations of whether a student may be a member of, or receive playing time for, a college athletic team because the student has engaged in conduct detrimental to the team. Those determinations shall be made by the coach, provided that the affected student may appeal the coach’s decision to the College Dean of Students.

For purposes of this provision, “conduct detrimental to the team” includes, but is not limited to, conduct that is unsportsmanlike to fans, officials or opposing coaches or players; disruptive to practices and other team events; brings disruption or disrepute to the team through misconduct or violations of law, College or System policy; or is otherwise contrary to the principles taught through athletic competition, such as reliability, diligence, commitment, teamwork and the willingness to take seriously the duty to represent the College honorably during competition. Each College may adopt a more specific definition of “conduct detrimental to the team” that furthers the educational purposes of athletic competition.

IX. Traffic Violations

A student violation of a rule governing a moving, parked or standing vehicle on property owned, operated or under the control of the MCCS shall be processed under this Code only if the sanction sought by a college is suspension or expulsion from college for that violation. In all other cases, a college shall provide a process that permits a student an informal opportunity to contest the alleged violation before a person designated by the college to hear such contests.

X. Definitions

The following terms have the following meanings when used in this Student Code of Conduct, unless the context indicates otherwise:

“**Code**” means this Student Code of Conduct; “**College**” means a college of the Maine Community College System; “**College Activity**” means an activity under the auspices of the College, including activities of students and student organizations; “**College Community**” means any person or organization that attends, performs services for, is employed by, visits or otherwise uses the College; “**College Personnel**” means any instructor, administrator, employee, committee or contractor of the College or System; “**Course**” means any class of instruction, regardless of credit, offered by the College;

“President” means a College President; **“Property”** means the real and personal property controlled through ownership, rental, charter or other means by the System, College, State of Maine or a member of the College Community. “Property” includes written documents and computer programs, files and resources; **“School Day”** means a day that the College is open for instruction; **“Student Organization”** means an organization that acts or purports to act for a student in matters regarding the College; and **“System”** means the Maine Community College System.

REFERENCES: 20-A M.R.S.A. §12706(7); *MCCS Policy 504*

DATE ADOPTED: June 24, 2009

DATE(S) AMENDED: April 28, 2010; June 22, 2011; May 3, 2013; June 25, 2014; June 21, 2017; July 8, 2020 (effective August 14, 2020); June 21, 2023



Eastern Maine Community College

Residential Life Handbook

All policies and rules contained in this handbook govern and apply to any student who resides on the Eastern Maine Community College campus and their guests.

**Residential Life Department
354 Hogan Road; Bangor, ME 04401**

Phone: (207) 974-4690

Fax: (207) 974-4837

Email: life@emcc.edu

The Residential Life Department is committed to the educational mission of Eastern Maine Community College. An integral part of each student's total education is the learning that takes place outside of the classroom. That learning involves the acquirement of personal and social skills necessary to the achievement of academic goals and, upon leaving Eastern Maine Community College, the pursuit of a career. Residential programs, staffing patterns, lifestyles and procedures are designed to carry out and support the educational mission and ensure that learning takes place.

Our Residence Halls

EMCC provides housing for around 250 full-time students in Acadia and Kineo Halls. Both residence halls offer wireless internet, on-site laundry facilities, mail service, vending machines, and common areas with flat-screen TVs, microwaves, game tables, and other amenities.

Kineo Hall – houses students in “blocks” (two double-occupancy rooms with four people of the same gender) or triple-occupancy rooms. Each room is individually climate controlled and shares a common bathroom with double sinks, a shower, and a toilet stall.

Acadia Hall - houses students in corridor-style double or triple occupancy rooms. Floors are usually single-gender communities and have bathrooms on each floor that are cleaned and maintained by Housekeeping Staff. Acadia Hall houses our Gender Inclusive Housing living community.

Gender Inclusive Housing – Gender Inclusive Housing (GIH) has been available at EMCC since 2018 as a space wherein students of any gender can live together. The first floor of Acadia Hall is designated as GIH. Upon request, and as space is needed/permits, GIH may also be available on a by request basis, as space permits, in Kineo Hall.

Residential Life Staff

Residential Staff are the key to representing student needs and concerns in the hall. One of the most important roles of Residential Staff is to serve as a guide for students as they navigate the transitions and challenges they face in college. They, as school officials, are charged with upholding all school policies and state laws and are bound to deal with violations. Students may not interfere with, mistreat, or otherwise abuse and/or undermine staff's responsibility and authority.

Resident Assistants – Each floor of each residence hall is assigned a Resident Assistant (RA), a current student who has shown academic leadership and personal success. They assist residents with transitioning to college, implement programming and activities, and advocate for resident rights and responsibilities.

Resident Directors – A Resident Director is a live-in professional staff member responsible for the overall health and safety of each resident. RDs provide referrals, guidance, disciplinary actions, and activities.

McKinnlee Sickles (he/him) msickles@emcc.edu, 207-974-4795(cell: 207-735-8261) (Kineo Hall)

Autumn Mallett (she/they) amallett@emcc.edu, 207-974-4696 (cell: 207-852-4693) (Acadia Hall)

The Director of Student Engagement and Residential Life – The Director of Student Engagement and Residential Life oversees all aspects of Residential Life at the College, including staffing, programs, appeals & assignments.

Kris Kelley, he/they, kkelley@emcc.edu, 207-974-4690 (Maine Hall 126)

The Residential Life Department assists students in successfully completing their educational objectives and growing both as a student and an active member of the community. Typical assistance that they provide include adjusting to college life, homesickness, mediating problems with roommates, enforcing policies and procedures, or being available to talk or listen.

Resident Bill of Rights

All residents of Eastern Maine Community College have the following rights:

1. The right to read and study in their room
2. The right to sleep without undue disturbances from noise, guests, roommates, etc.
3. The right to expect that belongings will be respected by roommates, residents and guests
4. The right to live in a safe, clean, alcohol, tobacco, and drug-free environment
5. The right to free access to their assigned room without pressure from roommates
6. The right to personal privacy
7. The right to be free from fear of intimidation, physical and emotional harm
8. The right to expect reasonable cooperation in the use of residence hall equipment, and a commitment to honor the agreed upon payment procedure.

Civility Statement

The dictionary describes civility as polite, reasonable, and respectful behavior. We are all human and know that there will be times that each student, administrator, faculty member or staff personnel will experience frustration to a high degree. When this occurs, and it will, we encourage each person experiencing this high level of frustration to step back, walk away, and return later to discuss the situation. Seek out someone to act as a third party with respect to conflict resolution. Eastern Maine Community College wants to be:

- A college where respect is expected and obvious
- A college where we all treat each other as we would wish to be treated
- A college where conflict resolution is the rule of thumb
- A college where we all feel that someone is available to assist when needed
- A college where all community members have the same goal – a peaceful and tranquil campus to pursue an education.

Residential Life Principles of Diversity

The Residential Life Department believes that diversity is integral to the development of a healthy living/learning community. As members of this community, we must all strive to understand and respect the individuality and life choices of those among us. These may include ethnic, racial or religious identifiers; gender and/or gender identification; sexual orientation, age or disabilities. These differences could lead to individuals being consciously or unconsciously discounted, excluded, abused or otherwise discriminated against. Therefore, we all must be open to learning from one another and creating an atmosphere of positive encouragement, acceptance and respect.

The Residential Life Department:

- Offers a safe and secure environment in which to welcome and celebrate the expression of diversity
- Encourages everyone to be actively engaged in the process of exploring diversity
- Expects all members of the community to confront those individuals who intimidate or harass members of diverse populations
- Could exclude people from this community for harassing or intimidating behavior

MOVING IN, AROUND & OUT

Room Assignments & Changes

Residents are assigned to either a double or triple occupancy room. Due to the number of students wishing to reside on campus, usually the only single rooms we can provide are for residents who require accommodation due to a disability. These requests must be approved by Accessibility Services which can be reached by calling (207) 974-4868 or emailing access@emcc.edu. Students requesting accommodations related to housing should note that full documentation is required to be submitted to the Director of Student Learning Support by May 1st for summer term, August 1st for fall term, and December 1st for spring terms. Accommodations requests and documentation submitted after these deadlines will be evaluated on a case-by-case basis. Students experiencing new or temporary medical conditions while living on campus should contact Accessibility Services as soon as possible to determine whether any housing accommodations are needed.

If vacancies exist, and Director of Student Engagement and Residence Life determines it appropriate, single rooms may be offered to residents. These "purchased singles" are billed at a higher rate than that of a double, triple or ADA-approved single.

Rooms and roommates are assigned for the semester; however, the college reserves the right to cancel any room assignment or reassign any individual when a cancellation, vacancy or reassignment is deemed necessary or advisable.

Students may only change rooms with written permission from their Resident Director or the Director of Student Engagement and Residence Life. If a student is found to be living in a location to which they are not assigned, they may be charged double room fees. Unless extenuating circumstances exist, **no room change requests will be accepted or granted during the first two weeks of the semester**. This allows residents the opportunity to settle in and learn about each other, rather than making rash assumptions and judgments. After that time, the procedure below must be followed in order to streamline the room change process.

- The Room Change Request Form can be found on my.emcc.edu under the "Campus Life" tab.
- Interviews and/or mediation sessions with all parties may be required before a room change is made
- Once this form is completed and returned, the request will be reviewed by the Residential Life Staff and the student will be provided with written notification of the decision.

Residential staff reserve the right to approve, deny or change any room assignment due to disciplinary infractions, irreconcilable differences, or any other reason deemed necessary. No room assignment will be made or changed based on race, creed, color, national origin or sexual orientation.

Breaks & Vacations

Our residence halls will remain open on all 3-day weekends, but will be closed for Thanksgiving, Winter, Spring, and Summer Breaks. As Residential Life staffing is available, students do have the option of remaining on campus during vacations and breaks provided they meet additional qualifications and pay an additional fee. Payment arrangements must be made prior to the start of vacation/break. No meal services are included during Thanksgiving, Winter, Spring & Summer breaks. More specific information regarding breaks will be discussed via floor meetings/door drops. Break housing, when available, costs \$20/night or \$120/week. Questions regarding break contracts can be directed to Resident Directors as breaks approach.

Move Outs

Residents are required to check out of the residence halls within 24 hours of their last final, but no later than 6pm on the evening of the last day of final exams. To appropriately check out, the following procedure must be followed. Failure to complete part or all of this procedure may result in additional fines being assessed. All residents must follow the same check out procedure when moving out of the building:

- Meet with a Resident Assistant or Resident Director to inspect your room after all personal belongings have been removed; trash/bottles/cans disposed of; the room has been cleaned and rearranged to the original set-up including bed assembly (no bunk beds).
- Fully clean the room and bathroom (in Kineo). This includes emptying and wiping down furniture (including drawers), sweeping and mopping the floors, cleaning sinks, toilets and showers, etc. Residents are expected to assign cleaning responsibilities amongst themselves.
- Complete the check-out portion of the Room Inventory Contract and return all keys.

Cleaning fees will be charged to those who do not clean their rooms at the end of the academic year/semester. Additional fees will be billed to those students creating messes in public areas and restrooms or who do not dispose of their trash, belongings or cardboard appropriately and may impact one's ability to live on campus in the future.

Damages & Security Deposits

Each semester, resident students are assessed a \$50 security deposit when they move into the residence hall. All, or part, of this fee is refundable at the end of the academic year, provided:

1. The resident's room, furnishings and public areas are in the same condition as they were during move in, all belongings have been removed and room has been cleaned
2. The resident follows the proper checkout procedure as outlined on the Room Inventory Form, including a room inspection by the Resident Director
3. The resident leaves for reasons other than a violation of the Student Code of Conduct or the Residence Life Housing Agreement

Residents will be responsible for damage beyond normal wear and tear to the buildings and their rooms and furnishings. Charges will be determined based on the costs of repairs, including labor. In addition, community damages and fines will be deducted as follows:

1. To any individual accepting responsibility or is found to be responsible for the damage;
2. To the occupants of a room where the damage was done and when direct responsibility cannot be placed

In public areas such as lounges, hallways, elevators, Common Rooms, Acadia bathrooms, stairwells, etc. where damage or littering occurs and responsibility is not assigned to an individual, the occupants of the floor or building will be held responsible. These damages will be assessed at the discretion of the Resident Director and charges will be prorated among the occupants.

Public furniture is provided for all residents and must be left in its usual place. Residents of the building/floor will be fined a minimum of \$25/day if any public room furniture is found to be missing by a Residential Life staff member.

All security deposits are processed at the end of the academic year. Any charges which exceed a student's security deposit will be added to the student's account with the Business Office. In addition, the Business Office reserves the right to retain any security deposit to cover other charges on the student's account.

AMENITIES

Activities & Programming

All residents are assessed a recreation fee of \$65/semester which makes it possible for the Residential Life Department to offer variety of programs and activities, as well as wireless internet. These efforts help ensure students feel connected to our campus community; therefore, residents are encouraged to communicate their interests to the Residential Life Staff for planning purposes. Board games, cards, and game systems are available for check-out from your Resident Director or Resident Assistant. Some require a contract or an ID, etc. to be held while the item is being used. Students are welcome to suggest programs and activities to Residential Life staff.

Counseling

Eastern Maine Community College strives to attend to the mental health needs of EMCC students by providing free and confidential counseling services for its students. To schedule an initial counseling appointment, call (207) 974-4858 or send an email to counseling@emcc.edu. For privacy reasons, our counselor may be unable to answer the phone at the time a call is placed. Students are encouraged to leave a detailed message, including their call-back number so that the counselor can get in touch.

If you find yourself in crisis, please speak with a member of the Residence Life staff. They will be able to help connect you to the EMCC counselor or another support service.

Additionally, EMCC has made available tele-counseling through BetterMynds. Students who may be interested in this resource can learn more and sign up by emailing counseling@emcc.edu.

Other helpful support resources include:

- | | |
|--|----------------|
| • National Suicide Prevention Lifeline | 988 |
| • Domestic Violence | 1-866-834-4357 |
| • Mental Health Crisis Hotline (24-Hour Hotline) | 1-888-568-1112 |
| • Rape Response Services | 1-800-871-7741 |
| • Statewide Sexual Assault Crisis & Support | 1-800-871-7741 |
| • Trans* Lifeline | 1-877-565-8860 |
| • The Trevor Project (LGBTQ+) | 1-866-488-7386 |
| • Maine Office of Substance Abuse Information | 1-800-499-0027 |
| • Veterans Crisis Line | 1-800-273-8255 |

Dining Services & Meal Plans

Eastern Maine Community College contracts with FLIK Dining Services to provide meal service to the College community. All students residing on campus are required to have a 5-day or 7-day meal plan. Commuters, staff and guests may purchase snacks and meals using cash. Dining is open during the following times:

Weekdays: Open from 7:00am-7:00pm (Breakfast 7-10am, light offerings until 10:30am, Lunch 11am-2pm light offerings until 4pm, Dinner 4:30-7pm)

Saturday & Sunday: Brunch - 10:00am-12:00pm, Dinner - 4:00pm - 6:00pm

Holidays & Snow Days: Brunch - 10:00am-12:00pm, Dinner - 4:00pm - 6:00pm

No evening meals will be provided on the last day of classes before a vacation or holiday weekend. On the day the halls reopen after vacation or holiday weekends, only dinner will be served. If you have comments, concerns, suggestions, need special meal arrangements, or want to share praise about your dining experience, or if you need any special assistance, please email gthrift@emcc.edu.

Printing and Copying

Wireless printing is available in both residence halls. In Acadia, the printer is located in the study lounge. In Kineo, the printer is in the common room. Wireless printing services are available across campus by connecting to <https://print.emcc.edu> - Use your student account to login, create a new print job and upload a document with a supported file extension (PDF, DOC, DOCX, etc.)

IT Help Desk

For IT assistance, Contact the Information Technology (IT) Help Desk - located in Maine Hall, room 116 for help with connecting to the Internet, email, etc. The IT Department is open Monday - Friday, 8:00am to 4:00pm. Students can email helpdesk@emcc.edu for further information and assistance.

Internet

EMCC provides Wi-Fi Internet service in the residence halls and throughout campus buildings and exterior spaces. EMCC does not provide wired Ethernet connections for students. Computers are available for student use in the Library and in Maine Hall. All internet and computer use is subject to the Computer Use Policy. Residents are prohibited from installing their own wireless networks using hubs, bridges, hot spots, access points and other networking devices or practices that may adversely impact access to the Internet by other residents. If you are unable to connect to the "EMCC" network, you can temporarily use the "EMCC Guest" network. Students experiencing issues with the internet should visit the IT department.

1. Connect to the "EMCC" network.
2. Use your EMCC student account log in information for the username and password.
3. Game consoles and other home wireless network devices may be registered at <https://device.emcc.edu> prior to connecting.

Laundry

Laundry rooms with washers and dryers are located off the lobby of Acadia Hall and on the first floor of Kineo Hall. Residents are responsible for their own laundry detergent. Report all problems with the washers and dryers to the Resident Director or your Resident Assistant so that the problem can be corrected as soon as possible. The laundry machines run "free of charge," meaning no coins or cards necessary, as laundry is one of the amenities provided to residents through housing fees.

Mail & Packages

Mail is collected from the Campus Mailroom once a day and delivered to the residence halls Monday through Friday, usually in the evening. **Mail is not delivered on Saturday and Sundays**, or on any day that the college is closed. Mail for residents may be sent to:

Student Name
Kineo/Acadia Hall
354 Hogan Road
Bangor, ME 04401

There is a receptacle for stamped outgoing mail in Maine Hall, near the Safety and Security Kiosk. Residents are expected to plan for their mail service upon vacating the residence halls. This may include a change of address form with the United States Postal Service, contacting solicitors and creditors, etc. EMCC does not forward resident mail.

Residents can receive packages through USPS, FedEx and UPS (please note that students may need to see an RD to retrieve large packages from the mailroom). The College does not provide for the mailing of packages except for those with pre-paid mailing labels. College staff will sign for any package delivery unless the sender requires otherwise. Residents are expected to refrain from ordering or having perishable items sent over breaks and vacations as mail service is not regularly conducted during this time.

Vending Machines

Vending machines are provided as a convenience to all residence hall occupants. These are maintained and provided by third party vendors and are monitored by camera. Tampering with them and repeated misuse may result in the removal of these services and charges/sanctions being assessed to the parties involved. Any malfunction of these machines should be reported to the Resident Director. Any refunds would be issued by the EMCC Business Office and is the resident's responsibility to request.

Parking

All students and employees at EMCC are required to have a current EMCC parking decal. Vehicle registration must be done at the Safety and Security kiosk in Maine Hall (near the Business Office). You must bring proof of registration when picking up your decal.

Overnight parking (any resident student) is permitted only in Lot A. The area behind Acadia Hall and the circle of Kineo Hall are fire lanes and should be used for loading/unloading only. Any student failing to abide by this may be issued a ticket by Campus Security.

Guests staying overnight in the residence halls must register their vehicles with a Resident Assistant. Unregistered or inoperative vehicles are not allowed anywhere on EMCC property. No off-road motorcycles, snowmobiles, ATVs, etc. are allowed on college property unless approved by the Vice President of Student Affairs. **Finally, for safety and security purposes, loitering in the parking lot is prohibited.**

There are times during the winter months when Maintenance and Housekeeping Staff will need to conduct snow removal in the parking lots. A combination of text messages, emails, and/or posters will be posted in advance to notify residents when their vehicles need to be moved to allow for this process.

HOW TO MAKE YOUR SPACE “YOURS”

What to Bring:

Each resident in **Acadia Hall** is provided with an extra-long twin bed, three-drawer dresser (or armoire, if the room is a triple), desk and wooden desk chair. There is also a built-in closet space with a shelf in most rooms. Each resident in **Kineo Hall** is provided with an extra-long twin bed, armoire (with hanging space and two drawers), desk and wooden desk chair.

The following list is one compiled from our department's experience with residents – what they find essential, helpful, and what they may immediately realize they need after a brief time.

Academic supplies	Towels/washcloths	Blankets/comforters
Mattress topper	Alarm Clock	Box/oscillating fan
Toilet paper (Kineo Hall)	Power Strips	Storage crates/shelves
Desk/floor lamps	TV with HDMI cable	Extra-long twin sheets & pillows
Extra batteries	Mini-sewing kit	Laundry detergent/basket
Computer	Superglue	Calendar/planner
Cell phone/charger	Dishes/Silverware	Trash can & trash bags
Dish soap, cloth & sponge	Shower caddy & shoes	Mini-fridge/refrigerator
Night Light	Tape Measure	First Aid Kit
Whiteboard & Markers	Screwdriver	

Cleaning Supplies – broom, dustpan, mop, bucket, Clorox wipes, paper towels (Students living in Kineo Hall will also need appropriate cleaning supplies for their shared bathrooms)

What to Not Bring (Restricted/Prohibited Items):

The following restrictions are important for the safety and security of all residents and assist in the conservation of energy. If you have questions regarding a specific item, please contact the Residential Life Department. **The following items are strictly prohibited** from resident rooms:

Microwaves	Frying pans	Toasters/toaster ovens
Stoves/grills/griddles	Hot pots	Space heaters/Immersion heaters
Tires/automotive parts	Air compressors	Engines
Chainsaws	Sun lamps	Items with open coils or elements
Soldering irons	Air conditioners	Air Fryers
Skateboards/Hoverboards	RC cars/drones	Crockpots/Rice Cookers
Tool Kits	Hubs/routers, bridges and/or networking devices	
Electrical music equipment (bass, amplifiers, etc.)		Darts/Dartboards

In addition, drug/alcohol paraphernalia is not permitted or allowed to be displayed or used as decoration in the residence halls. These items include, but are not limited to hookahs, glass pipes/bongs, alcohol bottles/shot glasses, bottle caps, etc.

Hanging items from the ceiling and blocking or disarming smoke detectors/sprinklers is also prohibited.

Curling irons, curlers, electric blankets, and irons should be unplugged, as well as turned off, when not in use.

The use of microwaves is restricted to the lobbies of each residence hall. The College provides these for the use of all residents.

Residents may have a refrigerator (not to exceed 3.3 cubic feet) and hot air popcorn poppers in their rooms.

Coffeemakers - Coffeemakers or “Keurig's” are permitted so long as they have automatic shutoffs and residents use them appropriately.

Candles/Incense - Burning candles and incense is not allowed anywhere on the EMCC campus including resident rooms. Decorative candles must have a non-burned wick or be wickless. Candle warmers are permitted as long as residents are conscious of their placement and other items surrounding them.

Food Preparation - Preparation of meals should be limited to common room/lounge areas where microwaves are provided for resident use. No hot plates, rice cookers, microwaves, toaster ovens, crockpots, etc. are permitted in resident rooms. Perishable foods may not be stored in rooms except in refrigerators.

Knives - Possession of knives on campus is restricted to pocketknives with a blade that is 4 inches or shorter. Samurai swords, daggers, machetes, switchblades, or any other implement with a blade is prohibited, regardless of use or intent. Exceptions will be granted to culinary art students who have knives for academic purposes.

Firearms & Weapons - Since firearms and ammunition create a potential safety hazard, they are not permitted on the Eastern Maine Community College campus. The use or possession of firecrackers, fireworks, gun powder, BB guns, fusion caps, primers, chemicals, or any other type of explosive in the residence halls or other buildings and areas of the campus is prohibited. Furthermore, shooting guns or other firearms, or the use of other forms of weapons, is not permitted on campus, the nearby wooded area, or anywhere else within the Bangor city limits. Weapons include, but are not limited to: bows, slingshots, swords, stun guns, airsoft guns, paint guns or pellet guns.

Pranks - Pranks that result in disturbances or distress to others, or cause damage to college or personal property, are prohibited. Depending on the severity, violators of this policy will be charged for any mess or damage which occurs and may face additional sanctions from the College or local law enforcement.

Projectiles - For obvious reasons, propelling devices such as rockets, slingshots, or any device whether homemade or purchased is prohibited. Dartboards and darts are not permitted in the residence halls. In addition, residents may not throw anything out residence hall windows.

Recreational Sports & Equipment - Sports and activities that are meant to be engaged in outdoors may not occur within the residence halls. This includes but is not limited to skateboarding, rollerblading, biking, throwing balls, RC cars, etc. Students who bring bicycles to campus are responsible for their security. EMCC recommends students invest in bike locks, as bicycles cannot be stored in lounges, hallways, or resident rooms.

Room Alterations:

You are encouraged to decorate your room within the limits of good judgment and safety. No resident may install equipment, paint, or make unauthorized alterations to their room without permission from the EMCC Campus Operations Director. If you feel your room needs repairs of any kind, please speak with your Resident Director to fill out a Facilities Work Order.

1. Poster putties, command strips, nails, screws, glue, tacks, LED strip lights, and tape (Scotch, Duct & masking) may cause damage to the walls which will result in repair charges being assessed from your security deposit.
2. Do not drill holes in any walls or doors.
3. All our beds are height-adjustable and can accommodate some storage underneath. Beds cannot be "lofted" in any manner and are only permitted to be raised using plastic risers that can be purchased at most department stores. The riser cannot exceed 8". In addition, we recommend discussing with your roommate whether to bunk your beds if you are interested in doing so.
4. You are not allowed to hang posters, flags or other means of advertising alcohol or drugs in your windows or on the outside of your doors. Political, racist, sexist, or offensive materials are not to be displayed on doors, windows or in hallways, which includes whiteboards in the hallways of Acadia and Kineo Halls. Such inappropriate materials will be removed immediately, and disciplinary action may take place.
5. Residents may not remove windows or screens, nor tamper, cover or hang anything from any sprinkler or smoke detector. In addition, all ceilings must be free of flammable materials. Residents are also prohibited from throwing or dumping things from windows in the residence halls.
6. Residents are responsible for the furniture assigned to their rooms and are not permitted to move furnishings from one room to another. Students will be assessed and charged for any damaged or missing furniture if it is not present at the time of their room inspection at the end of the year. This includes window blinds which are provided to ensure resident privacy. Residents may, within the limits of good judgment and safety, add furnishings to their room, however, no storage is available so original assigned furnishings must remain in your room.

SUBSTANCE, GUEST, & PET POLICIES

Chem-Free Campus, Smoking, Alcohol/Other Drug Policies:

The Residential Life Department is committed to providing a safe living environment, free from alcohol and drugs. Like the rest of the EMCC campus, our residence halls are chemical-free environments. All resident students sign and agree to a Residential Life Agreement. Violations of the Eastern Maine Community College Alcohol and Drug Policy is a violation of this Agreement and will be dealt with accordingly. Students, and their guests are not permitted to possess, use, distribute, manufacture and/or consume alcoholic beverages or illegal drugs anywhere on the Eastern Maine Community College campus or at any college-sponsored activity regardless of their age. At the President's discretion, alcohol may be provided at special campus events, fundraisers, and celebrations, both on and off campus. Resident students attending these events must ensure they remain in compliance with the expectations of the Alcohol and Drug Policies.

Intoxication on campus will not be tolerated. Any person who is suspected to be "under the influence" may have disciplinary action taken against them. In addition, intoxication, on or off-campus, resulting in police or security officer intervention, will lead to disciplinary sanctions by the College.

Smoking, which includes electronic devices of any kind, and "dipping", is prohibited on EMCC property and in any EMCC building, including residence halls. Further, vaping is prohibited in residence halls and on campus.

Residents who return to campus or whose rooms have distinguishable odors of marijuana, alcohol or other substances, will be handled accordingly following Residential Life and College disciplinary procedures.

Residential Life Staff, Safety and Security, and Administration has the right to inspect bags, packages, and rooms at their discretion to ensure prohibited items are not on the premises. In addition, drug/alcohol paraphernalia is not permitted in the halls (for display/decoration or otherwise). These items include, but are not limited to hookahs, glass pipes, bongos, alcohol bottles, shot glasses, bottle caps, etc.

Additional information regarding alcohol and drug policies/procedures can be provided by the Resident Directors, Director of Student Engagement and Residence Life, and the Vice President of Student Affairs & Dean of Students, as well as in the EMCC Student Handbook and the MCCS (Maine Community College System) Code of Conduct.

Guest Policy

Residents are permitted to have visitors in the residence halls, both during the day and overnight. Having guests visit the residence hall is a privilege and it is expected that all residents will be responsible for their guests and their guests' conduct while in the residence hall.

Guests (any non-resident or resident of another hall) may visit Acadia and Kineo Halls between the hours of 7am and 11pm. Residents are responsible for signing in guests who will be in the building between the hours of 11pm and 7am, and for ensuring the following expectations are met. Please note that EMCC may need to temporarily suspend or adjust guest policies in response to public health concerns. Additionally, in the interest of safety, no more than six people are allowed in a resident room at any time.

1. No overnight guests are permitted during move-in weekend, or the first and last two nights of each semester. (Example: If classes begin Monday, overnight guests are not permitted until Wednesday night,)
2. Residents are permitted to have two (2) overnight guests per week but cannot entertain an overnight guest more than two (2) consecutive nights. They may choose to have two (2) guests the same night or one (1) guest for two separate nights.
3. Guests are permitted to stay overnight two (2) nights per week but cannot stay more than two (2) consecutive nights.
4. For the purposes of the guest policy, our week starts on Sunday and ends on Saturday. This means a guest may stay Friday and Saturday nights, but they may not stay again on Sunday and Monday, because Sunday and Saturday are consecutive days.
5. Guests must be at least 18 years old and have a valid photo ID (State-issued or College). Exceptions may be made for underage family members with advanced, written, parental permission and approval from the Resident Director.
6. Residents must complete an Overnight Guest Pass and turn it into the Resident Assistant on duty by 11:00pm.

- a. Both roommates must sign the Overnight Guest Form regardless of whether both residents will be present for the night. Advanced signatures can be obtained on guest forms if a roommate is not present on the day of the visit. Verbal consent and text messages cannot be accepted.
 - b. The guest must sign the Overnight Guest Pass to acknowledge they will abide by the policies and procedures of Eastern Maine Community College. Their photo ID will be copied and placed in the Guest Log. Any guest who fails to present a State or College-issued photo ID will be denied the privilege to stay overnight.
7. Guests with vehicles parked overnight on campus must register with a Resident Assistant to receive a Guest Parking Decal. This decal must be displayed in a prominent and visible in their vehicle while parked on campus.
 8. In addition, Residents are responsible for their guest's behavior; therefore, if a guest violates any Eastern Maine Community College policy it may result in disciplinary action being taken against both the resident and the guest. Any disrespect towards Residential Staff by any guest or non-resident of the building may result in the individual being removed from campus and denied access to the residence halls.

Exceptions to this policy are at the Resident Director's complete discretion and they may extend or deny the privilege to have guests as they deem necessary. All residents are expected to escort their guests in and around the residence halls. Failure to register guests may forfeit a resident's privilege to have overnight guests. Violations of the Guest Policy may result in the Resident's guest privileges being suspended or limited, or the guest being denied or restricted access to the residence halls.

Policy Violations (Guests)

Any non-resident found in possession of alcohol or other drugs on campus property will be asked to leave campus immediately and will receive a written and/or verbal notice prohibiting them from entering both residence halls for one calendar year. Hosts of guests may also be held accountable for their guests' violations. Incidents involving non-resident students will be reported to the EMCC administration where further disciplinary action may be taken through the Student Code of Conduct.

Pet Policy

For health, sanitation, and safety reasons, no pets are allowed in the residence halls. This includes pets visiting with family members. The only animals permitted inside our residence halls are fish and the tank/aquarium may not exceed 20 gallons. Residents with Emotional Support Animals and Service Animals must be approved by EMCC's Director of Student Learning Support prior to the animal's arrival on campus.

YOUR RESPONSIBILITIES

Criteria for Campus Housing

To be eligible for campus housing, students must meet the following requirements:

1. Be enrolled as a full-time student at EMCC (12+ credits per semester)
2. Maintain a minimum cumulative GPA of 2.0
3. Live according to the Residential Life Goals and have a clean conduct record
4. Have no outstanding balance with the EMCC Business Office
5. Up to date vaccinations
6. Pay a \$100 Housing Deposit (or receive a waiver of the deposit – email life@emcc.edu for more info)

The Residential Life Department recognizes that sometimes there are circumstances that make it impossible for a student to meet all the requirements listed above and are willing to engage in a discussion regarding them. Residents not meeting one or more of the points above may request an exemption by emailing life@emcc.edu and submitting any supporting documentation to the Residential Life Department. In some cases, residents may be required to participate in study sessions or weekly meetings, and/or submit progress reports to staff throughout the semester.

Accidents and Illness

Students with specific medical conditions that may be important for our staff to know as we work together to sustain a healthy and safe living environment should relay these issues to their Resident Director when they initially move into the residence hall. If you are ill or have an accident, you must report it to the Resident Director or your Resident Assistant immediately. If transport to a medical facility off campus is necessary, staff will call EMS. Residential Life Staff will not accompany or provide transportation to any student who is ill or

injured. Any injury on-campus **must** be reported to Campus Security, or a member of the Residential Life Staff immediately. This will ensure that the proper documentation is completed, as well as that the catalyst for the injury has been evaluated and/or corrected.

Resident students are responsible for reporting extremely contagious illnesses and diseases to Residential Staff so precautionary measures may be taken so other students are not infected. This may include relocating a resident, arranging for meal trays to be delivered or requiring a resident to leave campus for a period.

Mandatory Floor Meetings & Door Drops

Resident Assistants are responsible for holding floor meetings on a regular basis or conducting "door drops" with essential information. Both are designed to keep residents informed of any policy changes and announcements, as well as to discuss any concerns, issues, programs, or activities for the floor, building or campus wide. It is the responsibility of every resident to be aware of the material covered. Residents who are unable to attend must notify their Resident Assistant ahead of time, and then follow-up after the meeting to find out what transpired. These meetings will be posted in advance and failure to attend may result in assessment of Non-Compliance charge.

Room Entry & Inspections

The Eastern Maine Community College Residential Life staff reserves the right to inspect residence hall rooms and to regulate the use of the premises in accordance with the college and residence hall rules and regulations.

All rooms and bathrooms must be maintained in compliance with health standards defined by the Residential Life and Housekeeping/Maintenance Departments. The cleaning of individual rooms is the responsibility of the residents assigned to occupancy of the room. Failure to maintain the room in a safe & sanitary condition may result in termination of the Housing Agreement and/or fines being assessed to the resident's account.

Room inspections may be made by the Director of Student Engagement or Resident Director, or their designee, to ensure that rooms and bathrooms are being properly kept, to check for maintenance needs, and to inspect for health and safety violations. In the event a resident's room requires attention, the occupants will be provided with the opportunity to perform the maintenance and cleaning required. If it is not conducted in a timely manner, the resident will be billed for the cleaning of their living space and assessed a fine for failure to comply.

Room inspections may be done in any of the three capacities below:

- Vacation inspections – to make sure everything is unplugged, windows are closed, etc.,
- Health and safety – ensuring spaces are being kept in safe and healthy ways,
- For cause, usually due to concern about immediate danger, fear of harm, excessive noise, missing students, etc., or due to evidence or suspicion of a policy violation

We do, when appropriate, announce room inspections in advance, please note, however, that not all room inspections can be announced in advance.

Compliance with College Officials

Failure to comply with a request, or any action or conduct towards a College employee or authority (including Resident Assistants or Directors) which is inappropriate or disrespectful in nature, may result in disciplinary action.

Room Cleanliness & Hygiene

Student rooms are to be kept neat and clean by occupants. Excessive clutter, which is deemed a safety or fire hazard, intense smells, bugs, mold, other issues considered unsafe, and issues that may damage the room may result in documentation through the conduct system.

Failure to keep your room in a sanitary condition can result in custodial staff cleaning your room. You will be billed for any labor costs incurred and may face disciplinary action and/or termination of Housing. Upon move out, if rooms are not in the original condition, the occupants will be billed for any damage or excessive cleaning.

Excessive cans, bottles, or trash of any kind should not be kept in student rooms. Residents are responsible for disposing trash and recycling in the appropriate receptacles.

Trash Disposal

All residents are asked to use the proper receptacles for discarding their trash. Littering is against state law and will not be tolerated. Violators will be subject to community service sanctions and/or fines.

All personal trash must be brought to the dumpsters behind each residence hall. Resident trash cannot be thrown in trash receptacles in common areas (common room, lobby, bathrooms, etc.) or left in the hallways. If an area-in or around the buildings becomes littered and no party can be assigned responsibility, the residents of that building, floor or area will be billed for the cost of cleaning. Therefore, it is in everyone's best interest to report to those responsible or to clean up the area.

Students who are unable to access trash and recycling bins should notify a Resident Assistant or Resident Director who can assist in developing a plan to provide alternative arrangements for trash and recycling.

Custodial Services

Lounges, hallways, Acadia Hall bathrooms, and other public areas are maintained by our custodians, however, residents are required to keep these areas clean. Any mess or damage, beyond general everyday use, will result in charges being assessed to resident security deposits. Residents are required to clean their own rooms and must provide their own cleaning supplies, including brooms, dustpans, and mops. Some supplies are available through the Resident Assistants and Resident Directors. Residents of Kineo Hall are responsible for the cleaning and supplies of their bathrooms. All students are responsible for taking their trash to the dumpsters located behind the residence halls.

Maintenance requests can be made to your Resident Director who will submit work tickets to the maintenance team promptly. Please be aware that by reporting an issue, maintenance staff is given the right to enter a room with or without the resident being present.

For emergency maintenance issues (overflowing toilet, etc.) please call the On-Duty Resident Assistant or Resident Director immediately. Should it be found that an issue was caused from conduct beyond normal wear and tear; the student(s) will be billed for the cost of the repair.

Abandoned & Confiscated Items

Items that are left in the residence hall after a student moves out of that room are considered to be abandoned. Items that are seized by staff because they are prohibited are considered to be confiscated items. All abandoned items that are unclaimed will be donated or disposed of 30 days after move out. Students may contact their Resident Director to collect items that are confiscated due to safety regulations. Confiscated items that are unclaimed will be donated or disposed of 30 days after moving out. Any alcohol, drugs, or drug paraphernalia confiscated by staff will be disposed of by the professional Residence Life Staff and/or Campus Safety.

CONDUCT & DISCIPLINARY ISSUES

Business Activities, Solicitation & Advertising

Operating an unauthorized business from any student room is prohibited, including online businesses. In addition, no door-to-door activity (solicitation, sales, etc.) for any purpose is permitted in the residence halls. This does not include student organizations, with approval from Resident Directors, from extending invitations to campus activities and events.

Students may not advertise any business by posting ads on doors or bulletin boards. With Resident Director permission, appropriate materials may be posted in approved areas such as bulletin boards or hallway walls.

Gambling

A State of Maine statute prohibits gambling; therefore, no gambling is permitted at EMCC.

Harassment, Assault & Discrimination

EMCC has adopted a "zero tolerance" for any and all forms of harassment, discrimination, intimidation or assault of any nature towards any student, employee, or individual of the campus community. This includes verbal or written harassment, threats, violence, stalking, creating a hostile environment, sexual advances, etc.

Vandalism

Vandalism to EMCC facilities or property, as well as the property of other residents, will not be tolerated. Residents who are found responsible for any vandalism will be subject to disciplinary action and will be held responsible for restitution of the damaged items.

Quiet Hours, Noise and General Disruption

Sound carries easily in a community. Voices, TVs, bouncing balls, and stereos are easily heard in other rooms. While minimum quiet hours have been established for both residence halls, residents are expected to foster an environment with a focus on academic success. This means that residents must always maintain appropriate noise levels as a courtesy to others. Yelling or playing music at a high volume or out any residence hall windows is prohibited. Quiet hours for both residence halls are as follows:

- Weeknights (Sunday – Thursday) 10:00pm – 9:00am
- Weekends (Friday & Saturday) 11:00pm – 10:00am

Finals Week Quiet Hours

Extended quiet hours during finals are established to promote a positive studying environment. Quiet Hours are in effect 24 hours a day and begin 48 hours before finals begin and last throughout the week. Violations of this policy will result in immediate dismissal from campus housing.

Conduct, Policy Violations, & Appeal Process

The policies and procedures set forth within the Residential Life Handbook and the Student Code of Conduct exist to ensure the health, safety and well-being of every member of the college community. Sanctions for policy violations may depend on the policy violation or the number of incidents the student has been involved in and may range from written warnings to removal from campus housing and Code of Conduct charges.

Sanctions – to be assessed in addition to fines/restitution.

- a. Housing Probation
- b. Tutoring/Studying Requirements
- c. Activity Participation/Involvement
- d. Verification of attendance and work completion from instructors
- e. Loss/Suspension of Guest Privileges
- f. Community Service Hours
- g. Letters of No Trespass
- h. Counseling Requirements
- i. Curfews/Restricted Access to Residence Halls/Campus
- j. Written Success Plans
- k. Parental Notification
- l. No Contact orders
- m. Other behavior modifications or restrictions as determined applicable by the College.

Restitution/Fines – to be assessed in addition to other sanctions. Other fines may be deemed appropriate by Residential Staff. Additional Health & Safety fines are listed in another section of this handbook.

Alcohol/Drug Violation.....	First Offense.....	\$50.00-\$100.00
	Second Offense.....	Dismissal
Guest Policy.....	First Offense.....	Warning
	Second Offense.....	\$25.00
	Third Offense.....	\$50.00
Improper Check-Out		\$25.00 + any additional cleaning fees
Non-compliance.....	First Offense.....	Warning
	Second Offense.....	\$25.00
	Third Offense.....	\$50.00
Noise.....	First Offense.....	Warning
	Second Offense	\$25.00
Pets.....		\$100.00
Prohibited Equipment.....		\$25.00
Use of Tobacco in/Directly around the Residence Hall.....		Fine up to \$200.00
Improper disposal of trash/Littering.....		\$20.00-\$50.00
Vandalism.....		\$100.00 fine plus cost to replace/repair damaged items (including labor)

Appeals – Residents who are found to have violated Residential Life policies and procedures are subject to the following appeal process.

1. After sanctions or responsibility has been assigned in writing, by Resident Directors:

- a. Within 48 hours, Student must file, in writing, an appeal to the Director of Student Engagement and Residential Life.
2. Sanctions or responsibility assigned in writing, by the Director of Student Engagement & Residential Life are final except those imposing suspension from, or dismissal from, housing. If a student wishes to appeal such sanctions, they must:
 - a. Within 48 hours, in writing submit their appeal to Vice President of Student Affairs
 - b. The decision of the Vice President of Student Affairs (or their designee) is final.

Students must also know that egregious conduct or violations of campus policies and procedures may be adjudicated through the MCCS Student Code of Conduct.

Appeal hearings will only be granted if the student can provide evidence of one or more of the following issues:

1. Procedural error
2. New evidence not available at the time of the initial hearing
3. The sanction is not proportionate to the violation

SAFETY & SECURITY

EMCC continues to work hard to maintain a safe environment and has a great relationship with the Bangor Police Department. Both of our residence halls are locked 24 hours a day for the safety of our residents. Staff offices are off the lobby in both halls, with Resident Assistants conducting duty from 7pm – midnight, 7 days a week. Security patrols are scheduled every two hours Friday-Sunday and frequently throughout the week. Additionally, Campus Safety is present in and around our residence halls and campus through the late evening and early morning hours.

Ultimately, most crimes which do occur in any residence hall are crimes of opportunity and are preventable with common sense and awareness.

1. Always keep the door to your room locked. Do not prop or “bolt” the door open when you leave your room for ANY length of time.
2. Never allow unauthorized individuals into your residence hall or room.
3. Do not leave books, backpacks/duffle bags, devices, etc. unattended in public places. If you must leave an area for any length of time, take these items with you.
4. Protect valuables in your room such as jewelry, medications, credit cards, cash, and electronics.

Campus Crime Reporting - In compliance with the Student Right to Know and Campus Security Act, which was signed into law in November 1990, Eastern Maine Community College is required to make available to all prospective students and employees information regarding crime statistics on the College campus and all off-campus locations. This information is available in the following department offices: Enrollment Center, Library, Residential Life, Student Services, Human Resources; and on the EMCC website at www.emcc.edu.

To report a crime, contact Campus Security at (207) 974-4853 or (207) 745-6090. In an emergency, dial 911 from a campus phone or 911 from your own phone. State the nature of your emergency, your location, building, and your name. Answer all the questions and let the operator hang up first.

Personal Property, Theft & Possession of Stolen Property - The college is not responsible for loss, theft or damage to any personal property, and does not carry any insurance on student or resident property. Many homeowner’s insurance policies cover student belongings while at college. It is recommended that residents verify that coverage exists for their personal belongings before moving onto campus and that residents keep a personal record of serial numbers and other identifying information on all items brought to campus. Taking an individual’s personal property without permission is prohibited. Any resident who suspects they may have had something stolen should promptly report the theft to Campus Security at (207) 974-4853 or (207) 745-6090.

Safety & Security Fines

The College has established fines regarding behaviors which may jeopardize the health and safety of its students and residents. These fines include, but are not limited to the following:

Exiting/Allowing others to enter through alarmed door.....	\$50.00
False Activation of Fire Alarm (deliberate)	Dismissal
Fire Drill Violation (failure to vacate building).....	\$50.00
Propping of any outside door in residence halls without RD permission.....	\$50.00
Removing or tampering with any residence hall window or screen.....	\$100.00

Other fines are listed under appropriate sections of this handbook.

Doors and Keys

Each resident will be issued a key or Student ID to access their residence hall and their assigned room. These keys/key cards are the property of Eastern Maine Community College and are NOT to be duplicated or loaned to anyone. Because it is a safety issue, lost keys must be reported immediately to the Residential Staff of your hall. All keys must be turned in at the end of the year, or when the student moves out of the residence hall. The student's account will be billed for any lost keys. If the keys are located, the charges may be removed. Lost key charges are as follows: (Acadia Room key: \$50.00, Student ID card: \$35.00)

We want to ensure the safety and security of all residents and their belongings. Students are asked not to permit "tailgating" by allowing individuals without a valid key to follow them into the residence halls. Residential staff cannot provide anyone access to a resident's room under any circumstance, except for lockouts, health, safety or maintenance inspections, and/or cases of policy violations. If a resident locks themselves out of their room, they can contact the RA on duty or Campus Security for access to their room. Excessive lockouts will result in charges being assessed to the resident's account.

RAVE Emergency Alert System - Eastern Maine Community College uses the RAVE Emergency Alert System. The RAVE system is also used to contact students when their instructor has cancelled a class, snow days, or to inform the community of other important information.

To register for RAVE, visit the home page of MyEMCC. For assistance, please contact IT.

Building Evacuation - If a College staff instructs you to evacuate or if an emergency alarm sounds, you must leave the residence halls immediately.

- Remain calm. Walk, do not run, to the nearest exit. Close all doors as you leave.
- Do not jam or crowd exits.
- Use the stairwells for evacuation. Except for medical emergencies, elevators should not be used for emergency evacuation.
- Individuals with special health problems or needs (such as a handicapped accessible means of evacuation) should be addressed in advance by contacting Campus Security.
- Proceed to the designated assembly area –
 - Acadia Hall = PRIMARY: Katahdin Hall – McCorkill Dining Hall area
SECONDARY: Maine Hall – Student Success Center
 - Kineo Hall = PRIMARY: Johnston Gymnasium
SECONDARY: Maine Hall – Student Success Center

Elevator Emergency – If an elevator gets stuck between floors, call, or ring the bell for assistance. If you hear someone calling for help from an elevator, call Campus Security at (207) 974-4853 or (207) 745-6090.

Fire Procedures -

To protect the lives and safety of those living in the residence halls, the use of fire extinguishers, fire alarms and all other equipment necessary for fire protection must be limited to emergencies and fire drills only.

Alarm stations are located throughout the hallways in all buildings on campus. These alarms are connected to the local fire department. The following procedures should be followed in responding to a fire alarm, conducting fire drills, etc.

Upon the ringing of the fire alarm (an uninterrupted, loud buzzer), the building will be evacuated immediately in an orderly manner utilizing the routes designated on the evacuation maps placed in each building/room.

Arson is a Class A crime. In addition, tampering with, damaging, or inhibiting the use of emergency equipment (including signage) and the propping of exterior doors is prohibited.

Unauthorized use or tampering with fire equipment will result in the termination of your Residence Hall Agreement and is punishable by law. Filing a false public report (pulling a fire alarm) in the State of Maine is a criminal offense punishable by imprisonment. Eastern Maine Community College will make every effort to see that the guilty parties are found and convicted.

Power Failure – In the event of a power failure, the building fire alarm system, exit signs, electronic key systems, and emergency lights will be temporarily powered by an emergency source. In most cases, evacuation of a building will not be necessary, however students will be informed by College staff if power cannot be restored and evacuation is necessary.

Lock Down/Shelter in Place – In the event an incident occurs which requires a full or partial lockdown of the EMCC campus, such as an individual with a weapon or any other scenario identified by campus security, the following protocols must be followed.

1. Stay calm and as low to the ground as possible.
2. Turn off all lights, including computer monitors and televisions.
3. Keep your mobile phone on but silence it and turn off its vibration. Monitor updates via RAVE but refrain from sharing any information on social media to maximize your personal safety.
4. Close and lock all windows, blinds, and doors. Sit away from them and **do not** open them.
5. Go to a corner of the room and sit on the floor. Remain in the building unless instructed to evacuate or until the “all clear” notice has been given via RAVE.
6. If outside, seek refuge in a secure building and avoid remaining in the open.

Sexual Assault, Domestic/Dating Violence & Stalking - Eastern Maine Community College does not tolerate sexual assault, domestic violence, dating violence, or stalking in any form. Policies exist that prohibit any unlawful sexual act or sexual contact without consent. Violators of this policy will be subject to disciplinary measures as described in the MCCS Student Code of Conduct and MCCS policies and procedures prohibiting such conduct, up to and including dismissal from the College.

Students are encouraged to tell someone about any incident of sexual assault, domestic violence, dating violence, or stalking. Students should not avoid asking for help because of embarrassment, fear of not being believed, fear of being blamed for the violation, or because the violation occurred off campus. Students have a variety of options for help during a sexual assault crisis as well as after the incident. The options outlined below include resources for emergency, medical and emotional concerns.

Important sources of help for residential students on campus are the Director of Student Engagement and Residential Life and the Resident Directors who have received training. Other campus sources of support and help may also include: *the Confidential Resource Advisor for the Maine Community Colleges*, the Student Support Services Counselor, campus safety, faculty, deans, or department chairs. Any student has the right to file a complaint through the College and/or to pursue criminal charges. Eastern Maine Community College encourages and supports students who do so. This allows the College the opportunity to investigate and prosecute crimes which ensure the well-being of campus community members, to prevent an assailant from assaulting others in the future, and to send a clear signal to anyone who does not understand that such actions constitute a crime. Procedures for on-campus disciplinary actions in cases of alleged sexual assault, domestic violence, dating violence or stalking shall follow the guidelines and/or sanctions outlined in the Student Code of Conduct and MCCS policies and procedures. This includes all rights and procedures regarding student appeals. A student has the option of meeting with either the Vice President/Dean of Students or the College Affirmative Action Officer to discuss any harassment concerns. Eastern Maine Community College staff and faculty can discuss the specifics of a case with family members only if the student gives permission; family members are not routinely notified. It is up to the student whether they decide to file a formal complaint and/or pursue charges.

The College's Affirmative Action Officer is Dusty Packard-Adams.

Office: Room 146 – Maine Hall
Phone: (207) 974-4637
Email: dadams@emcc.edu

The College's Title IX Coordinator is Liz True.

Office: Enrollment Center – Katahdin Hall
Phone: (207) 974-4673
Email: etrue@emcc.edu

Important Numbers:

Police, Fire & Ambulance 911

Campus Security (207) 745-6090 (cell) (207) 974-4853 (office)

Director of Student Engagement and Residential Life (207) 974-4690 (office) (207) 356-6496 (cell)

Facilities Management (207) 974-4650

Maine Community College Non-Discrimination, Equal Opportunity, and Affirmative Action Policy & Information:
https://mymccs.me.edu/ICS/icsfs/Policy_201_06222022.pdf?target=e1ea570a-2038-4dc9-99c2-2aa1ec68085f