



2019 Annual Safety and Security Report

2019 Annual Fire Safety Report

(2019-2020 Academic Year)

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

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Clery Act - Annual Safety and Security Report

The Eastern Maine Community College (EMCC) 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 Eastern Maine Community College’s commitment to safety and security on campus and are in compliance with the Clery Act of 1998. Eastern Maine Community College (EMCC) is a public college located in Bangor, Maine, and is one of seven campuses that comprise the Maine Community College System (MCCS). 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 College now has an official “COVID-19 Team” whose responsibility is to determine how to bring students back to Campus in the fall of 2020 in the safest and healthiest manner possible. The Campus also has an updated Emergency Management Plan. The college has contracted on-site security officers and also utilizes work study students of the Criminal Justice Program in its security department. The safety and security officers and students work under the supervision of the campus Director of Campus Safety 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 Director of Campus Safety, the Director of Student Engagement and the Director of Marketing. Information was provided by the Bangor Police Department, the Bangor Fire Department and other relevant local and state police agencies. 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 David Wilson at dwilson@emcc.edu.

Emergency telephone numbers include:

- 911 Bangor Fire Department, Ems or Police Emergency
- (207) 947-7382 Bangor Police Department (non-emergency)
- (207) 745-6090 Campus Safety & Security
- (207) 871-4720 Poison Control Center
- (800) 432-7381 Maine State Police (Bangor)
- (207) 773-7000 Northern Light Eastern Maine Medical Center
- (207) 262-1006 St. Joseph's Hospital
- (207) 723-5161 Millinocket Regional Hospital

Crisis telephone numbers include:

- 1-800-310-0000 Rape Response Services
- 1-800-624-8404 Adult Abuse
- 1-800-624-8404 Adult Protective Service - Intake
- 1-800-452-1999 Child Abuse
- 1-800-204-2803 Info line Emergency Social Svc. Referral
- 1-800-245-8889 Mental Health
- 1-800-499-9130 Youth Crisis Stabilization
- 1-207-947-0496 Abused Women – Spruce Run

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 have 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.

Important sources of help for residential students on campus are the Director of Residential Life and/or the Resident Directors who have received training. Campus sources of support and help may also include: Campus Psychologist, Disciplinary Officer, faculty, deans, or department chairs.

COVID-19

The outbreak of COVID-19 occurred during the reporting period of this report. In March of 2020 the EMCC Campus experienced a shutdown for the remainder of the fiscal year and re-opening didn't occur until the fall 2020 semester. Many guidance documents were created and/or modified due to the pandemic. As a result, changes to this document may be required to be temporary or permanent depending on the outcome of the pandemic, CDC guidance and/or due to Maine State Governor's Office Executive Orders.

Campus Crime Alerts

Eastern Maine Community College (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 Eastern Maine Community College 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. In addition, a student handbook is provided during residence hall orientation and consists of crime prevention and personal safety tips. The resident directors of each hall are responsible for student safety programming, safety related room inspections, and trains 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. The residential life staff is provided security training. Security is always a topic of concern among the staff because of the general complacency that can occur when serious incidences do not often happen. All members of the residence life staff are certified in first aid and CPR.

Reporting Crimes

Victims or witnesses of a crime should contact the appropriate EMCC staff members or the Bangor 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 Director of Student Engagement (Title IX Coordinator) at (207) 974-4696
- By calling the Director of Campus Safety at (207) 974-4853.
- 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 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. This includes all rights and procedures regarding student appeals.

A student has the option of meeting with either the College Affirmative Action Officer to discuss any harassment concerns or the college disciplinary officer, to discuss judicial alternatives without an official report being filed. 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 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

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 counselors 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. With this information, the College can keep accurate records of the number of crimes involving students on campus, determine if there is a pattern of crime, and alert the campus community of potential danger. Reports of crimes filed in this manner are counted and disclosed with the College's annual crime statistics report.

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.

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.

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. Only EMCC students, Residential Directors, Director of Student Engagement and security may gain access beyond the interior entryway into the living area. 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 have the authority to issue parking tickets which are billed to the financial accounts of students.) No EMCC personnel are authorized to arrest. Criminal incidents are referred to the Bangor Police Department who have jurisdiction at EMCC, and to the Director of Student Engagement 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 assure Campus Crime Alerts for the campus community and the accurate disclosure of Clery Act crime statistics. When a 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 Safety on incidents occurring on-campus, in the immediate neighborhood and business areas surrounding our campus.

Emergency Alert System

EMCC uses the RAVE Alert System to notify students, faculty and staff of emergency situations and provide direction. 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 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.

Emergency Response

Emergency situations on the EMCC campus are responded to by the Bangor Police Department and/or the Bangor Fire Department. 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 Safety at 974-4853.

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 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, you should plan ahead for possible evacuations. Know evacuation routes from your office or classroom and the campus.

Buildings

- If the fire alarm is activated, leave the building immediately; do not assume it is a false alarm
- Assist people with disabilities and special needs in exiting the building
- Do not return for personal items
- Do not go into the restrooms
- Do not use the elevators
- Direct visitors or anyone needing assistance to stairwells and exits
- When you are outside, check in with your supervisor, department personnel or instructor so everyone can be accounted for

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 our Emergency Notification System, email, campus administrator, security staff, or other forms of communication as required by 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 disabilities or other special needs ask a co-worker, friend or fellow student to provide assistance if an emergency develops. This “evacuation assistant” should be informed about what disabilities you have and how he or she can best help you.

If you are unable to leave the building due to a physical disability:

- 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 to you
- If possible, signal out the window to on-site emergency responders
- Try to establish a “buddy” system to have someone ready to assist you

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 down stairs
- 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

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. 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 (804). 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 School Psychologist – Salena King-Carusso, who can be reached at (207) 974-4858 or sking@emcc.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 Safety, Resident Assistants, Resident Directors, the Director of 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 Eastern Maine Community College's Alcohol and Drug Policy, please see the 2019-2020 Student Handbook by visiting the following link: <https://www.emcc.edu/student-life/resources/student-handbook/>

Procedure on Sexual Assault

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 when a person performs or compels another person to perform any sexual act or to have any form of sexual contact without consent. Rape is a specific kind of sexual assault that involves any vaginal, oral, anal, or urethral penetration with any body part or object without consent. 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 with a mental impairment (ex. from alcohol or drug use), or when the victim is physically helpless (ex. when asleep or 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 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. Reports made to the Coordinator are shared with the Director of Campus Safety for investigations. The College System's Council, with recommendation from the Coordinator and Director of Campus Safety will determine the outcome of the investigations and possible disciplinary actions. The College is also responsible for providing trained advisors for complainants (alleged victims) and respondents (alleged perpetrators) of Title IX cases.

The College strongly recommends that all victims seek immediate medical assistance. A victim may have internal or external injuries and may need treatment for disease or infection. Additionally, the College strongly recommends that all victims seek counseling and emotional assistance. A full range of support services can be initiated through the Sexual Assault Crisis Center by calling 1-800-871-7741.

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 the Higher Education Amendment (HEA) of 1992 and the Violence Against Women Act of 1994. 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 Kristopher Kelley, Director of Student Engagement at 207-974-4696.

Important phone numbers for victims of sexual assault:

- Sexual Assault Crisis Center: 1-800-871-7741
- Bangor Police Department: Emergency – dial 911; Non-emergency – 974-7384
- EMCC Director of Campus Safety: 974-4853
- Office of Housing and Residence Life: 207-974-4690
- Campus Safety and Security Officers 745-6090

The College strongly 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 Director of Campus Safety, the College Title IX Coordinator, the Campus Security Department and/or the Bangor Police Department. 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 Student Services office can assist with this. Speaking with a trained counselor can be critical to the emotional or mental well-being of the victim following a trauma

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

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 Police Department maintains 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, 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 Dean of Students 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 Dean of Students. 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 Dean of Students 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 Dean of Students and/or their designee shall consult with the BPD to ensure that communications do not hinder the investigation.

Annual Fire Safety Report for Residence Halls

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 Safety (974-4853, any resident director or resident assistant, the Dean of Students or the Bangor Fire Department.

Supervised Fire Drills

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 the 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 skillet 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 microwave ovens, other than those provided 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 *Residence Life Guide* at move-in that includes rules related to permitted small appliances and fire safety in general.

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 front 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.

Access to Campus Buildings and 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. Access to residential life facilities is by keying and by assigned responsibility. Specific residential life policies assist in governing access to student housing units. Two professional Resident Directors, and eight Resident Assistants, who are members of the college staff, live in the residence halls and are on call 24 hours a day.

The COVID-19 pandemic has resulted in a modification to Visitor Policies. The current EMCC COVID-19 Re-Entry

- Visitors
 - At this time visitors are not allowed back on Campus. This decision is to limit the number individuals on Campus for health and safety reasons and to restrict all persons on Campus to essential only. This includes family members not employed by EMCC and visitors of students.

- Volunteers
 - Those deemed to be essential to the re-opening of the Campus will be evaluated on a case-by-case basis.

- Contractors and Vendors
 - Those deemed to be essential to the function of the Campus will be required to check in at the Security Desk at Maine Hall or call 207-974-4890 or 207-974-6090 to arrange to check in with a security officer prior to entering any building. The supervisor or others who's hosting the Contractors or Vendors shall be responsible in making certain that the check in process is completed.
 - Contractors and Vendors will sign in/sign out (by telephone) with a representative of security. The security desk (regular business hours) number is 974-4890.
 - Contractors and Vendors will be met by security at the building entrance and will be restricted to only the building and area where they are required.
 - Contractors and Vendors will be required to wear a face covering while in any EMCC facility. If a person/group arrives without a face covering and their presence is essential to the operations of the Campus, a face covering will be provided, if available.
 - In all other circumstances, Contractors and Vendors will be restricted at the entrance until they are able to secure their own face covering.
 - Contractors and Vendors may be subject to any or all of the screening processes that EMCC has in place for safe entry to the Campus buildings.

Campus Housing

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

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 Services - Escorts

Security services are available from the on-duty security officer for students or employees. If anyone would like to utilize the security escort service, call (207) 745-6090 all day/night during the school season. Prior arrangements can be made by calling (207) 745-6090, or by filling out a request card located outside of the security office in Maine Hall.

Off Campus Policies

Most student activities held at off-campus locations require the presence of one college employee. Appropriate city and/or state officials have the authority to conduct the investigation of crimes with the assistance of campus administrators.

Clery Reporting - 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.

Dating Violence— Violence between individuals who have or have had a continuing and significant relationship of a romantic or intimate nature. The existence of such a relationship shall be determined based on the consideration of the following factors:

1. A dating relationship must have existed within the past 6 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.

The term does not include violence in a casual acquaintanceship or violence between individuals who only have engaged in ordinary fraternization in a business or social context.

Domestic Violence— Any assault, aggravated assault, battery, aggravated battery, sexual assault, sexual battery, stalking, aggravated stalking, kidnapping, false imprisonment, or any criminal offense resulting in physical injury or death of one family or household member by another family or household member.

Stalking— A person who willfully, maliciously, and repeatedly follows, harasses, or cyberstalks another person commits the offense of stalking.

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

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

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)

Robbery—Taking / attempting to take something by force, violence, threat, or by putting victim in fear

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 this form 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.

Victim's Rights and EMCC Obligations

The wishes of the student who has been sexually assaulted will predominate in any decisions regarding investigation, complaint or prosecution EXCEPT when there is clear danger to one or more members of the campus community because of an assailant or assailants. All colleges including Eastern Maine Community College are required under Federal Law to inform members of the College about violent crimes that occur on campus. It is important to note, however, that only general details regarding the location of the assault and/or description of the assailant will be made available to the college as required.

Reporting Procedures

Judicial/Legal Option:

Any student has the right to file a complaint through the Student Code of Conduct 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. This includes all rights and procedures regarding student appeals.

A student has the option of meeting with either the College Affirmative Action Officer to discuss any harassment concerns or the college disciplinary officer, to discuss judicial alternatives without an official report being filed. 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 he/she decides to file a formal complaint and/or pursue charges.

Getting Help for the Victim is Important

If someone has been sexually assaulted, he/she has been victimized. The assailant is at fault and such behavior is not acceptable. Students are encouraged to tell someone about a 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.

Training

Along with live training sessions, EMCC offers ongoing trainings through SafeColleges Training, an online service that offers training in a variety of topics that include, but are not limited to, training for students on domestic and sexual violence, drug addiction, self-injury and youth suicide. SafeColleges also makes available trainings for staff and faculty that include, but are not limited to, training on workplace violence, Title IV relates issues and issues related to pandemics.

Clery Act Crime Statistics

CRIMINAL OFFENSE	2017					2018					2019				
	ON CAMPUS	STUDENT HOUSING	PUBLIC PROPERTY	NON-CAMPUS	TOTAL	ON CAMPUS	STUDENT HOUSING	PUBLIC PROPERTY	NON-CAMPUS	TOTAL	ON-CAMPUS	STUDENT HOUSING	PUBLIC PROPERTY	NON-CAMPUS	TOTAL
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	1	0	0	0	1	0	0	0	0	0
Fondling	0	0	0	0	0	0	1	0	0	1	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	0	6	0	0	6	0	1	0	0	1	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
VAWA OFFENSES															
Domestic Violence	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
ARRESTS															
Weapons Charge	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Drug Violations	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Liquor Law Violations	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
DISCIPLINARY ACTIONS															
Weapons Charge	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Drug Violations	26	17	0	0	43	0	9	0	0	9	0	0	0	0	0
Liquor Law Violations	0	8	0	0	8	0	21	0	0	21	0	3	0	0	0

Unfounded Clery Act Crimes

2017: No unfounded crimes
 2018: No unfounded crimes
 2019: No unfounded crimes

Hate Crimes Reporting

2017: No hate crimes reported
 2018: No hate crimes reported
 2019: No hate crimes reported

Clery Act Fire Safety Statistics

STUDENT HOUSING FACILITY/ BUILDING	2017			2018			2019		
	FIRES	INJURIES	DEATHS	FIRES	INJURIES	DEATHS	FIRES	INJURIES	DEATHS
Maine Hall	0	0	0	0	0	0	0	0	0
Katahdin Hall	0	0	0	0	0	0	0	0	0
Kineo Hall	0	0	0	0	0	0	0	0	0
Schoodic Hall	0	0	0	0	0	0	0	0	0
Penobscot Hall	0	0	0	0	0	0	0	0	0
Acadia Hall	0	0	0	0	0	0	0	0	0
Public Safety Bldg	0	0	0	0	0	0	0	0	0
Johnston Gym	0	0	0	0	0	0	0	0	0
Other on Campus	0	0	0	0	0	0	0	0	0

Fires: Summary

	2016	2017	2018
Acadia Hall			
Fire	0	0	0
Injuries	0	0	0
Deaths	0	0	0
Kineo Hall			
Fire	0	0	0
Injuries	0	0	0
Deaths	0	0	0

The Student's 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 park them in their assigned area and are encouraged to keep their vehicles locked at all times. Valuables should be locked in the trunk. Students should report any suspicious looking individuals appearing to be out-of-place in or around the residence halls or campus buildings. Also, any unusual incidents in and around campus buildings should be reported to the on security department at (207) 745-6090. Lockers are available in Maine Hall at no cost.

Campus Housing

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

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.

Campus Programs

All residential life staff undergo thorough training in enforcing residence hall security policies and conveying security and crime prevention procedures to entering resident students.

Off-Campus Security Policy

Most student activities held at off-campus locations require the presence of one college employee. Campus security procedures include reporting crimes and fires as required to the Bangor Police Department, Bangor Fire Department, and/or the Maine State Police. Appropriate city and/or state officials have the authority to conduct the investigation of crimes with the assistance of campus administrators.

Personal Support Options

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 have 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.

Important sources of help for residential students on campus are the Director of Residential Life and/or the Resident Directors who have received training. Campus sources of support and help may also include: Campus Psychologist, Disciplinary Officer, faculty, deans, or department chairs.

Any questions concerning this report or to request a copy of this report, please contact:

Jody MacDonald
Director of Human Resources
Eastern Maine Community College
(207) 974-4633
Email: jmacdonald@emcc.edu

Notice of Nondiscrimination

Eastern Maine Community College does not discriminate as prescribed by federal and/or state law on the basis of race, color, religion, national origin, sex, sexual orientation, age, disability, marital, parental or veteran status in specified programs and activities. Inquiries about the College's compliance with laws that prohibit discrimination on these bases may be directed to:

Affirmative Action Officer Jody MacDonald, Eastern Maine Community College, Maine Hall
354 Hogan Road, Bangor, Maine
04401
(207) 974-4633, fax (207) 974-4884
affirmativeaction@emcc.edu |
www.emcc.edu

United States Department of Education, Office for Civil Rights
5 Post Office Square, 8th Floor, Boston MA 02109-3921
(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/TTD 207-624-6064, fax 207-624-6063 <http://www.state.me.us/mhrc/index.shtml>

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 Affirmative Action Officer or MHRC identified above.

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

Affirmative Action Officer: Jody MacDonald
Director of Human Resources
(207) 974-4633
Email address: jmacdonald@emcc.edu

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: Jody MacDonald
Director of Human Resources
(207) 974-4633
Email address: jmacdonaldl@emcc.edu

504 Coordinator: Elizabeth Daigle
Coordinator of Disability Services
(207) 974-4868
Email address: edaigle@emcc.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

MAINE COMMUNITY COLLEGE SYSTEM

STUDENT AFFAIRS
Section 501.1

SUBJECT: STUDENT SEXUAL MISCONDUCT AND ASSAULT, STALKING, AND RELATIONSHIP VIOLENCE

PURPOSE: To define and proscribe non-consensual sexual activities, stalking, dating violence and domestic violence not governed by Title IX

A. Introduction

This procedure governs acts by students of nonconsensual sexual conduct, dating and domestic violence and stalking that do not fall within the scope of Title IX of the Education Amendments of 1972. Such acts within the scope of Title IX are governed by MCCS Procedure 202.2. This procedure supplements the MCCS Student Code of Conduct (“Code”) by defining the prohibited acts of non-consensual sexual conduct, dating and domestic violence, and stalking governed by this procedure; explaining the procedures that will apply to the handling of such alleged violations; and providing important additional information to all students. The definitions of prohibited conduct governed by this procedure reflect Maine law where applicable and may differ from the federal definitions required in Procedure 202.2.

B. Definitions

For purposes of this procedure, the following terms have the following meanings.

1. **“Reliable Consent”** is a knowing, voluntary, and mutual decision 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 acquiescence to the sexual activity shall not be regarded as reliable consent.

Reliable 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 can be withdrawn at any time and, if so withdrawn, the sexual activity shall stop. Agreement from a person who is visibly under the influence of alcohol or drugs or otherwise impaired shall not be regarded as reliable consent.

2. **“Acquiescence”** means a person’s submission to engaging in one or more sexual activities without communicating either reliable consent or an express physical or verbal objection.
3. **“Sexual misconduct”** means the following where there is no reliable consent:
 - a. **“Sexual touching,”** which means any intentional touching of the breasts, buttocks, groin or inner thigh, directly or through clothing; or
 - b. **“Sexual contact,”** which means any intentional touching of the genitals or anus, directly or through clothing, other than as would constitute a sexual act, or
 - c. **“Sexual act,”** which means any intentional act when that act involves direct

physical contact between the:

- 1) Genitals of one and the mouth or anus of another; or
 - 2) Genitals of one and the genitals of another; or
 - 3) Genitals or anus of one and an instrument or device manipulated by another person.
4. **"Sexual assault"** means any sexual misconduct as defined above where, at the time of the sexual activity, the Complainant:
- a. Expressly communicated by words or physical act(s) a timely objection; or
 - b. Was visibly intoxicated or otherwise visibly impaired; or
 - c. Was unconscious, incapacitated, or otherwise unaware that sexual activity was occurring or about to occur; or
 - d. Was placed in reasonable fear of physical injury or other harm because of the Respondent's use or threatened use of physical force or other harm.
5. **"Dating Violence"** 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:
- a. the length of the relationship;
 - b. the type of relationship; and,
 - c. the frequency of interaction between the persons involved in the relationship.
6. **"Domestic Violence"** means one of the following criminal acts against a family or household member:
- a. Assault- intentionally, knowingly or recklessly causing bodily injury or offensive physical contact;
 - b. Criminal threatening - intentionally or knowingly placing a person in fear of imminent bodily injury;
 - c. Criminal terrorizing- communicating a threat of violence that places a person in fear for their safety or the safety of another;
 - d. Reckless conduct- recklessly creating a substantial risk of bodily injury to another person;
 - e. Stalking- intentionally or knowingly engaging in a course of conduct directed at or concerning a family or household member that would cause a reasonable person to; i) suffer serious inconvenience or emotional distress, ii) fear death or fear the death of a close relation, iii) 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 person; or
7. **"Stalking"** means the conduct described in subsection 6.e, but the conduct may be directed at or concerning any person.
8. **"Complainant"** means a person who believes he or she experienced sexual misconduct or assault by student.
9. **"Respondent"** means a student accused of sexual misconduct or assault.
10. **"Retaliation"** means pressuring a person to drop or support a complaint or to provide false or misleading information; pressuring a person to participate or refrain from participating as a witness in a proceeding; or engaging in conduct that may reasonably be perceived to

affect adversely that person's educational, living, or work environment for making a good-faith report or participating in good faith in an investigation.

C. Prohibited Conduct

It is a violation of the Student Code of Conduct for a student to intentionally engage in sexual misconduct or sexual assault, stalking, dating violence or domestic violence or to retaliate against a person who in good faith reports or participates in an investigation under this procedure. A student may be found responsible for retaliation even if not found responsible for the underlying alleged conduct.

D. Reports to a College

1. **When to Report.** Students are advised to report allegations of sexual misconduct or sexual assault, stalking, dating violence or domestic violence immediately or as soon as possible.
2. **Where to Report.** Reports should be given to the Title IX Coordinator. Any other employee who receives such a report shall immediately share the report with the Title IX Coordinator. The Title IX Coordinator will determine whether the conduct is governed by this procedure or by MCCS Procedure 202.2 (Title IX Sexual Harassment Procedure).
3. **What to Report.** A complaint may be made orally or in writing, and should be as specific as possible. A report should disclose the identity of the person(s) alleged to have engaged in the complained of conduct, and the location(s), date(s) and description of the alleged acts. A College cannot take complaints “off the record.” Once a 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.
4. **False Reports.** It is a violation of the Code for any student to intentionally file a report of any kind with a College official when the student knows that such report, by fabrication or material embellishment, is false.

E. Information Provided to a Complainant at the Time of a Report

At the time of a report to the Title IX Coordinator, the College shall provide to the Complainant a copy, or hypertext links to copies, of the Code, this Procedure and the Appendices to this Procedure. The Respondent shall receive copies or hypertext links upon notification of the allegation(s). Students are hereby advised of the following:

1. **Preserving Evidence.** It is important to preserve all evidence, including but not limited to physical evidence, text messages, social media, photographs, and security video in any way related to an allegation of sexual assault or misconduct, stalking, domestic violence, dating violence, retaliation, or request for a protective order.
2. **Confidentiality.** The College uses best efforts 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 reports of alleged violations, 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. A College will be required to disclose the Complainant’s name,

statements and allegations to the Respondent. A 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.

3. **Counseling, Health and Mental Health Services.** Counseling, health and mental health support services are available on campus and/or in the area and both the Respondent and the Complainant shall be provided with information to access available services. A list of such services is attached in the *Appendix* to this procedure.
4. **Law Enforcement.** The complainant has the right to contact, and file a criminal complaint with, the police. A list of such authorities is attached in the *Appendix*. The police can advise and assist with the Complainant's option 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.
5. **Victim Advocacy and Legal Assistance Services.** Victim advocacy and legal assistance services are also available. A list of such services is attached in the *Appendix*.
6. **Financial Aid and Visa and Immigration Assistance.** Information regarding student financial aid issues may be obtained from the College's Financial Aid Office. International students may obtain information regarding visa and immigration issues from the College's Designated School Official. A listing of contacts at each college are included in the *Appendix*.

F. Investigations

The College shall use the Code of Conduct in conducting an investigation of reports or allegations of conduct within the scope of this procedure.

G. Interim Steps While an Investigation is Conducted

A College shall consider what interim steps, if any, should be taken until the investigation and findings are complete. Such steps include, for example, changing the affected student(s) academic, living, transportation, and working situations if requested and reasonably available.

H. Participation during Proceedings

Consistent with the Code, both the Complainant and the Respondent shall have the same opportunity to have others present during internal disciplinary proceedings, including the opportunity to be accompanied to related meetings by an advisor of their choice.

I. Outcomes

At the time that the College makes its final findings, the College shall in writing notify simultaneously the Complainant and Respondent of:

1. Whether the Respondent was found to violate the Code and, if so, the provisions violated and discipline imposed; and

2. The Respondent's and Complainant's rights under the Code to appeal the findings and any discipline.

J. Discipline

A violation of this procedure shall result in discipline under the Code. With regard to cases involving sexual conduct, because of the wide range of conduct that exists between cases of violent assault and cases of sexual contact resulting from poor communication, the following guidelines shall assist Colleges in determining the appropriate discipline for each case.

1. **Sexual Assault vs. Sexual Misconduct.** Findings of sexual assault shall be regarded as more severe than findings of sexual misconduct.
2. **Types of Sexual Misconduct.** Findings of a sexual act shall be regarded as a more severe form of sexual misconduct than findings of sexual contact, and findings of sexual contact shall be regarded as a more severe form of sexual misconduct than findings of sexual touching.
3. **Cases of Acquiescence.** Findings that a student did not obtain reliable consent and instead relied upon mere acquiescence shall be regarded as important but less severe than cases involving sexual assault.
4. **Repeat Violators.** Findings that a student was previously found responsible for sexual misconduct or sexual assault shall be regarded as more severe than a first-offender.

K. Retaliation

The College will take appropriate steps to ensure that a person who in good faith reports or participates in an investigation under this procedure will not be subjected to retaliation by the Respondent or others. Anyone who has experienced retaliation is strongly encouraged to report that concern using the procedures in *Section D* above.

L. Protective Orders

Complainants 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 Complainant should, therefore, promptly inform the College if such an order is obtained so that the College may be better prepared to more promptly contact the police if necessary.

M. Primary Authority and Annual Training

The Dean of Student and/or Enrollment Services at each college shall have primary responsibility for overseeing the application of this procedure. The Deans shall ensure that Disciplinary Officers, Resident Directors, Resident Assistants, Disciplinary Committee Members and other pertinent employees are annually informed about this procedure. The Deans shall further consult with the MCCS General or Assistant Counsel on questions arising under, or recommendations to improve, this procedure.

N. 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.

O. Appendices

The Appendix of services and authorities referenced in *Section F* above is attached to this procedure.

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); MCCS Policies 501 and 807; MCCS Procedure 501.2

DATE ADOPTED: June 24, 2014

DATE(S) AMENDED: April 2, 2020 (effective May 18, 2020); July , 2020

APPENDIX

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 regional sexual assault crisis and support centers that comprise the Maine Coalition Against Sexual Assault are:

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

Other Maine-based Sexual and Relationship Violence Services

Maine Coalition to End Domestic Violence

<https://www.mcedv.org/get-help/>
Statewide Domestic Abuse Helpline

1-800-437-1220

Wabanaki Women's Coalition

<https://www.wabanakiwomenscoalition.org/connections/>

(207) 763-3478

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>

POLICE DEPARTMENTS

Central Maine Community College

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

Southern Maine Community College

South Portland, Maine
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

Washington County Community College

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

Kennebec Valley Community College

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

York County Community College

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

Northern Maine Community College

Presque Isle Police Department

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

MEDICAL HOSPITALS

Blue Hill Memorial Hospital

57 Water Street, Blue Hill, Maine 04614

(207) 374-3400

<http://www.bhmh.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.lchcare.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.stjoeshealing.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/>

NOTE: Northern Maine Community College has a Student Health Center
<http://www.nmcc.edu/student-health-center/>

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

Cumberland Legal Aid Clinic

A legal aid clinic operated by the University of
Maine School of Law. Services provided to low-
income individuals with legal cases in Southern
Maine courts (Cumberland, parts of York,
Sagadahoc and Androscoggin counties) for most
types of civil, criminal, juvenile and family
matters.

Greater Portland area – (207) 780-4370
Toll free: (877)-780-2522
[http://mainelaw.maine.edu/programs-
centers/clac.html](http://mainelaw.maine.edu/programs-centers/clac.html)

Maine Lawyer Referral Service

A referral service operated by the Maine State Bar
Association.

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>

1-800-860-1460

[http://www.lrs@mainebar.org](mailto:www.lrs@mainebar.org)

Maine Volunteer Lawyers Project

Free legal information and pro bono legal representation for qualifying low-income individuals state-wide.

Portland: (207) 774-4348

Toll free: (800)-442-4293

<http://www.vlp.org>