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A a ,Re a V e ce,S a a dRe a a a dT e IX
Se a Ha a e

The University will respond to complaints and reports of violations of this policy in a prompt, fair, impartial and equitable manner. Regardless of whether a complaint is filed, the University will respond promptly and reasonably when it has notice of potential sexual misconduct that is covered by this policy. The University will take steps to end and prevent recurrence of violations of this policy and to correct their discriminatory effects on the complainant and others when a determination of responsibility has been made against a Respondent. In responding to all complaints and reports, the University will act to ensure the safety of students, guests, and employees while complying with state and federal laws and provisions of applicable collective bargaining agreements and employee handbooks.

- Preserve all evidence of the incident. If you choose to file a report with the police, it is important that you:

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Retaliation includes intimidating, threatening, coercing, or in any way discriminating against an individual because of the individual's complaint or participation. Action is generally deemed retaliatory if it would deter a reasonable person in the same circumstances from opposing practices prohibited by this policy.

G. Sexual Misconduct

Sexual misconduct includes, but is not limited to, prostituting another person, nonconsensual image capturing of sexual activity, presentation or unauthorized viewing of a nonconsensual videotaping of sexual activity, letting others watch you have sex without the knowledge or consent of your sexual partner, possession of child pornography, peeping tommy, and/or knowingly transmitting an STD or HIV to another person. Sexual misconduct may constitute sexual harassment. All forms of sexual misconduct prohibited by Maine law are also included (see [Violation of Privacy \(External Site\)](#)).



All complaints or reports relating to violations of this policy by a University student should be made to Student Conduct or other responsible office at your campus ([contact information for Student Conduct or other responsible office on your campus available here \(PDF\)](#)), who will notify the Title IX Coordinator of the complaint or report.

Upon receiving a complaint or report of a violation of this policy by a University student, the Deputy Title IX Coordinator/Title IX Coordinator will assess the complaint or report and follow the procedures described in the University of Maine System Student Conduct Code or the Title IX Sexual Harassment Process. The Deputy Title IX Coordinator/Title IX Coordinator will provide the complainant with information about options for filing a formal complaint and explain the formal investigation and grievance process, offer supportive measures, and explain any options of informal resolution. The Deputy Title IX Coordinator/Title IX Coordinator will provide the complainant with a written explanation of the complainant's rights and options. When a formal complaint is decided, the University will use a preponderance of the evidence standard – whether it is more likely than not that the alleged violation occurred. For more information about the procedure for adjudicating complaint against students, see the [UMS Student Conduct Code](#) or the [Title IX Sexual Harassment Process](#).

All concerns regarding violations of this policy by third parties such as vendors, contractors and campus guests should be made to the UMS Title IX Coordinator at 207.581.5866 or titleix@maine.edu

If a University employee receives or becomes aware of an incident covered by this policy, the University employee shall promptly report to the Title IX Coordinator all relevant details about the alleged incident shared by the complainant that the

Whether or not an individual who has experienced a violation of this policy files a formal complaint, reporting the incident will allow the University to provide all individuals involved with available support and services, both on-campus and off-campus. The University can also take supportive measures to promote the safety and well-being of both the complainant and respondent, including, but not limited to, moving the complainant or respondent to a new living, dining or working situation;

The University of Maine System is a public institution of higher education committed to excellence in teaching, research, and public service. Together, the students, faculty, and staff form our state wide University community. The quality of life on and about the member Universities is best served by preserving the above described freedoms and civility. This policy shall not be construed or applied to restrict academic freedom within the University, nor construed to restrict constitutionally protected expression

This Article XVI and the corresponding Title IX Sexual Harassment process apply to all complaints of Title IX Sexual Harassment that are made after August 14, 2020 regarding conduct that occurs after that date. All complaints made after August 14, 2020 regarding conduct that occurred before August 14, 2020, will follow the policies in place at the time of the incident and the applicable process in place at the time of the complaint. The Title IX Sexual Harassment policy and process described in this Article XVI go into effect at midnight on August 14, 2020 and will remain in effect unless/until this policy and process are stayed, enjoined, limited, amended, repealed or otherwise are ruled or become inapplicable in whole or in part due to action by a court or the U.S. Department of Education. Should the Title IX Regulations be revoked, any conduct covered under this Policy shall be investigated and adjudicated under this policy and the applicable processes described in Articles IV and VI.

Finally, conduct that falls outside of Title IX, such as gender-based and sexual harassment that does not meet the Title IX regulations' definition or conduct that occurs outside of the United States but still within the University's education programs or activities, may be covered by Articles IV and VI of this Policy. The University condemns all forms of sexual misconduct, even conduct that does not meet the definition of sexual harassment under Title IX. Accordingly, this Policy provides procedures for reporting and investigating sexual harassment that falls outside of Title IX's definition of sexual harassment or outside of Title IX's geographic scope but is nonetheless detrimental to the safety and wellbeing of the University community.

If you have any questions or concerns about which policy or process may apply to your case/report, please contact the UMS Title IX Coordinator at 207-581-5866 or at titleix@maine.edu for clarifications.

- i. means a person chosen by a party or appointed by the institution to accompany the party to meetings related to the complaint process, to advise the party on that process, and to conduct cross-examination for the party at the hearing, if any.
- ii. means an individual or group of individuals who is alleged to be the victim of conduct that could constitute harassment based on a sex or retaliation for engaging in a protected activity.
- iii. means a written document, paper or electronic, filed by a Complainant or signed by the Title IX Coordinator alleging harassment or discrimination based on sex, or retaliation for engaging in a protected activity, against a respondent and requesting that the University investigate the allegation of harassment based on sex or retaliation for engaging in a protected activity. At the time of filing a formal complaint of Title IX sexual harassment, a Complainant must

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