



HYBRID LEARNING

## Student Handbook







## **HYBRID LEARNING STUDENT HANDBOOK**



Unity Environmental University Hybrid Learning Students,

Congratulations and welcome to Unity Environmental University! We are very happy to welcome you to our educational community.

As I'm sure you know, Unity Environmental University is a special place. Our sustainability science educational framework, our commitment to the liberal arts, and our emphasis on transdisciplinary pedagogy give Unity an extraordinary mission and an uncommon sense of community. Welcome to a community of people determined to make powerful and positive changes in the environmental century.

I am happy you are with us, and I hope that you find your time here satisfying and rewarding.

If you need help or have questions, please reach out to your Recruiter or Learning Coach. And let me know if there is anything I can do.

In Unity,

A handwritten signature in blue ink, appearing to read "Melik Peter Khoury".

**Dr. Melik Peter Khoury**  
President

*The information in the handbook is intended as a guide to policy and procedures, if you find you have any questions feel free to ask Hybrid Learning Coach.*

## **The Unity Environmental University Vision**

Engaging and Educating to Create a Sustainable World.

## **The Unity Environmental University Mission**

Through the framework of sustainability science, Unity Environmental University provides a liberal arts education that emphasizes the environment and natural resources. Through active and collaborative learning, our graduates emerge as responsible citizens, environmental stewards, and visionary leaders.

## **Unity's Core Values**

In pursuing Unity Environmental University's vision and mission, we are committed to following these eight core values:

**Respect** establishes trust.

We honor the intrinsic value of self, others, and the world we share.

**Integrity** aligns our actions and values.

We act with purposeful reflection to uphold our vision and mission.

**Social Responsibility** calls us to act.

We prepare leaders to address civic engagement in light of environmental concerns.

**Community** has no boundaries.

We connect through inclusive engagement locally and globally.

**Resiliency** demonstrates flexibility.

We develop the capacity of people, systems, and environments to anticipate and respond to change.

**Cultural Competency** recognizes differences as strength.

We explore and value the strengths, talents, and perspectives of others in order to foster strong relationships.

**Innovation** keeps us relevant.

We have the courage to question our assumptions, embrace creativity, and take calculated risks.

**Accountability** starts with us.

Our actions demonstrate ownership of our work and responsibility for measurable outcomes.

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## **PURPOSE OF THIS HANDBOOK**

The Hybrid Learning Student Handbook contains the policies, procedures, and guidelines applicable to the Hybrid Learning Sustainable Education Business Unit [SEBU] at Unity Environmental University as reviewed and approved by the Unity Environmental University Hybrid Learning administrative team. The Unity Environmental University Hybrid Learning SEBU currently oversees all Hybrid Learning programs and courses. All students in those programs/courses will follow the policies and procedures outlined in this handbook.

The most visible activity of hybrid learning undergraduate work is the intellectual interaction of faculty and students involved in learning and devoted to advancing professionalism in their fields. Supporting these endeavors are academic leaders who are committed to providing an atmosphere in which education can flourish.

By accepting admission to Unity Environmental University, students indicate that they are responsible for adhering to the policies and procedures that govern their education at Unity Environmental University. The requirements of the programs at Unity Environmental University have been instituted so that students, faculty, and administrators are guided by a shared set of expectations for education. We sincerely hope that awareness of these requirements allows each student a fruitful educational experience at Unity Environmental University.

Hybrid Learning courses involve engagement in a course with active learning. By signing up for a class, students become responsible for the academic integrity and personal conduct expectations required for a successful learning environment. Hybrid Learning courses may be offered online, face-to-face, or combinations thereof.

The Unity Environmental University Hybrid Learning Student Handbook is reviewed and updated on an ongoing basis. All revisions to the Hybrid Learning Student Handbook will become effective in the next academic term subsequent to the date of the revision. The most current version of the Hybrid Learning Student Handbook will be posted on the Unity Environmental University website.

### **Accreditation**

Unity Environmental University is fully accredited by the New England Commission of Higher Education. NECHE is located at 3 Burlington Woods Drive, Suite 100, Burlington, MA 01803-4514. NECHE may also be contacted by telephone at [781] 425-7785 or through their website at <https://www.neche.org>.

## **ACADEMIC PROGRAMS**

Please refer to the Unity Environmental University Hybrid Learning Catalog for program and course information.

## **ADMISSIONS**

Please refer to the Unity Environmental University Hybrid Learning Catalog for information regarding Admissions and Transfer student policies.

## **STUDENT RESOURCES**

### **Academic Advising**

Students will be assigned a [Hybrid Learning Coach](#) as an academic advisor for the duration of their education at Unity Environmental University. The Hybrid Learning Coach is responsible for providing student support through academic planning and communication as well as providing resources and tools for a student's success. Coaches will act as the primary point of contact for a student throughout their academic career.

Hybrid Learning Coaches are familiar with the student's field of study and act as a guide, mentor, and partner. By developing meaningful relationships with students, coaches can help to guide and support students throughout their education. Coaches help students plan their academic program, select and register for courses, troubleshoot issues as they arise, and get the most out of their programs of study.

When students enroll, they are assigned to a coach who is both interested and skilled in helping Hybrid Learning students meet their goals, progress toward degree completion, and advance in their academic careers.

### **Career Services**

[Career Services](#) provides professional development resources and opportunities to students through graduation and beyond. Students can expect career and internship opportunities job search and application resources, resume and cover letter polishing, virtual webinars, recruiting events, and connections to industry professionals. With life-long access to the Office of Career Services, alumni are encouraged to reach out for assistance at any point in their professional journey.

### **Academic Support**

Academic Support for Hybrid Learning students is available through the Hybrid Learning Coach assigned to each student, as well as through peer tutors and mentors.

### **Disability Accommodations**

Unity Environmental University is committed to making individuals with disabilities full participants in its programs, services, and activities in compliance with Title III of the Americans with Disabilities Act of 1990, Section 504 of the Vocational Rehabilitation Act of 1973, and all other state laws.

Hybrid Learning students who believe they may need a disability accommodation should initiate a review by contacting ADA Coordinator, Juanita Murray by email, [jmurray@unity.edu](mailto:jmurray@unity.edu) or call [207] 509-7236. We will provide an Accessibility and Accommodations Request Form



electronically to the student. In addition to completing that form, students will need to provide academic and/or medical documentation. These materials will be assessed, eligibility will be determined, and we will contact the student directly to discuss any appropriate accommodation and strategy. All inquiries and information are kept strictly confidential.

## **Fitness and Recreation**

Unity Environmental University Hybrid Learning supports student interest in club sports intramural competition, and outdoor recreation. Fitness center access is available only at select locations. Participation in club sports and intramural activities is supported by the Comprehensive Fee. Hybrid Learning does not offer the ability to participate in varsity intercollegiate sports.

## **Dorothy Webb Quimby Library Services**

Quimby Library ensures that students have access to thousands of print and electronic resources that are selected primarily to support the University's curriculum. The library provides access to high quality scholarly and special-interest e-books and journals through a variety of research databases and digitized local collections. The library is a member of several consortia, which provides the library with substantial interlibrary loan capabilities.

Quimby Library staff are available to support student information resource and technical support needs by providing a variety of services, such as research assistance and account services access and troubleshooting. The library staff work with students to ensure access to information resources needed for coursework and research are available. Access to Quimby Library Services are supported by the Comprehensive Fee.

## **CAMS Student Portal**

Unity Environmental University utilizes CAMS for student services such as billing, financial aid, housing, and the course schedule. Students can print unofficial transcripts through CAMS as needed. Once students are registered, they will receive the login credentials needed to access the student portal. Students must not share their login information with anyone. This login will serve as their single sign-on to access all student services, including Canvas, the learning management system [LMS], and student email. Students can access their account through the CAMS application on their [single sign-on homepage](#).

## **Canvas Online Course Platform**

Hybrid Learning students will use Canvas to access their face-to-face and online courses. Assignments, discussions, the syllabus, and all student resources are available through Canvas. Students can access their account through the Canvas application on their [single sign-on homepage](#).

## **Outlook Student Email**

Each Unity Environmental University student is assigned a unique e-mail. Students can access their account through the Outlook application on their [single sign-on homepage](#).

Although all course-related correspondence occurs in Canvas, it is highly recommended that students check this email frequently to receive important communications from the University and the Hybrid Learning team.

## **Public Safety**

Unity Environmental University Public Safety provides campus security, crime prevention, fire safety, emergency response, parking enforcement, and related public safety services.

Federal regulations require Unity Environmental University to publish the Annual Security Report and the Fire Safety Report each year by October 1. These [reports](#) are available on the Unity Environmental University website. A printed copy of this report is available to anyone, at no cost, by contacting Unity Environmental University Public Safety at [207] 509-7232.

## **Student Life**

Unity Environmental University Hybrid Learning seeks to provide students with the opportunity to live in a supportive environment while pursuing their educational and career goals. In addition to providing living quarters, [Hybrid Learning Student Life](#) provides access to a Resident Advisor [or other student service professional] and occasional organized social events. Student Life services are supported by the Room Fee and are available only to students currently enrolled in housing and dining plans. Student Life services may vary depending on location and the duration of a student's residence at a location. A two-week in-person travel course may have different Student Life services than those available during a five-week in-person course at a single location.

## **Student Advisory Council**

The Unity Environmental University Hybrid Learning Student Advisory Council consists of students who act as liaisons to the Hybrid Learning Head of Student Life.

The Student Advisory Council provides a sounding board for student feedback, ideas, and concerns regarding the Hybrid Learning student experience. Its purpose is to foster a positive learning environment for all students in Hybrid Learning. The Student Advisory Council also assists the Head of Student Life in developing and promoting student life activities, including clubs and club sports.

The Student Advisory Council meets weekly [or as needed] with the Head of Student Life either remotely or in person, as necessary. The membership of the Student Advisory Council consists of the Head of Student Life [Chair] and two appointed representatives from each University level. Representatives serve can serve on the Student Advisory Council for up to six consecutive terms.

## **Student Health and Counseling**

Counseling and health consultations are provided through a Therapy Assisted Online [TAO] program and individualized [telehealth services](#). This service is available to all Hybrid Learning students who are on campus as well as remote learners, and basic coverage is included in the Comprehensive Fee.

## **INSTRUCTIONAL DESIGN PROCEDURE AND ASSESSMENT**

### **Common Course Syllabus**

All Hybrid Learning faculty are required to use a common course syllabus. The common syllabus will have course information, course learning outcomes, textbook requirements, instructor contact information, and assessment guidelines.

### **Common Course Template**

All courses in the Hybrid Learning programs are required to use a common Canvas course template. All courses will have work broken into weekly modules with clear expectations and assessment rubrics. All courses will use the Canvas Learning Management System for posting grades, discussions, course readings, videos, and other course-specific materials.

### **Student Evaluations and Assessment**

Students will have an opportunity to provide feedback for every class. Students will receive a link to a class evaluation form that they must complete prior to receiving their final grade. This evaluation is designed to support course development and constructive instructor feedback. If there are concerns about either course development or instruction, please refer your feedback to the Hybrid Learning Programs Liaison.

## **STUDENT RIGHTS AND RESPONSIBILITIES**

### **Hybrid Learning Student Code of Conduct**

All members of the Unity Environmental University student body must be responsible for their actions and make sure that these actions do not adversely affect other community members. The University has the authority and responsibility to establish rules and standards that may require academic, moral, and ethical behavior that is considered above the standards of society at large. The principal responsibility for proper conduct rests with students. They are encouraged to resolve conflicts of individual rights and responsibilities themselves. The University will become involved, however, when students cannot resolve conflicts themselves; when local, state, or federal laws have been broken; when there could be or there is a potential for personal harm or property damage; or when University regulations have been violated.

Unity Environmental University requires students to obey local, state, and federal laws. The University also has regulations that it expects students to follow. Students whose activities have

a direct bearing on the University or members of the Unity Environmental University community may be subject to disciplinary action. Each student is expected to follow the Hybrid Learning Code of Conduct from acceptance to the University through graduation.

In order to achieve our goals as a community, we follow the Hybrid Learning Student Code of Conduct. It embodies—in addition to policies—the acknowledgment of the right of individuals to decide how they live their lives, as long as those actions do not interfere with the rights and welfare of others. Thus, our actions as a community and as individuals must ensure equal treatment for all. This includes upholding honesty and maintaining respect, honor, and civility toward all community members throughout our involvement with the University community.

Disruptive behavior in a Hybrid Learning course [regardless of modality] may include—but is not limited to—bullying, trolling, harassment, use of inappropriate language, or any other violation of the netiquette policy. Disruptive behavior outside of a Hybrid Learning course [whether in-person or online] may include—but is not limited to—exhibiting disrespectful behavior toward other students, faculty, and staff members. Whether or not a student's behavior is disruptive will be carefully considered and is always at the discretion of Unity Environmental University.

Should a Hybrid Learning student's behavior become disruptive to others, the issue should first be brought to the attention of the Hybrid Learning Programs Liaison who will involve the Head of Student Life as necessary. A Hybrid Learning student who is reported for disruptive behavior may first be given a warning, then put on probation, and ultimately removed from the University should the behavior continue.

Netiquette, or network etiquette, is concerned with the "proper" way to communicate in an online environment. Consider following the "rules" adapted from [The Core Rules of Netiquette](#) when you communicate in the virtual world.

### **Attendance Policy**

Please refer to the Unity Environmental University Hybrid Learning Catalog for information regarding Attendance policies.

### **Nondiscrimination / Harassment / Equal Opportunity Policy**

Unity Environmental University values a diverse University community where all individuals are treated with respect and dignity. The University is committed to providing a learning and working environment that is free of illegal discrimination, harassment, or retaliation. Illegal discrimination against, harassment of, or retaliation against individuals of the University community are against the University policy and will not be tolerated.

Unity Environmental University does not discriminate based on race, color, ancestry or national origin, religion, sex, sexual orientation, marital status, age, disability, veteran status, or other status protected under local, state, or federal laws in the recruitment and admission of students, educational policies, and procedures, and in the recruitment and employment of employees. We offer reasonable accommodation to applicants and to qualified individuals with disabilities, including accommodation in the application process. Unity Environmental University is an equal opportunity employer and operates in accordance with federal and state laws regarding nondiscrimination.



Harassment is verbal or physical conduct that denigrates or shows hostility or aversion toward an individual that may involve any of the protected categories listed.

Harassment based on these protected characteristics is against the law and the policy of the University. Examples of prohibited harassing conduct include—but are not limited to—epithets, slurs, or negative stereotyping; threatening, intimidating or hostile acts; denigrating jokes; written or graphic material that denigrates or shows hostility or aversion toward an individual or group; sexually-oriented conversation; or visual display of sexually suggestive pictures or objects.

These policies apply to all students and employees and are related to conduct engaged in by fellow employees, students, or third parties with whom students and employees interact in the course of their learning or jobs. Those who experience or witness discrimination, harassment, or retaliation are encouraged to promptly report such conduct to the Head of Student Life, who will promptly involve the appropriate University officials and investigate complaints. The type of discipline will be determined by reflecting on the severity of the conduct, up to and including suspension or dismissal from the University.

### **The Family Educational Rights and Privacy Act of 1974**

The Family Educational Rights and Privacy Act [FERPA] affords students certain rights with respect to their educational records. For more information on student rights under FERPA, see the Unity Environmental University Hybrid Learning Catalog.

### **Grievance Process [Non-Title IX]**

A grievance is a student concern relating to Unity Environmental University and resulting from non-academic circumstances that the student believes are unjust.

*NOTE: If a student has a safety concern, the student should contact law enforcement or other appropriate legal authorities.*

*NOTE: If the student concern is related to Title IX of the Education Amendments of 1972, which prohibits discrimination based on sex in educational programs and activities [see below], the student should follow the procedures outlined in the Title IX section of this handbook.*

This grievance procedure applies to all Hybrid Learning students. If a student has a concern, the student should first communicate the concern to the Hybrid Learning Coach. The Hybrid Learning Coach will work to address and resolve the student's concerns to the student's satisfaction. The student may, at any time, seek advice and direction from the Head of Student Life. If the concern is unresolved after speaking with the Hybrid Learning Coach and/or the Head of Student Life, the student may use the following grievance procedure. If the source of the concern is academic, the student should first communicate the concern to the Hybrid Learning Coach and then, if necessary, to the Hybrid Learning Programs Liaison.

### **Grievance Procedure**

If a student has worked with the Hybrid Learning Coach and the concern remains unresolved, the student should notify the Head of Student Life of their intent to grieve the issue. This notification must be received, in writing, within three [3] business days of written notification, the Head of Student Life will contact the student to arrange a meeting to discuss the issue and receive relevant information from the student. The Head of Student Life will investigate the

concern. This may include speaking to other parties, gathering additional information, consulting records, and other means of ensuring due diligence. The Dean will then schedule a meeting with the student to discuss these findings. If the student does not feel that the procedures outlined here were followed, then the student may appeal the decision to the VPHL/SV. The decision of the VPHL/SV is final.

## **SEXUAL MISCONDUCT POLICY**

Unity Environmental University is committed to maintaining an environment that is free from unlawful harassment and discrimination of all kinds and will not tolerate discrimination against or harassment of any individual or group based upon race, color, religion, national origin, sex, sexual orientation, gender identity, gender expression, age, disability, citizenship, or veteran status in matters of admissions, employment, housing, and all educational programs, activities, and services it operates.

This policy governs reports of alleged sexual misconduct involving Unity Environmental University students and other participants in Unity Environmental University programs. As a recipient of federal funds, Unity Environmental University must comply with Title IX of the Educational Amendments of 1972, which prohibits discrimination based on sex in education programs and activities. Sexual misconduct, defined fully below, includes sexual harassment, sexual assault, rape, and sexual exploitation. Sexual misconduct can create a hostile environment, which limits or denies students' ability to participate in or benefit from the school's educational program. Unity Environmental University does not tolerate sexual misconduct, sexual harassment, or any form of gender-based harassment, which can occur in many forms and have a broad impact on the community. These are serious offenses that violate.

Unity Environmental University policy, as well as state or federal law, may also be subject to criminal prosecution. Unity Environmental University has developed this policy and procedures to ensure prompt and equitable resolution of reports of sexual misconduct, to take appropriate actions to protect persons making a report, promote and ensure a safe learning community overall, and to impose sanctions, when appropriate, upon students who are found to have violated this policy.

### **Overview Information**

#### **Title IX Coordinator**

Unity Environmental University's Title IX Coordinator has primary responsibility for coordinating efforts to comply with and carry out Unity Environmental University's responsibilities under Title IX. Students should contact the Title IX Coordinator to seek information about Unity's processes and support resources, to file a complaint or make a report under this Policy, or to raise any other concerns. The Title IX Coordinator oversees the University's overall response under this policy and addresses issues that affect the wider campus community by monitoring outcomes, identifying, and addressing any patterns, and assessing the campus climate generally. Students are welcome to contact the University's Title IX Coordinator, Stephen Nason, and can be reached in person in Founders Hall South, by telephone at [207] 509-7284, by mail at 90 Quaker Hill Road, Unity ME

04988 or by email at [snason@unity.edu](mailto:snason@unity.edu). In addition to Mr. Nason's assistance, confidential resources are also available. He will have the list of resources.

### **Scope and Jurisdiction**

This policy applies to allegations of sexual misconduct involving any current Unity Environmental University student or any participant in a Unity Environmental University program [e.g., [summer programs](#)]. This policy applies to any incident that occurs on Unity Environmental University property, or at any Unity Environmental University event or program occurring at an off-campus location in the United States, any building owned or controlled by a student organization that is officially recognized by the University, and to any other incident occurring off-campus in the United States where the conduct may impact and affect a student's participation in Unity Environmental University programs or activities or the environment at Unity Environmental University. The term "student" as used in this policy means all students registered or enrolled in any course or program at Unity Environmental University or any person accepted to the Unity Environmental University Hybrid Learning program and/or participating in any other Unity Environmental University programs. There is no time limit associated with making a report under this policy, so long as a student against whom allegations are made is still enrolled at Unity Environmental University. Nevertheless, individuals are encouraged to make reports promptly to maximize the University's ability to conduct a thorough and reliable investigation. Failure to promptly report an incident may result in the loss of relevant evidence and limit the scope of the University's response. If a report concerns a visitor or guest of a Unity Environmental University student who is a student at another educational institution, including a student who is enrolled at another institution in addition to Unity Environmental University, the University will ordinarily notify and coordinate its response with the other educational institution in which that student is enrolled. Under no circumstances will Unity Environmental University allow a student's impending graduation to compromise its resolution processes. The University may remove a respondent from the recipient's education program or activities on an emergency basis.

Unity Environmental University may continue to apply this policy to a student's conduct even if the student subsequently has graduated, withdraws, takes a leave, or is otherwise absent from the University. The University may dismiss the formal complaint or any allegations therein, if at any time during the investigation or hearing if the respondent is no longer enrolled or employed by the University. This policy applies to all students and employees, regardless of sexual orientation, gender identity, or gender expression. Note that reports of sexual misconduct against a student or program participant by a faculty or staff member should be made to the Title IX Coordinator and will be adjudicated according to the Unity Environmental University Employee Handbook.

### **Privacy vs. Confidentiality**

Privacy and confidentiality have distinct meanings. It is important to understand the distinctions because under Title IX only a select and small group of Unity Environmental University employees are permitted to keep information confidential. Privacy means that information related to a report of misconduct will be shared only with a limited circle of individuals who "need to know" the information in order to assist in the review, investigation, or resolution of the report. Although not bound by confidentiality, these individuals will be discreet and respect the privacy of all individuals involved in the process. Examples of individuals who often "need to

know” of the report, allegations and information include the SEBU Title IX Coordinator, Public Safety, and student life staff, among all other mandatory reporters [see below]. University employees receive training regarding respecting and safeguarding private information.

The University must keep confidential the identity of any individual who has made a report or complaint of sex discrimination, including any individual who has made a report or filed a formal complaint of sexual harassment, any complainant, any individual who has been reported to be the perpetrator of sex discrimination, any respondent, and any witness, except to carry out the conduct of any investigation, hearing, or judicial proceeding arising thereunder.

The University must maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the ability of the University to provide the supportive measures.

Confidentiality means that information shared by an individual with designated campus or community professionals cannot be revealed to any other individual without the express permission of the individual. These professionals include telehealth providers Counseling, Health Services, community health providers, community mental health providers, rape crisis counselors, and attorneys, all of whom typically must abide by confidentiality laws applicable to their profession. These individuals are prohibited from breaking confidentiality unless the conduct poses a serious threat of harm to any individual, or under certain legally required circumstances, such as to comply with a subpoena or with mandatory reporting requirements when abuse of a minor is suspected.

### **Actual Knowledge**

Actual knowledge means notice of sexual harassment or allegations of sexual harassment to a recipient’s Title IX Coordinator or any official of the University who has authority to institute corrective measures on behalf of the University. Imputation of knowledge based solely on vicarious liability or constructive notice is insufficient to constitute actual knowledge. This standard is not met when the only official recipient with actual knowledge is the respondent. The mere ability or obligation to report sexual harassment or to inform a student about how to report sexual harassment, or having been trained to do so, does not qualify an individual as one who has authority to institute corrective measures on behalf of the University. “Notice” includes, but is not limited to, a report of sexual harassment to the Title IX Coordinator.

### **Responsible Employees**

Under law, a “responsible employee” is a University employee who has a legal duty to report incidents of sexual misconduct to the Title IX Coordinator. When a student tells a responsible employee about an incident of sexual misconduct, the responsible employee must report to the Title IX Coordinator all known details about the alleged sexual violence. Examples of responsible employees include public safety staff [including student staff], faculty, deans, student life staff [including resident assistants], and most other University employees. Only persons designated as confidential resources above, which include health and counseling staff, are not “responsible employees” under this policy. All employees must undergo basic Title IX training. Employees with expanded Title IX responsibilities and/or appeals board members must undergo additional Title IX training specific to their role.



## **Resources for Counseling, Advocacy, and Support**

Unity Environmental University has an array of support available to any student who is affected by sexual misconduct. Support resources are available to students regardless of whether a student chooses to make an official report, pursue the procedural options described below, or participate in any institutional disciplinary or local law enforcement process. If a student chooses to make a report to the Title IX Coordinator, the Coordinator will discuss off-campus support resources during the initial intake meeting.

## **Supportive Measures**

Once a report is made to the Title IX Coordinator, the University can make available a range of support to either a reporting or responding party involved in an alleged incident while the matter is pending. These supports, also called “supportive measures,” are immediate steps the University can take to protect students pending the outcome of a complaint investigation or other procedural step under this policy. Such measures are designed to restore or preserve equal access to the University’s education program or activity without unreasonably burdening the other party. The Title IX Coordinator, or the Coordinator’s designee, determines what measures are appropriate on a case-by-case basis in order to keep students safe and ensure that they can participate in the University’s programs and activities. Not all the measures listed below will be necessary in every case. If a student requests a specific interim measure, the Title IX Coordinator, or designee, will consider whether the request can be granted. The provision of interim measures does not suggest that a decision has been made about the outcome of a particular report or process.

Some examples of interim measures include:

- mutual restrictions on contact between the parties, which prohibits verbal, electronic, written, or indirect [e.g., through a third party] communication;
- academic accommodations, such as a transfer to a different class or section, rescheduling of assignments or tests, and arranging for incompletes, leaves of absence, or course withdrawals;
- changes in campus housing and/or dining locations;
- assistance in finding alternative housing;
- alternative employment arrangements and/or schedules;
- a campus escort or transportation accommodations;
- temporary exclusion from certain areas of campus; and
- interim suspensions.

Unity Environmental University will seek to minimize unnecessary or unreasonable burdens on either party when instituting interim measures. However, violations of any directive made as an interim measure will constitute an additional offense that may result in further disciplinary action.

## **Prohibited Conduct and Key Definitions**

Unity Environmental University prohibits the following forms of sexual misconduct: sexual harassment, gender-based harassment, non-consensual sexual contact, non-consensual sexual

intercourse, dating violence, domestic violence, stalking, sexual exploitation, and any other activity considered to be sexual misconduct under the law.

Retaliation is also prohibited. The following definitions apply:

- A. Complainant.** The individual who alleges that sexual misconduct has been committed against him/herself or an individual alleged to be the victim of sexual misconduct by a third-party reporter. At the time of filing a formal complaint, a complainant must be participating in or attempting to participate in the education program or activity of the University with which the formal complaint is filed.
- B. Formal Complaint.** A document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that the University investigate the allegation of sexual harassment. The complaint sets forth the name of the respondent, and the date, location, nature of the alleged sexual misconduct, and other relevant details. At the time of filing a formal complaint, a complainant must be participating in or attempting to participate in the education program or activity of the University with which the formal complaint is filed. A formal complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail. While the Title IX Coordinator signs a formal complaint, the Title IX Coordinator is not a complainant or otherwise a party.
- C. Consent.** Agreement to engage in a specific sexual activity that is knowing, clear, voluntary, freely given, and may be withdrawn at any time. Consent is also active, meaning that through clear words or actions, a person has indicated permission to engage in mutually agreed-upon sexual activity at that specific time. There is no consent when there is force, express or implied, or when coercion, intimidation, threats, or duress is used. Whether a person has taken advantage of a position of influence over another person may be a factor in determining consent. Past consent to sexual activity with another person does not imply ongoing future consent with that person or consent to the same sexual activity with another person. If a person is mentally or physically incapacitated or impaired so that the person cannot understand the fact, nature, or extent of the sexual situation, there is no consent; this includes impairment or incapacitation due to alcohol or drug consumption that meets this standard or being asleep or unconscious. Also note that in some circumstances, a person under the age of 18 may not be able to give consent to sexual activity, depending upon state law.
- D. Dating Violence.** Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. Whether a relationship exists is determined based on factors such as the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. Dating violence includes, but is not limited to, sexual abuse, physical abuse, emotional abuse, or the threat of such violence and does not include acts that meet the definition of domestic violence. Any form of dating violence that is prohibited by Maine law is also prohibited under this policy.
- E. Domestic Violence.** Felony or misdemeanor crimes of violence, as defined by applicable state statute, committed by a current or former spouse or intimate partner, a person with whom the student shares a child in common, by a person who is cohabitating with or has cohabitated with the student as a spouse, by a person similarly situated to a spouse of the victim under applicable state law, or by any other person against an adult or youth victim who is protected from that person's acts under the applicable domestic or family violence laws. Any other form of domestic violence is prohibited.

- F. Education Program or Activity.** Includes locations, events, or circumstances over which the University exercised substantial control over both the respondent and the context in which the sexual harassment occurs, including any building owned or controlled by a student organization that is officially recognized by the University.
- G. Gender-Based Harassment**  
Acts of aggression, intimidation, or hostility based on a person's actual or perceived sex, including conduct based on gender identity, gender expression, and nonconformity with gender stereotypes, even if those acts do not involve conduct of a sexual nature.
- H. Hostile Environment.** Sexual misconduct that is sufficiently severe or pervasive that it substantially interferes with a student's University employment, academic performance, participation in University programs or activities, or living, learning, or working environment. Such sexual harassment creates a hostile environment in violation of Title IX and this policy. A single instance of unwelcome conduct may create a hostile environment if it is sufficiently serious. In determining whether a hostile environment exists, Unity Environmental University will consider a variety of factors contributing to the severity, persistence, or pervasiveness of the conduct, and will further evaluate the conduct from both a subjective and objective perspective. This means that Unity Environmental University will consider both from the perspective of the person who is harassed, as well as determine whether a reasonable person in the student's position would have found the conduct sufficiently undesirable or offensive to have created a hostile environment.
- I. Incapacitation.** Physical and/or mental inability to make informed, rational judgment. Incapacity can result from, among other things, mental disability, sleep, blackouts, flashbacks, involuntary physical restraint, or from intentional or unintentional taking of alcohol and/or other drugs. Where alcohol or other drugs are involved, incapacitation is determined by how the substance consumed affects a person's decision-making capacity, awareness of consequences, and ability to make informed judgments. The perspective of a reasonable person will be the basis for determining whether one should have known about the effect of the use of alcohol and/or other drugs on another's ability give consent.
- J. Non-Consensual.** Sexual contact or intercourse that occurs without consent.
- K. Sexual Intercourse [Rape].** Penetration, no matter how slight, of [1] the vagina, anus or mouth of a person by any body part of another person or by an object, or [2] the mouth of a person by a sex organ of another person, without that person's consent.
- L. Respondent.** The individual student who is alleged to have committed one or more acts of sexual misconduct.
- M. Retaliation.** Any harassing behavior, including intimidation, threats, and other adverse action, against a person who has reported an incident or who participates in the investigation of a report under this policy.
- N. Sexual Contact.** Any intentional sexual touching by a person upon a person made without consent and/or by force. Sexual contact includes, but is not limited to: intentional contact with the breasts, buttocks, groin, or genitals, or touching another with any of these body parts; making another touch you or themselves with or on any of these body parts [including clothing covering any of these areas]; or any intentional bodily contact in a sexual manner, though not involving contact with/of/by breasts, buttocks, groin, genitals, mouth or other orifice, with any object.

- O. Sexual Exploitation.** Taking sexual advantage of another person without consent, which includes, without limitation: causing or attempting to cause the incapacitation of another person in order to gain a sexual advantage over such other person; recording, photographing or transmitting identifiable images of private sexual activity and/or the intimate parts [including genitalia, groin, breasts or buttocks] of another person; allowing third parties to observe private sexual acts; prostituting another person; engaging in voyeurism [e.g., watching private sexual activity without the consent of the participants] or viewing another person's intimate parts without consent; and/or knowingly or recklessly exposing another person to a significant risk of sexually transmitted infection; or any other similar conduct.
- P. Sexual Harassment.** Unwelcome conduct of a sexual nature. Sexual harassment may include, for example, unwelcome physical contact; sexually explicit comments in person or via phone, letter, note, gift, text message, e-mail, or other electronic medium; sexual advances; requests for sexual favors; unwelcome invitations to engage in sexual activity; unwelcome commentary about an individual's body or sexual activities; threatening to engage in an unwelcome sexual act with another person; engaging in indecent exposure; and stalking or cyberstalking.

Sexual Harassment means conduct, on the basis of sex, that satisfies one or more of the following:

- an employee of the University conditioning the provision of an aid, benefit, or service of the University on an individual's participation in unwelcome sexual conduct, also known as "quid pro quo"
  - unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the recipient's education program or activity
- Q. Sexual Assault.** This includes dating violence, domestic violence, stalking, rape, fondling, incest, or statutory rape, as defined in the FBI's UCR program, and any nonconsensual sexual act proscribed by Federal, tribal, or State law, including when the victim lacks capacity to consent.
- R. Sexual Misconduct.** A broad term encompassing sexual exploitation, sexual harassment, non-consensual sexual contact, and non-consensual sexual intercourse as defined in this policy. Misconduct can occur between strangers or acquaintances, including people already involved in an intimate relationship. Sexual misconduct can be committed by someone of any gender, gender identity or gender expression, and it can occur between people of the same sex or gender or different sexes or genders.
- S. Stalking.** A course of conduct directed at a specific person that would cause a reasonable person to fear for their safety or the safety of others or suffer substantial emotional distress. Examples of stalking include: unwanted, intrusive, and frightening communications by phone, text message, mail, and/or email; repeatedly leaving or sending unwanted items such as gifts; following or waiting for a person at places such as home, class, or work; making direct or indirect threats of harm to a person, or their family, friends, or pets; damaging or threatening to damage property; harassment on the internet or social media; and posting information or spreading rumors about a person.

## Options for Making a Formal Report



Students have several formal and informal reporting options for reporting instances of sexual misconduct. Students may pursue the criminal process, use Unity Environmental University's reporting processes, or do neither or both.

## **Formal Reporting Options**

### **A. Report to the Title IX Coordinator**

Individuals who have experienced sexual misconduct may make a report to the Title IX Coordinator. Other persons may also make reports to the Title IX Coordinator on behalf of a student victim or because they witnessed or learned of an instance of sexual misconduct. Mandatory reporters who have been made aware of sexual misconduct must report such conduct to the Title IX Coordinator. If the Title IX Coordinator is unavailable, reports may be made to Public Safety or a member of the Student Life Staff and will be referred as soon as possible to the Title IX Coordinator. When the Title IX Coordinator receives a report about sexual misconduct, the Coordinator will provide information about resources and support available and discuss available resolution options [see below]. The University is obligated to take prompt action to eliminate sexual misconduct, prevent its recurrence, and to address its effects even if the student prefers that the University not take any action. When the student reports alleged misconduct by an employee or third party, the Title IX Coordinator will work with appropriate University administrators to respond to the report in accordance with applicable faculty, staff, or other University policies. Reports may be made at any time, including during non-business hours, by using the telephone number or e-mail address, or by mail to the office address, of the Title IX Coordinator, Stephen Nason, at Founders Hall South, by telephone at [207] 509-7284, by mail at 90 Quaker Hill road, Unity ME 04988 or by email at [snason@unity.edu](mailto:snason@unity.edu).

#### **Dismissal of a formal complaint**

The University must investigate the allegations in a formal complaint. If the conduct alleged in the formal complaint

- would not constitute sexual harassment even if proved,
- did not occur during, in or related to the University's education program or activity, or
- did not occur against a person in the United States,

then the University must dismiss the formal complaint regarding that conduct for purposes of sexual harassment under Title IX. Such a dismissal does not preclude action under another provision of the University's code of conduct.

The University may dismiss the formal complaint or any allegations therein, if at any time during the investigation or hearing:

- a complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint or any allegations therein;
- the respondent is no longer enrolled or employed by the University;
- or specific circumstances prevent the University from gathering evidence sufficient to reach a resolution of the formal complaint or allegations therein.

The University must promptly send written notice of any dismissal and reason[s] therein simultaneously to the parties.

## **B. Report to Local Law Enforcement**

Sexual misconduct may constitute both a violation of this policy and criminal activity. Unity Environmental University encourages students to report alleged sexual misconduct promptly to local law enforcement agencies. The University is available to assist students in making a criminal report and will cooperate with law enforcement agencies to the extent permitted by law. Criminal investigations may be useful in the gathering of relevant evidence. Because the standards for finding a violation of criminal law differ from the standards for finding a violation under this policy, the outcome of a criminal proceeding does not determine of whether a violation of the University's Sexual Misconduct Policy [or any other policy] has occurred. In other words, conduct may constitute sexual misconduct under this policy even if the accused student is not found to have committed a crime. Thus, the filing of a formal complaint under this policy [see below] is independent of any criminal investigation or proceeding and [except that the University's investigation may be delayed temporarily while criminal investigators are gathering evidence]. Unity Environmental University will not wait for the conclusion of any criminal investigation or proceeding to commence its own investigation and/or take interim measures to protect students as detailed above; however, Unity Environmental University will coordinate with law enforcement as appropriate.

### **C. Anonymous Reporting Options**

Anonymous reporting processes allow students to inform the Title IX Coordinator about incidents of sexual misconduct, but due to their anonymity, severely constrain Unity Environmental University's ability to respond. Nothing prevents a student or third party from using the formal reporting options [\[see above\]](#) regarding an incident that has previously been anonymously reported.

## **Other Reporting Considerations**

### **A. Required Reporting on Crime Statistics**

Unity Environmental University is required under the federal Clery Act to publish an Annual Security Report to provide current students, prospective students, employees, the public, and the U.S. Department of Education with statistics about crimes that occur on campus or University-controlled property. The Annual Security Report includes aggregated, anonymous statistics in categories such as sexual assault, dating violence, and domestic violence and does not include personally identifiable information about any students or other individuals involved.

### **B. Timely Warning Reporting Obligations**

Under federal law, if a report of misconduct discloses a serious or continuing threat to the Unity Environmental University community, Unity Environmental University may issue a timely, campus-wide warning [\[typically through an email to the campus community\]](#) to protect the health or safety of the community. The timely warning will not include any identifying information about a reporting student without their express consent. Information about other individuals is guided by federal laws such as FERPA and the Clery Act.

The University must keep confidential the identity of any individual who has made a report or complaint of sex discrimination, including any individual who has made a report or filed a formal complaint of sexual harassment, any complainant, any individual who has been reported to be the perpetrator of sex discrimination, any respondent, and any witness, except as may be permitted by FERPA, or as required by law, or to carry out the conduct of any investigation, hearing, or judicial proceeding arising thereunder.

### **C. Retaliation Prohibited**

It is a violation of this policy to retaliate against any person making a complaint or report of sexual misconduct or against any person cooperating in an investigation or resolution process [\[including witnesses and supporters as referenced below\]](#).

Retaliation should be reported promptly to the Title IX Coordinator and may result in disciplinary action independent of any sanction or interim measures imposed in response to the underlying allegations under this policy.

No University or other person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this part.

Intimidation, threats, coercion, or discrimination, including charges against an individual for

code of conduct violations that do not involve sex discrimination or sexual harassment but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or formal complaint of sexual harassment, for the purpose of interfering with any right or privilege secured by Title IX constitutes retaliation.

The University must keep confidential the identity of any individual who has made a report or complaint of sex discrimination, including any individual who has made a report or filed a formal complaint of sexual harassment, any complainant, any individual who has been reported to be the perpetrator of sex discrimination, any respondent, and any witness, except as may be permitted by FERPA, or as required by law, or to carry out the conduct of any investigation, hearing, or judicial proceeding arising thereunder.

Complaints alleging retaliation may be filed according to the grievance procedures for sex discrimination.

#### ***Specific Circumstances***

- The exercise of rights protected under the First Amendment does not constitute retaliation.
- Charging an individual with a code of conduct violation for making a materially false statement in bad faith in the course of a grievance proceeding under this part does not constitute retaliation, provided, however, that a determination regarding responsibility, alone, is not sufficient to conclude that any party made a materially false statement in bad faith.

#### **D. Drug and Alcohol Amnesty**

Unity Environmental University encourages students to report incidents and allegations of sexual misconduct. So as not to discourage reports, a student who makes a report under this policy in good faith will not be subject to disciplinary action by the University for their own personal consumption of alcohol or drugs at or near the time of the incident, provided that any such violations did not and do not place the health and safety of any other person at risk. Unity Environmental University may, however, expect that individuals engage in counseling or other educational supports to address substance use.

#### **E. Minor Students**

When there is a reason to believe that a person under the age of 18 may have been subjected to abuse, many Unity Environmental University employees have a mandatory reporting obligation under Maine law and would report covered incidents to the appropriate State government agency. The Title IX Coordinator can provide additional guidance on mandatory reporting.

### **Unity Environmental University's Response**

The University, with actual knowledge of sexual harassment in an education program or activity of the University against a person in the United States, must respond promptly in a manner that is not deliberately indifferent. The University is deliberately indifferent only if its response to sexual harassment is clearly unreasonable in light of the known circumstances.

The University's response must treat complainants and respondents equitably.



## **Intake Procedures**

### **A. Intake Meeting with Complainant**

Upon receipt of a report of any allegation of sexual misconduct, the Title IX Coordinator will first schedule an Intake Meeting with the reporting student [or other individual] in order to discuss the allegations in detail, provide the student with a general understanding of this policy and procedures, explain to the complainant the process for filing a formal complaint, and to identify forms of support, interim measures, or other accommodations available to the student. The Title IX Coordinator will make available to the student a supporter or advisor [see below], as well as discuss procedural options for resolving the report, including Mediation and making a formal report. At the initial Intake Meeting with the reporting student, the Title IX Coordinator will seek to ascertain how the reporting student wishes to proceed, i.e., whether the reporting student wishes to pursue mediation, file a formal report, file a criminal complaint, or does not wish to pursue resolution at that time.

### **B. Student Requests Confidentiality or Does Not Wish to Pursue Procedural Options**

Sometimes a student makes a report but requests that they not be identified [or does not want to make a Formal Report]. The Title IX Coordinator will weigh that request against the University's obligation and commitment to provide a safe, non-discriminatory environment for all students, including the student making the report. In weighing a request for confidentiality, the University may consider the following factors: the seriousness of the reported misconduct; whether there have been other reports of sexual misconduct made about the same individual; whether the report suggests a pattern of perpetration at a particular location or by a particular group; and any other relevant circumstances. If Unity Environmental University honors the request for confidentiality, the reporting student must understand that the University's ability to meaningfully investigate or otherwise respond to the alleged incident may be limited. Although rare, there are times when Unity Environmental University may not be able to honor a student's request in order to provide a safe, non-discriminatory environment for all students. If the Title IX Coordinator determines that the University cannot maintain a student's confidentiality, the Title IX Coordinator will inform the reporting student prior to starting an investigation and will take appropriate precautions. The University also will take all available steps to protect the reporting student from retaliation or harm, including working closely with the student to create and implement an appropriate safety plan.

### C. Intake Meeting with Respondent

If the reporting student [hereinafter, “Complainant”] wishes to proceed with either Mediation or Formal Report, the Complainant and his/her supporter will prepare a written summary of the Complaint and provide it to the Title IX Coordinator. The Complaint will set forth the name of the Respondent and the date, location, and nature of the alleged sexual misconduct. Upon receipt of a formal complaint, the University must provide the following written notice to the parties who are known:

- Notice of the University’s grievance process, including any informal resolution process.
- Notice of the allegations of sexual harassment including sufficient details known at the time and with sufficient time to prepare a response before any initial interview. Sufficient details include the identities of the parties involved in the incident, if known, the conduct allegedly constituting sexual harassment, the date and location of the alleged incident, if known. The written notice must include a statement that the respondent is presumed not responsible for the alleged conduct that a determination regarding responsibility is made at the conclusion of the grievance process. The written notice must inform the parties that they may have an advisor of their choice [who may be, but is not required to be, an attorney] may inspect and review evidence. The written notice must inform the parties of any provision in the University’s code of conduct that prohibits knowingly making false statements or knowingly submitting false information during the grievance process.

### D. Supporters and Advisors

When investigating a formal complaint and throughout the grievance process, the University must provide the parties with the same opportunities to have others present during any grievance proceeding including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice [who may be, but is not required to be, an attorney] and not limit the choice or presence of advisor for either the complainant or respondent in any meeting or grievance proceeding. The University may establish restrictions regarding the extent to which the advisor may participate in the proceedings, as long as the restrictions apply equally to both parties.

## Resolution Options

There are two resolution options under this policy: **Mediation** and **Formal Report**.

### A. Mediation

The University may not require as a condition of enrollment or continuing enrollment, or employment or continuing employment, or enjoyment of any other right, waiver of the right to an investigation and adjudication of formal complaints of sexual harassment.

Similarly, a University may not require the parties to participate in an informal resolution process and may not offer an informal resolution process unless a formal complaint is filed.

However, at any time prior to reaching a determination regarding responsibility the University may facilitate an informal resolution process, such as mediation, that does not involve a full investigation and adjudication, provided that the University.

1. Provides to the parties a written notice disclosing:
  - the allegations;
  - the requirements of the informal resolution process including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations, provided, however, that at any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint; and
  - any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared.
2. Obtains the parties' voluntary, written consent to the informal resolution process.
3. Does not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student.

Mediation provides an opportunity for a complainant to communicate their concerns, experiences, and perceptions, including the impact of the incident of the alleged sexual misconduct, to the Respondent, in the presence of and facilitated by the Title IX Coordinator or designee. The respondent will then be given the opportunity to respond. Mediation does not involve an investigation, a finding of responsibility, or sanctions. Whether a complainant pursues mediation is entirely voluntary. The respondent's participation in the mediation meeting[s] is voluntary. The respondent will have an opportunity to respond. Upon timely request by the complainant or respondent, the Title IX Coordinator may accommodate a student's concerns about the discomfort of a face-to-face conversation by providing separate facilities, by using a visual screen, or by permitting participation by telephone, videophone, video conferencing, videotape, audiotape, written statements, or other means. The Title IX Coordinator will determine whether accommodations are appropriate and what accommodations will be provided to students. At the conclusion of the mediation, the Title IX Coordinator shall provide to each party a written summary of the decisions reached. In addition, the Title IX Coordinator may institute supportive measures agreed upon by the parties. Supportive measures are designed to restore or preserve equal access to the University's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties, the recipient's educational environment, and deter sexual harassment.

Supportive measures may include

- counseling;
- extensions of deadlines or other course-related adjustments;
- modifications of work or class schedules;
- campus escort services;
- mutual restrictions on contact between the parties;
- changes in work or housing locations;
- leaves of absence;
- increased security and monitoring of certain areas of the campus; and
- and other similar measures.

The University must maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the ability of the University to provide the supportive measures. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures. If either party wishes to appeal a supportive measure imposed by the Title IX Coordinator without the agreement of both parties, they may do so by contacting the VPHL/SV in writing within three [3] working days of the Title IX Coordinator's written decision. The matter will be decided by the VPHL/SV in a timely fashion, with no additional option for review or appeal. If a complainant believes the respondent has violated the terms of any decisions reached in mediation, they should immediately contact the Title IX Coordinator to report the violation. The Title IX Coordinator will make a determination of whether the terms were violated and will take responsive action if warranted, including issuing an appropriate sanction. The respondent may appeal to the VPHL/SV, in writing, within three [3] working days. The matter will be decided by the VPHL/SV in a timely fashion with no additional opportunity for review or appeal.

## **B. Formal Complaint**

Upon receipt of a formal complaint, the University must provide the following written notice to the parties who are known:

1. Notice of the University's grievance process including any informal resolution process.
2. Notice of the allegations of sexual harassment potentially constituting sexual harassment including sufficient details known at the time and with sufficient time to prepare a response before any initial interview. Sufficient details include:
  - the identities of the parties involved in the incident, if known;
  - the conduct allegedly constituting sexual harassment; and
  - the date and location of the alleged incident, if known.
3. The written notice must include a statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process.
4. The written notice must inform the parties that they may have an advisor of their choice [who may be, but is not required to be, an attorney] and may inspect and review evidence.

5. The written notice must inform the parties of any provision in the University's code of conduct that prohibits;
  - knowingly making false statements; and
  - knowingly submitting false information during the grievance process.

### ***Dismissal of a Formal Complaint***

The University must investigate the allegations in a formal complaint. If the conduct alleged in the formal complaint:

- would not constitute sexual harassment even if proved,
- did not occur in the University's education program or activity,
- did not occur against a person in the United States,

then the University must dismiss the formal complaint with regard to that conduct for purposes of sexual harassment under Title IX. Such a dismissal does not preclude action under another provision of the University's code of conduct.

The University may dismiss the formal complaint or any allegations therein, if at any time during the investigation or hearing:

- a complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint or any allegations therein;
- the respondent is no longer enrolled or employed by the University;
- or specific circumstances prevent the University from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.
- Upon a dismissal required or permitted the University must promptly send written notice of the dismissal and reason[s] therefor simultaneously to the parties.

### **Step 1: Investigation**

The Investigator, who is a neutral fact finder, will be assigned by the Title IX Coordinator and could be another trained Unity Environmental University employee or a trained investigator from outside the University. The Title IX Coordinator is solely responsible for assigning an Investigator. Investigation procedures may be implemented remotely, using technology. The Investigator will interview the complainant, the respondent, and any relevant witnesses, including expert witnesses, if any. The Investigator will solicit, review, and obtain any relevant documents or electronic evidence and, where applicable, coordinate with law enforcement agencies to collect and preserve relevant evidence.

The complainant and respondent are encouraged to disclose all facts related to the complaint. The complainant and respondent may identify any known sources of evidence, including witnesses and any relevant documents, electronic communications, or social media information to enable the Investigator to develop a complete record. They may suggest questions to the Investigator to be asked of other parties or witnesses.

The University will not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence. The University will provide the parties with the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney, and not limit the choice or presence of

advisor for either the complainant or respondent in any meeting or grievance proceeding. However, the University may establish restrictions regarding the extent to which the advisor may participate in the proceedings, as long as the restrictions apply equally to both parties; The University will provide to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all hearings, investigative interviews, or other meetings, with sufficient time for the party to prepare to participate.

Final decisions about with whom to talk and what to ask will be made by the Investigator. Once the investigation is completed, the Investigator will issue a written report that will include: summaries of all interviews with the parties and witnesses; a list of relevant written, electronic, photographic, forensic, or other evidence reviewed as part of the investigation; and a written analysis of the events in question.

When the report is preliminarily complete, the report will be made available, concurrently, to the Title IX Coordinator, the complainant, and the respondent. The University will provide both parties an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a formal complaint, including the evidence upon which the University does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to conclusion of the investigation. Prior to completion of the investigative report, the University must send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy. If either the complainant or the respondent believes that the Investigator has failed to appropriately characterize their interview, inaccurately reported any other information, or omitted material information, they may within ten [10] calendar days of receipt of the report, request that the Investigator amend the report, seek clarification of the information, or include the omitted material. The Investigator ultimately decides how to incorporate either party's request to amend the report. The Title IX Coordinator may request that clarifications to the report be made or that further investigation be undertaken. After responding to such requests, if any, the Investigator shall issue the final report, which will include a recommendation as to whether the respondent should be found responsible for a violation of this policy or any related violations of the student code, based upon the preponderance of the evidence [i.e., more likely than not]. The investigator will create an final investigative report that fairly summarizes relevant evidence which will be issued at least 10 days prior to a hearing [if a hearing is required] or other time of determination regarding responsibility, send to each party and the party's advisor, if any, the final investigative report in an electronic format or a hard copy, for their review and written response. At any time prior to the Investigator's issuance of the final report, the respondent may elect to accept responsibility for the alleged misconduct. When this occurs, the Investigator will forward the matter to the Title IX Coordinator to determine appropriate sanctions.

## **Step 2: Hearing**

The University's grievance process for formal complaints is a live hearing. This live hearing will not occur sooner than 10 days after all parties have received the final report from the investigator. The live hearing is chaired by the decisionmaker, who is not the Title IX Coordinator or the Investigator.



At the live hearing, the decisionmaker[s] must permit each party's advisor to ask the other party and any witnesses all relevant questions and follow-up questions, including questions challenging credibility. Such cross-examination at the live hearing must be conducted directly, orally, and in real time by the party's advisor of choice and never by a party personally, notwithstanding the discretion of the University to otherwise restrict the extent to which advisors may participate in the proceedings.

At the request of either party, the University must provide for the live hearing to occur with the parties located in separate rooms with technology enabling the decisionmaker[s] and parties to simultaneously see and hear the party or the witness answering questions.

Only relevant questions may be asked of a party or witness. Before a complainant, respondent, or witness answers a cross-examination or other question, the decisionmaker[s] must first determine whether the question is relevant and explain any decision to exclude a question as not relevant.

If a party does not have an advisor present at the live hearing, the University must provide without fee or charge to that party, an advisor of the University's choice [who may be, but is not required to be, an attorney] to conduct cross-examination on behalf of that party.

Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent.

If a party or witness does not submit to cross-examination at the live hearing, the decisionmaker[s] must not rely on any statement of that party or witness in reaching a determination regarding responsibility; provided, however, that the decisionmaker[s] cannot draw an inference about the determination regarding responsibility based solely on a party's or witness's absence from the live hearing or refusal to answer cross-examination or other questions.

Live hearings may be conducted with all parties physically present in the same geographic location or, at the University's discretion, any or all parties, witnesses, and other participants may appear at the live hearing virtually, with technology enabling participants simultaneously to see and hear each other.

The University must create an audio or audiovisual recording, or transcript, of any live hearing and make it available to the parties for inspection and review.

#### ***Determination Regarding Responsibility***

The decisionmaker[s], who cannot be the same person[s] as the Title IX Coordinator or the investigator, must issue a written determination regarding responsibility.

To reach this determination, the University must apply the preponderance of the evidence standard [i.e., [more likely than not](#)].

The written determination must include the following:

- identification of the allegations potentially constituting sexual harassment.

- a description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, and methods used to gather other evidence, and hearings held;
- findings of fact supporting the determination;
- conclusions regarding the application of the University's code of conduct to the facts;
- a statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the University imposes on the respondent, and whether remedies designed to restore or preserve equal access to the University's education program or activity will be provided by the University to the complainant;
- the University's procedures and permissible bases for the complainant and respondent to appeal.

The University must provide written determination to the parties simultaneously. The determination regarding responsibility becomes final either on the date that the University provides the parties with the written determination of the result of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which an appeal would no longer be considered timely.

The Title IX Coordinator is responsible for effective implementation of any remedies.

### **Sanctions**

The decisionmaker[s] may impose sanction[s] that are appropriate and suited to the circumstances presented. Factors relevant to sanctioning include, but are not limited to, the nature of the offense; the respondent's intent, acceptance of responsibility, remorse and forthrightness; the respondent's past disciplinary record; how the University has sanctioned similar incidents in the past; the severity of any damage, injury, or harm resulting from the violation; and other relevant mitigating or aggravating circumstances. The following are possible sanctions for violations reviewed under this policy. Additional descriptions of each may be found in the Conduct Code:

- written reprimand
- educational program requirement
- restitution
- community service
- counseling
- fine
- requirement to move campus residence or removal from University housing
- campus Suspension
- disciplinary probation
- disciplinary suspension
- disciplinary dismissal
- loss of visitation privileges

- loss of contact with a specific person[s]
- such other sanction as the Title IX Coordinator may reasonably deem appropriate.

Sanctions imposed under this policy are not effective until any timely appeal process has concluded. However, the Title IX Coordinator may continue existing Interim Measures, or impose new ones, if necessary, during the pendency of an appeal process. Unity Environmental University reserves the right to communicate with a parent or guardian regarding any student conduct taken by the University, including under this policy, and in accordance with the federal Family Educational Rights and Privacy Act [FERPA]. In cases where a student is found responsible and is sanctioned with either a disciplinary suspension or a disciplinary dismissal, the change in the student's status will be annotated with a letter attached to the student's transcript.

### **Step 3:Appeal**

The University must offer both parties an appeal from a determination regarding responsibility, and from a University dismissal of a formal complaint or any allegations therein, on the following bases:

- Procedural irregularity that affected the outcome of the matter;
- New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and
- The Title IX Coordinator, Investigator[s], or decisionmaker[s] had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter.

Either party may submit an appeal in writing to the VPHL/SV within five [5] business days of the date of the Final Outcome Letter. In the written appeal submission, the student shall specify the grounds [i.e., reasons] upon which the appeal is based, and how those grounds affected the outcome, responsibility of the respondent, or sanctions. The appeal must be accompanied by all supporting materials for such information to be considered in the appeal.

The VPHL/SV shall promptly:

- Notify the other party in writing when an appeal is filed and implement appeal procedures equally for both parties;
- Give both parties a reasonable, equal opportunity of five [5] days to submit a written statement in support of, or challenging, the outcome;
- Issue a written decision describing the result of the appeal and the rationale for the result; and
- Provide the written decision simultaneously to both parties.

The Title IX Coordinator shall be copied on the appeal and associated notices and submissions. The Title IX Coordinator may submit a written response to any issues raised on appeal.

When considering the appeal, the VPHL/SV will limit his/her scope to reviewing the appeal documents and of the Investigation/Adjudication record [including the Final Report, the hearing recordings, and any written statements submitted at the adjudication stage]; however, the VPHL/SV may, at his/her discretion, reopen the investigative process if new, relevant evidence is submitted. For an appeal to be granted, the VPHL/SV must find the existence of:

- fraud;
- procedural irregularity that affected the outcome of the matter;
- new evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; or
- the Title IX Coordinator, Investigator, or decisionmaker[s] had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter.

If the VPHL/SV determines that there are grounds to grant an appeal, the VPHL/SV will be the final arbiter of the case and may decide to uphold, revise, or vacate the finding of responsibility, or eliminate, reduce, or increase the sanction. The VPHL/SV will promptly issue a written decision on the appeal. This decision will be made available to the complainant, the respondent, and the Title IX Coordinator simultaneously.

## Other Considerations

### A. Expectation of Truthfulness

Students who provide information as part of an investigation, whether as parties to the proceedings or as witnesses, are expected to be forthcoming and truthful in accordance with the University's code of conduct, and failure to do so may result in the initiation of a separate disciplinary matter.

Charging an individual with a code of conduct violation for making a materially false statement in bad faith in the course of a grievance proceeding under this part does not constitute retaliation, provided, however, that a determination regarding responsibility, alone, is not sufficient to conclude that any party made a materially false statement in bad faith.

### B. Employee Expectations

Unity Environmental University prohibits any instructor, faculty member, or staff member to date or have a sexual relationship with a student, even if the relationship is consensual in nature. For a consensual relationship between a student employee and another student, where the student employee instructs, evaluates, supervises, or advises, or who is in a position to exercise authority over the student in any way, the student employee must disclose the relationship to his or her supervisor, as well as to the head of the relevant Unity Environmental University department.

### C. Regulation of Speech

Title IX is intended to protect students from sex discrimination rather than regulate the content of speech. In keeping with federal enforcement priorities, Unity Environmental University recognizes that a particular instance of expression, standing alone, may not be sufficient to establish a hostile environment under Title IX. The exercise of rights protected under the First Amendment does not constitute prohibited retaliation.

### D. Alternative Representatives

If a student does not feel comfortable coming forward to a particular designated University official who, according to this policy, is responsible for handling some aspect of this policy,

an alternative University representative may be contacted instead.

- E. Alternative representatives may then designate an impartial and appropriate person to resolve the matter following applicable University policy.

**F. Confidentiality**

In order to comply with FERPA and Title IX, and to provide for orderly processes without undue intimidation or pressure, all proceedings under this policy are confidential. All information, documents prepared for or disclosed in a mediation or formal investigation/adjudication, investigative reports, statements, and all other materials prepared and/or submitted may not be disclosed outside of the processes set forth in this policy, except as may be required by law.

The University must keep confidential the identity of any individual who has made a report or complaint of sex discrimination, including:

- any individual who has made a report or filed a formal complaint of sexual harassment,
- any complainant, any individual who has been reported to be the perpetrator of sex discrimination,
- any respondent, and
- any witness, except as may be permitted by the FERPA statute or to the conduct of any investigation, hearing, or judicial proceeding arising thereunder.

**G. Withdrawal**

If a student withdraws from the University after a complaint has been filed for an alleged violation, but before the complaint has been resolved by the University, the University may continue to proceed to investigate, adjudicate or otherwise complete its resolution of the complaint. The University may dismiss the formal complaint or any allegations therein, if at any time during the investigation or hearing the respondent is no longer enrolled or employed by the University. The Title IX Coordinator will determine how to conclude the matter. Students who are considering withdrawal are encouraged to consult with the Title IX Coordinator to fully understand the implications of such a decision.

**Policy Interpretation and Amendments**

Any question of interpretation or application of this policy and associated procedures shall be referred to the Title IX Coordinator for final determination. Typically, all procedures under this policy are coordinated through the Title IX Coordinator; however, nothing in this policy precludes the President or the VPHL/SV from taking appropriate action to ensure the safety of the University community, enforce University policies and procedures, or comply with applicable law in response to a report of sexual misconduct. This policy may be amended at any time, in writing, at any time, as authorized by the President.

## **ADMINISTRATIVE POLICIES AND REGULATIONS**

### **Procedural Guidelines for Disciplinary Matters**

The Unity Environmental University Hybrid Learning Student Code of Conduct is established as the University's method for resolving reported violations of University policies [except for the Sexual Misconduct Policy] brought forward by students, staff, faculty, municipal authorities, or other members of the community regarding the behavior of Unity Environmental University students. The University reviews all such complaints and any related incident reports or information and determines the method of resolution.

### **Filing a Complaint**

Any individual or organization may submit a complaint to the Public Safety department, the Head of Student Life, or members of the Student Life staff of any violation of the Unity Environmental University Hybrid Learning Student Code of Conduct. The complaint must be submitted stating [1] the details of the incident and [2] a precise statement of what section of the code was broken. The complaint must be submitted within a maximum of 10 calendar days of the incident report to the Housing Director [or designee] or the Public Safety department [unless the investigation requires more time]. Students will be notified via campus mail of any complaint that has been filed.

Student complaints regarding faculty or staff members shall be resolved in accordance with the faculty or staff handbooks. Student complaints regarding persons who are not members of the Unity Environmental University community shall be referred to the appropriate governmental authorities. The University may also choose to initiate a complaint itself through the Head of Student Life or another administrator.

Depending upon the nature and circumstances of the violation, the following methods of adjudication may be utilized to resolve allegations regarding student behavior. The Head of Student Life has the discretion to decide which of the following methods, or some combination or variation on them, is the most appropriate procedure in a particular situation:

- A. Informal Resolution.** In some instances, incidents and/or allegations are most appropriately resolved in a manner not resulting in formal process. This may include, but is not limited to, a referral campus or off-campus resources as deemed appropriate by the University. If an informal resolution is selected, the incident report will not be part of the student's disciplinary file.
- B. Conduct Review Meeting.** A conduct review meeting is administered by the Head of Student Life, Housing Director [or designee], or other designated personnel. The respondent has the right to accept responsibility or refute the allegations set forth in the complaint during this meeting. The administrator will determine if the student is responsible, not responsible, or determine that there is resolution without determination of responsibility. The standard to determine responsibility is by the preponderance of the evidence [i.e., more likely than not]. The administrator conducting the meeting will determine appropriate sanctions. The administrator, at the end of the meeting, may also determine that the incident will be forwarded to the Conduct Board for review.
- C. The Unity Environmental University Conduct Board.** The Unity Environmental University Conduct Board consists of faculty, staff, and student members. A pool of prospective members may be kept, to maintain full attendance at Board meetings. The Head of Student Life serves as the ex-officio convener of the Conduct Board, and the Housing Director [or designee] may serve as a non-voting procedural advisor for



hearings.

The Conduct Board resolves matters of appeal or dispute of facts. The standard to determine responsibility is by the preponderance of the evidence [i.e., more likely than not]. A student may also choose to have their alleged violation reviewed by the Conduct Board rather than a Conduct Review Meeting in incidents involving dispute of facts or for other repeat violations. The respondent will be notified within 48 hours of the scheduled Conduct Board meeting.

**D. The Residential Council.** The Residential Council may resolve incident reports that alleged violations related to quiet hours, unregistered guests, smoking, pets, in-hall sports, fire safety, and violations of similar gravity. This Residential Council will be composed, when possible, of representatives who are nominated by their resident advisor and approved by the Housing Director [or designee]. If no Residential Council members are available to hear scheduled cases, the Housing Director [or designee] will resolve the case[s]. The standard to determine responsibility is by the preponderance of the evidence [i.e., more likely than not]. The Housing Director [or designee] serves as chair of this board.

**E. Disciplinary Procedures.** The following are the procedures that will be followed when an alleged violation of the Unity Environmental University Hybrid Learning Student Code of Conduct is reported [except for violations within the scope of the Sexual Misconduct Policy]:

1. University officials will respond to an incident and address the inappropriate behavior. The public safety department will be notified and begin an investigation of the incident.
2. When appropriate, an incident report will be written and forwarded to the Housing Director [or designee].
3. The Housing Director [or designee] will notify the student[s] within 72 hours of receiving an incident report that the student[s] has [have] been officially cited for the specified violation[s]. The student[s] will be advised as to what s/he[they] is[are] being cited for, and that s/he [they] has [have] the opportunity to write a statement related to the alleged incident. The student[s] will receive a copy of the official incident report and will be informed of their options for resolution. The Housing Director [or designee] also will alert the Head of Student Life that an incident occurred.

**F. Conduct Review Meetings and Conduct Board Review Meetings**

1. At least 48 hours prior to the review meeting, the Head of Student Life will submit a copy of the incident report to all involved parties and stating what appropriate review will take place.
2. If a student is unable to attend the scheduled review meeting, the student should notify the Housing Director [or designee] or the Head of Student Life. The review will proceed if the student does not communicate his/her availability for attending the meeting.
3. The review meeting will be closed to all persons not directly involved with the matter.

4. Review meetings will include:
  - report of the incident.
  - presentation of relevant facts. This includes written or oral statements, documents, and/or items of property.
  - the student is entitled to attend the open session of the review meeting and present facts and arguments relevant to the issues under review.
  - closed Deliberation. Following the presentation of all evidence, the Head of Student Life or Conduct Board will determine in closed session whether a violation of the Unity Environmental University Code of Conduct has occurred and render a decision.
  - decisions. One of the following decisions will be made for possible violations of the Code of Conduct, applying the standard of preponderance of the evidence [i.e., more likely than not]:
    - a finding of “not responsible.”
    - a finding of “responsible.”
    - a finding of “resolution without determination of responsibility.”
    - dismissal of the citation due to lack of factual basis.
    - continuance of the case for the purpose of obtaining additional information or of providing for further consideration.
5. Disciplinary Sanctions. If the Conduct Board finds the student responsible, appropriate sanctions will be referred to the Head of Student Life for approval. Decisions will be based only upon relevant facts presented through the review process. Appropriate sanctions are outlined in the Student Handbook for various violations. All review decisions may include sanctions thought best to resolve the incident and uphold the integrity of the Hybrid Learning Student Code of Conduct.

### **Notification of Action Taken**

The student will be notified promptly of the decision and any associated sanctions by the Head of Student Life.

### **Right of Appeal**

The student may request an appeal to the VPHL/SV of final action by the Head of Student Life or Conduct Board. Such appeal requests must be presented in writing within seven working days of the final action by the Head of Student Life or Conduct Board. Should the VPHL/SV determine that the written request for appeal has merit, he/she will consider the appeal. Grounds for appeal include fraud, a procedural error, or new relevant evidence that was previously unavailable and materially affects the outcome of the adjudication or sanction. Upon completion of the appeal review, the Vice President for Hybrid Learning may either uphold the original decision and penalties imposed or make appropriate changes.

### **Violations**

Violations are activities which directly and significantly interfere with the University's [1] primary educational responsibility of ensuring the opportunity of all members of the community to attain their educational objectives, or [2] subsidiary responsibilities of protecting the health

and safety of persons in the campus community; maintaining and protecting property; keeping records; providing living accommodations and other services; and sponsoring non-classroom activities such as lectures, concerts, athletic events, and social functions. Upon a preponderance of the evidence that a student organization has violated a University policy or procedure, the organization may be subject to disciplinary action. Note that the Sexual Misconduct Policy addresses violations related to sexual misconduct, such as sexual harassment, gender-based harassment, and non-consensual sexual contact, among others. Please refer to the Sexual Misconduct Policy.

The violations listed below are considered in the context of the student's responsibility as a member of the academic community; other actions which may be considered as violations may be defined by other documents such as, for example, the Room and Board contract. Disciplinary action taken under this Code is independent of the awarding of grades [an academic matter], and provisions of this Code cannot be used for changing awarded grades.

The Room and Board Contract between the student and the institution may specify certain other conditions, which impose additional responsibilities and obligations on the residence hall student. In the event of a conflict between the conditions stated in this Handbook and the Room and Board Contract, the contract takes precedence. The following violations indicate categories of conduct or activity which violate the Code. These have been delineated in such a way as to give reasonable warning to students that such conduct or attempted conduct is forbidden. These definitions of violations should not be rigidly construed:

#### **A. Academic Misconduct**

- 1. Plagiarism.** Plagiarism is quoting, summarizing, or paraphrasing any part of a source; incorporating any information that is not common knowledge; using another's work without attributing the source in accordance with fair-use policies; or submitting work that someone else completed.
- 2. Cheating.** Seeking out, accepting or abetting any unauthorized collaboration during exams, claiming credit for work not done independently, or submitting an assignment for one class in another class without approval of both instructors.
- 3. Misrepresentation.** When someone other than the student enrolled in the course completes any part of the coursework.
- 4. Falsification.** Falsifying or deliberately misrepresenting data and/or submission of work.

#### **B. Disruption of University Operations**

- 1. Disruptive Behavior** is defined as conduct that disrupts teaching, research, administrative, disciplinary, or other Unity Environmental University activities. Disruptive behavior may occur at functions on or off campus or at other authorized non-Unity Environmental University activities when the conduct occurs on Unity Environmental University premises.
  - *Minor disruptions* are the least serious and may be handled informally between the staff or faculty member and student, leading to a prompt resolution.

- *Moderate disruptions* involve an ongoing problem or serious classroom incident, and academic and student success Deans will be consulted to assist with evaluating/resolving the situation.
  - *Serious disruptions* are the gravest and may pose immediate danger to the student or campus community. If this occurs, the Department of Public Safety will be contacted immediately.
2. **Failure to Comply with Sanction.** Failure to comply with or attempts to circumvent a sanction[s] imposed by the appropriate University official or board.
  3. **Failure to Identify.** Failing to properly identify one's self to an employee of the University in pursuit of his/her official duties.
  4. **Interference with Code Enforcement.** Interference with a complainant, witness, investigation, or the carrying out of procedures defined in this Code.
  5. **Interference with or Failure to comply with a University Official.** Direct interference with or failure to comply with an employee of the University in the performance of his/her official duties.
  6. **Supplying False Information.** Knowingly supplying false information to employees in pursuit of their official duties or to a Committee in the course of a disciplinary proceeding or knowingly causing false information to be thus supplied.
  7. **Unauthorized Representation.** Unauthorized representation of Unity Environmental University or an employee of the University.
  8. **Violation of Residence Hall Policies.** Violation of residence hall contracts, except when the residence hall contract specifically provides for an alternate procedure or remedy for the violation concerned.
  9. **Violation of Student Activity Regulations.** Violation of a regulation, policy, standard of conduct, or code of ethics applicable to the activity in which the student is engaged, and which has been adopted, published or otherwise made known to students participating in such activity.

### C. Health & Safety Violations

1. **Creating a Dangerous Condition.** Creation of a fire hazard or other dangerous condition.
2. **Endangering Health or Safety.** Conduct which threatens or endangers the health or safety of any individual.
3. **False Reporting of Dangerous Conditions.** Giving or causing to be given false reports of fire or other dangerous conditions.
4. **Illegal Possession, Use, or Sale of Drugs.** Possession, use, or sale of illegal drugs or drug paraphernalia or the misuse of legal prescription drugs.
5. **Interference with Safety Equipment or Alarms.** Tampering with, disabling, or causing malfunction of fire and safety equipment or alarm systems.
6. **Possession or Misuse of Weapons.** Violation of regulations concerning possession or misuse of firearms or other dangerous weapons, as defined by the policies established in the Weapons Policy.
7. **Restricting Traffic Flow.** Restriction of normal traffic flow into or out of University facilities.

8. **Use or Possession of Chemicals or Explosives.** Unauthorized use or possession of explosive components, chemicals, etc. such as fireworks, explosives, gas or compressed air.
9. **Violation of Alcohol Policies.** Violations of University or State alcoholic beverage regulations or laws.

#### **D. Offenses Involving Other People**

1. **Causing Fear of Physical Harm.** Intentionally or recklessly placing a person or persons in reasonable fear of imminent physical harm.
2. **Harassment or Intimidation.** Unwelcome behavior that creates a hostile or intimidating working, educational, or living environment or behavior that unreasonably interferes with an individual's academic or job performance and opportunities. Note that Sexual Harassment and/or Gender-based Harassment is typically addressed under the Sexual Misconduct Policy.
3. **Hazing.** Any action taken, or situation created by a person or an organization, or with the knowledge or consent of an organization, which recklessly or intentionally endangers the mental or physical health of a student.
4. **Interference With Residential Life:** Significant interference with the normal residential life of others.
5. **Invasion of Privacy.** The violation of another individual's reasonable expectation of privacy where the circumstances justify that expectation, including, but not limited to: physically trespassing in a private area with the intent of observing or eavesdropping; using an electronic device to intercept, record, amplify or broadcast a private conversation or private events; or engaging in surveillance, photographing, broadcasting, image-capturing or recording of private conversations or private events. The fact that the Respondent was a party to the conversation or event is not determinative of another individual's reasonable expectation of privacy. Note that, in certain circumstances, conduct under this section will be addressed under the Sexual Misconduct Policy.
6. **Lewd or Indecent Behavior.** Exhibition of the genitals, anus, or pubic area of a person other than for legitimate academic purposes. Note that in certain circumstances, conduct under this section may be prohibited Sexual Exploitation under the Sexual Misconduct Policy and would be addressed under that policy.
7. **Physical Assault.** Intentionally, knowingly, or recklessly causing bodily injury or offensive physical contact with another person.
8. **Retaliation.** Taking retaliatory action against an individual for notifying campus authorities of a violation of the code and/or filing or participating in a complaint under the Code.
9. **Discriminatory Harassment.** Harassment or discrimination based on actual or perceived race, color, religion, sexual orientation, gender identity or expression, national origin or citizenship status, age, disability, genetic information or veteran status.
10. **Unauthorized Recording of a Conversation.** Intercepting, recording, or image-capturing a faculty or staff member in a classroom, office, video conferencing or over

the telephone without that faculty or staff member's consent unless it is part of an approved reasonable accommodation.

#### **E. Offenses Involving Property**

- 1. Defacement, Destruction, or Misuse of University Property.** Intentional or reckless misuse, destruction, or defacement of University property as defined above or of the property of other people.
- 2. Misuse of University Computers.** Misuse of the University computer network or computers including, but not limited to: theft of computer files or data, email, or other electronically stored information; probing or hacking into other computers or computer systems; spamming; sending out computer viruses; or uploading or downloading copyrighted material for personal use or distribution without authorization.
- 3. Motor Vehicle Violation.** Violation of motor vehicle policies established by the University.
- 4. Tampering, Destruction, or Falsification of Records.** Tampering with, destroying, or falsifying official records.
- 5. Theft or Unauthorized Use.** Theft, attempted theft, or unauthorized acquisition, removal, or use of property.
- 6. Trespassing.** Unauthorized presence on any University held or related property, including residence halls.

#### **F. General Infractions**

- 1. Aiding Infraction.** Knowingly assisting in the violation of any of the provisions of this Code or other University policies or other University policies.
- 2. Continued Infraction.** Continued infractions of the Code.
- 3. Conviction of a Crime.** Conviction of any crime that threatens: [a] any educational process or legitimate function of the University, or [b] the health or safety of any individual.
- 4. Other Illegal Activity.** Violating local, state, or federal laws otherwise not covered under this Code.

#### **Disciplinary Actions**

- A. Official Warning.** An official statement that the student has been found "responsible" for a violation of the Unity Environmental University Code of Conduct and the expectation that it will not be repeated. The standard for a finding of responsibility is by a preponderance of the evidence.
- B. Educational Program Requirement.** May include written reflection, some form of self-assessment, or meeting with campus personnel. This may include research projects, reflective essays, counseling assessments, sanction seminars, or other related assignments intended to promote learning.
- C. Restitution.** May include payment for damage to University property or facilities, payment for damages to property or a member of the University community, and repayment of misappropriated or misused University funds.



- D. Community Service.** A student may be required to perform a certain number of hours for a specific University department or event.
- E. Requirement to Move Residence.** A student assigned this sanction will be required to move out of his/her residence and relocate to a room assigned by the Housing Director (or designee).
- F. Deferred Sanction.** A probationary period upon which a respondent's continued enrollment or housing contract at Unity Environmental University is contingent. Any further violation of the Code during that time will result in the imposition of the deferred sanction and any additional sanctions deemed necessary.
- G. Fine.** Payment of money. Respondents who are unable to pay may discuss alternate payment arrangements.
- H. Residence Probation.** A conditional continuance of residence in University housing. This means that a student is no longer in good standing in his/her residence for a specific period and that conditions may be placed upon his/her actions.
- I. Residence Eviction.** The termination of a student's living arrangements in University-controlled housing. A student who is evicted from a residence is required to vacate his/her room within four days after notice of eviction unless otherwise required by the Housing Director (or designee) or Head of Student Life.
- J. Residence Restriction/ Loss of Visitation Privileges.** The termination of a student's right to enter certain designated area[s] of University property.
- K. Disciplinary Probation.** A conditional continuance of registration resulting from serious student misconduct. This sanction implies a status between good standing and suspension or dismissal. The student is permitted to remain enrolled at Unity Environmental University under certain stated conditions. Probation continues over a stated period. Further misconduct during the probationary period may result in suspension or dismissal. It may include the loss of one or more privileges.
- L. Suspension.** The termination of a student's living arrangements in University-owned or managed housing and a limitation of time during which a student may be on University property. A suspension is usually accompanied by a schedule that indicates the hours the student may be on University property and the locations to which s/he is limited.
- M. Disciplinary Suspension.** The termination of a student's registration for a specified period. Suspension differs from dismissal only in that it implies and states a time limit when return will be possible. A student who is suspended by the University is required to discontinue residence in University-owned or controlled buildings and properties within 24 hours after notice of suspension unless otherwise required by the Head of Student Life.
- N. Disciplinary Dismissal.** The permanent separation [subject to the right of review after five years] from Unity Environmental University. The student's registration is terminated and is required to discontinue residence in University-owned or controlled buildings and properties within 24 hours after notice of dismissal unless otherwise required by the Head of Student Life.
- O. Loss of Contact with a Specific Person[s].** With this sanction, the person may not initiate direct or indirect contact with a specified person[s].

- P. Such Other Action as the University May Reasonably Deem Appropriate.** [e.g., suspension of an organization's official campus recognition or suspension of a student from an extracurricular activity]

The University may impose a harsher sanction on a student when the Head of Student Life or Conduct Board determines that the student intentionally selected the person or organization against whom the violation was committed, or selected the property damaged or stolen, because of the race, religion, color, sex, sexual orientation, gender identity or expression, national origin or citizenship status, age, disability, genetic information or veteran status of that person, the persons in the organization, or the owner of the property.

### **Administrative Actions**

The University reserves the right to suspend or dismiss a student, or mandate a medical withdrawal, at any time when conduct is deemed to be in violation of University policy or in situations where the student poses a risk to him/herself, to others, or for the University. In taking such action, the University need not assign further reasons. At the discretion of the Head of Student Life, and following individualized assessment, a student who is determined to be a danger to self or to others, or in which the behavior significantly disrupts the living and learning environment of the University, may be involuntarily or administratively withdrawn, dismissed, or suspended. The University's refund policy, as listed in the Hybrid Learning Catalog, will determine any type of financial refund as a result of these administrative actions.

- A. Summary Suspension.** Summary suspension is taken in extreme or unusual cases when there is reasonable cause to believe the continued presence of the student on campus presents an immediate and definite danger to him/herself or others or threatens disruption of University actions or activities. Students who exhibit severe emotional problems may also be summarily suspended. Summary suspension is immediate termination of a student's privilege to attend the University and all its related functions. A student who has been summarily suspended may not attend classes, may not participate in any University activities, and may be excluded from University property. Should the student ignore the conditions of this suspension, the University may initiate criminal proceedings. The authority for initiating a summary suspension is vested with the VPHL/SV who will determine the length of the suspension.
- B. Dismissal.** Dismissal is a permanent severance from the University. A permanent notation is placed in the student's disciplinary file. A student dismissed from the University will be required to leave campus within 24 hours unless otherwise required by the Head of Student Life.
- C. Medical Withdrawal.** A student may request a medical withdrawal when illness, injury or a significant personal situation occurs that makes it impossible for the student to continue with classes. See the Unity Environmental University Hybrid Learning Catalog for more information on requesting a Medical Withdrawal.

A student may also be required to take a medical withdrawal at the request of the University when a student's illness or associated behaviors prevent the student from safely attending class or completing coursework, present a risk to the safety of others, or are significantly disruptive to the community. The Head of Student Life in consultation with medical professionals will make the determination of when a mandatory medical withdrawal will be required and by what date the student must leave campus.

Students who have taken a medical withdrawal are eligible to apply for readmission and must do so through the Registrar's Office according to the schedule specified in the Unity Environmental University Hybrid Learning Catalog. Students are strongly encouraged to take a full term away from the University to address the medical issues before seeking to return. Depending on the situation and the time in the term that the withdrawal takes place this may be a required condition of the withdrawal/readmission. Students who leave on a medical withdrawal will be asked to submit confirmation that they have addressed the medical condition and are ready to return to full participation in the educational program of the University. This may require documentation from a licensed medical practitioner. Students on a medical withdrawal will receive an email address on our alumni server while they are away from the University. Notification of this change will come from the Information Technology office.

Students who are suspended, dismissed, or medically withdrawn are not be permitted to attend any Unity Environmental University functions during the sanction or withdrawal period. After the sanction or withdrawal period has been completed and all applicable requirements have been met, the student is eligible for readmission to the University. For a student preparing to transfer to another institution who has been suspended for a violent crime or sexual assault, a letter will be attached to his/her transcript explaining that he/she has been suspended.

*\*Please note that the University's tuition/room/board refund policy will be adhered to with regards to evictions/suspensions.*

## **Public Safety Procedures**

The following procedures will be followed whenever practical and possible, for suspected infractions of the Unity Environmental University Hybrid Learning Student Code of Conduct.

**A. Investigations.** Public safety is the investigating authority for Unity Environmental University, with the exception of investigations regarding the sexual misconduct policy which are typically handled by the Title IX Coordinator. Public safety personnel may initiate and supervise investigations of possible violations of the Unity Environmental University Hybrid Learning Student Code of Conduct.

### **1. Authority of Investigating Officer**

The investigating officer shall have the authority to take the following action after s/he has determined or suspects that a student has committed an act that violates the Unity Environmental University Hybrid Learning Student Code of Conduct:

- refer the case to the Head of Student Life in accordance with this code;
- notify proper authorities as needed; and
- include an interview with or a written statement from any person who may assist in the ascertaining of facts.

### **2. Notification**

The student must be informed prior to questioning of:

- the fact that s/he is suspected of having violated the Unity Environmental University Hybrid Learning Student Code of Conduct;

- the provision s/he is suspected of having violated; and
  - no student may be required to give information or answer any question concerning an alleged violation of the Unity Environmental University Hybrid Learning Student Code of Conduct that s/he is suspected of having committed.
3. Room Inspection/Search Policy
- Unity Environmental University recognizes the basic right of each student to privacy within the campus or University-affiliated residences. However, under certain conditions the University reserves the right to enter any student's University-owned, managed, or affiliated residence. Reasons include but are not limited to:
- to perform necessary maintenance and general repair within the room.
  - in case of emergency or danger to safety and health.
  - when fire alarms are in progress to ensure the room is vacant.
  - to turn off stereos, radios, or alarm clocks when these are operating and bothersome to others and the occupants are not present.
  - to investigate, when reasonable cause exists, possible violations of University regulations occurring within the room.
  - to conduct health, comfort, and fire safety checks during periods of students' absences [breaks, vacations, etc.].

If a staff member should enter a room and notice in plain sight [looking but not touching or moving anything in the room] a violation of University policy or federal or state law, Public Safety staff members may take the evidence and refer the incident to the appropriate University or civil authorities.

When reasonable suspicion exists that possible violations of University regulations are occurring within a room, public safety staff will be contacted. If reasonable suspicion of a University policy violation exists, a room search may be warranted, and public safety will ask the occupants of the room for consent to conduct a room search. If the occupants of the room do not give consent for a room search, public safety will contact the Housing Director [or designee] or the Head of Student Life. These University officials will determine whether a full room search is warranted. The student[s] may remain in the room during the search unless the Housing Director [or designee] or Head of Student Life requires that they leave the room.

All room searches, whether consensual or University-approved must be conducted by a public safety officer with a residence life staff member present. The residence life staff member will be mindful of the occupant's rights. Students, if present during the room search, may be required to give access to all University and personal property.

If it is necessary for public safety to search a student's room when the occupants are not present, public safety will send the student an email detailing the reason for the search. The email will be sent to the student's Unity Environmental University email address.

## **Procedural Guidelines for Inter-SEBU Disciplinary Matters**

Unity Environmental University students matriculate into a single Sustainable Education Business Unit [SEBU] but may enroll in courses across different SEBUs. A Hybrid Learning student, for example, may enroll in Distance Education courses to make progress toward their Hybrid Learning degree, and vice versa. To ensure a clear process and consistent response in these circumstances, the following guidelines have been established in addition to the other processes and procedures described in this handbook.

### **Inter-SEBU Academic Misconduct**

If an instructor encounters evidence of academic dishonesty, the instructor may seek to resolve the issue with the student directly. If the matter is not resolved to the satisfaction of both the instructor and student, either party may appeal to the Academic Dean and Vice President of the SEBU offering the course. For sanctions applying only within the scope of the individual course [e.g., grade or manner of course delivery], the decision of the relevant Vice President is final.

If the proposed sanctions for any violation of academic honesty extend beyond the scope of the individual course [e.g., suspension from the University], then the Vice President of the SEBU in which the student is currently matriculated shall be consulted. If the two SEBU VPs are unable to agree on the proposed sanction, then the final determination shall rest with the Chief Learning Officer.

Notice of any final resolution is copied to the student's designated advisor.

### **Inter-SEBU Student Course Conduct**

If a student engages in disruptive behavior in a course [including but not limited to bullying, trolling, harassment, inappropriate language, etc.], the instructor will seek to resolve the issue with the student directly.

If the instructor is unable to resolve the issue, he or she will notify the Academic Dean or Vice President of the SEBU offering the course, who will investigate and determine a resolution. For sanctions applying only within the scope of the individual course [e.g., grade or manner of course delivery], the decision of the relevant Vice President is final.

If the proposed sanctions for any conduct violation extend beyond the scope of the individual course [e.g., suspension from the University], then the Vice President of the SEBU in which the student is currently matriculated shall be consulted. If the two SEBU VPs are unable to agree on the proposed sanction, then the final determination shall rest with the Dean of Student Success.

Notice of any final resolution, as appropriate, should be copied to the student's designated advisor.

## **Alcohol and Drugs Policy**

Unity Environmental University allows alcohol consumption only in a responsible and legal manner by community members and guests. Alcohol consumption is prohibited in public areas of the Unity Environmental University campus. Unity Environmental University does not tolerate illegal use of drugs by its students or employees. Further, the unlawful possession, use, or distribution of illicit drugs by students and employees on all Unity Environmental University

property or at any event in which Unity Environmental University is participating is prohibited.

Residence hall rooms are not considered a student's home residence for the purposes of the Unity Environmental University Alcohol Policy.

**A. Legal Consumption.** The use of alcoholic beverages on the property of the University is allowed under certain circumstances. Individuals of legal drinking age in the State of Maine may:

- possess and consume alcohol in the privacy of their residence room [other than designated alcohol-free area, i.e., Westview Hall], and that no persons under the age of 21 are present unless the underage person in question is a resident of the room.
- consume alcohol purchased at events authorized by the University. In such events, students must provide proper identification for proof of age.

If University staff comes upon a student in a residential room who is obviously intoxicated the University staff will ensure the student's safety and contact Public Safety. Public Safety will request authorization to search the room in question to ensure that no more substances are present in the room and to confiscate any items found pending further evaluation by the University.

- **University-Sponsored Events.** The University expects that all students always abide by all alcohol and drug policies while attending University-sponsored events, regardless of where such events occur. This includes but is not limited to academic, athletic, club, Student life, and student activities regardless of where they occur.
- **State of Maine Drug Laws.** It is unlawful for any person to possess, consume, distribute, transport, or sell illicit drugs in the State of Maine.
- **Statement on Medical and Recreational Marijuana Use.** Unity Environmental University receives federal funding through Title IV in the form of student financial aid [grants, loans, and work-study programs] and through federal research grants. As a condition of accepting this money, Unity Environmental University is required to certify that it complies with the Drug-Free Schools and Communities Act [DFSCA] [20 U.S.C. 1011i; 34 C.F.R. part 86]. The federal government regulates drugs through the Controlled Substances Act [CSA]. Thus, to comply with the Federal Drug Free School and Communities Act and avoid losing federal funding, Unity Environmental University prohibits all marijuana use, including medical marijuana, and students may be subject to disciplinary action for its use. Therefore, marijuana prescribed for medical purposes and recreational use is prohibited at Unity Environmental University even though there may be state laws that permit its use.

**B. Students Convicted of Possession of Sale of Drugs**

A federal or state drug conviction [but not a local or municipal conviction] can disqualify a student for Federal Student Aid funds. Convictions only count against a student for aid eligibility purposes [FAFSA question 23c] if they were for an offense that occurred during a period of enrollment for which the student was receiving federal student aid—they do not count if the offense was not during such a period, unless the student was denied federal benefits for drug trafficking by a federal or state judge.

**C. Good Samaritan Policy**

If a student assists an intoxicated individual who is at risk for alcohol poisoning or has other urgent medical needs and requests the assistance of Unity Environmental



University staff, neither the student who is at risk nor the individual who assisted will be subject to formal University judicial action. This policy refers to incidents where alcohol poisoning is a likely risk and does not excuse those who repeatedly violate Unity Environmental University's alcohol policy. The student who was likely to be at risk of alcohol poisoning will be required to attend counseling session[s] designed to conduct a risk assessment of the individual in regard to alcohol or other drug use. Failure to attend these counseling session[s] may result in judicial action.

## **Alcohol and Drug Policy Violations**

### **A. Level-One Alcohol and Drug Policy Violations**

Defined as but not limited to:

1. The display of advertisements or signs, bottles, cans, lights, etc., that encourages the consumption of alcohol and/or drugs that are visible from outside of a campus building or a resident room.
2. Alcoholic beverages and alcohol beverage containers [unless containers are specifically authorized by the Housing Director [or designee] are not permitted in a residential room where both residents are under the age of 21 years.
3. Consumption of alcoholic beverages or possession of an open container of alcohol for legal-age students is prohibited in Westview Hall and in all public residential areas.
4. Students not of legal age may not be present where alcohol is being consumed unless at functions operated by the University within its Maine State Liquor License.
5. Consumption of alcohol or imitation alcohol by someone of legal age in a residence room when persons under the age of 21 are present unless the underage person is their roommate.
6. Students are prohibited from the possession and/or use of identifiable illicit drug paraphernalia in the residence halls that are commonly associated with illicit drug use. The University reserves the right to confiscate drug paraphernalia.

### ***Standard Sanctions for Level-One Alcohol and Drug Violations***

All level-one violations after the second offense will be considered level-two violations. Students may choose an exemption for their first level-one violation by choosing to participate in an educational seminar. This option does not count as a first offense.

<b>1<sup>st</sup> Offense</b>	<b><i>Official warning:</i></b> 2 hours of community service
<b>2<sup>nd</sup> Offense</b>	Educational program requirement 4 hours of community service / Fine of \$50
<b>3<sup>rd</sup> Offense and Any Further Offenses</b>	Considered a Level-Two offense

### **B. Level-Two Alcohol and Drug Policy Violations**

Defined as but not limited to:

1. Public or Dangerous Intoxication  
Defined as a state of intoxication accompanied by a perceptible act [e.g., causing a disturbance, being perceived as a danger to self, others, or property, or requires the attention of University staff], a series of behaviors, or the appearance of an individual, which clearly demonstrates a state of intoxication.

2. Underage Use  
Students not of legal age [under age 21] may not possess, consume, or transport alcoholic beverages at Unity Environmental University.
3. Large, Open Volumes of Alcohol  
Kegs of beer or beer balls are not allowed in the residence halls or University-affiliated housing. Alcoholic beverages may not be stored or served from any container larger than one gallon in volume. Every resident and guest of a room containing a keg may be penalized. Kegs, punch bowls, beer balls, and other alcoholic beverage containers over four liters, including alcoholic beverage containers, taps, funnels, and any other equipment used to rapidly consume quantities of alcoholic beverages, are prohibited and may be confiscated by University personnel.
4. Alcohol-Related Games  
Participating in games, contests, and hazing involving alcoholic beverages is prohibited.
5. Illicit Use of Marijuana  
Students may not possess, consume, or transport marijuana.

***Standard Sanctions for Level-Two Alcohol and Drug Policy Violations***

<b>1<sup>st</sup> Offense</b>	Official warning 6 hours of community service / Fine of \$50 to \$100 Educational Program Requirement
<b>2<sup>nd</sup> Offense</b>	Disciplinary probation for at least one academic year 10 hours of community service / Fine of \$100 to \$200 Possible parental notification / Referral to counselor for assessment
<b>3<sup>rd</sup> Offense</b>	Suspension from the University

**C. Level-Three Alcohol and Drug Policy Violations**

Defined as but not limited to:

1. Furnishing alcohol to a minor: Furnishing liquor or imitation liquor to a person under the age of 21 or allowing a person under the age of 21 to possess liquor or imitation liquor on a premise under one's control is not permitted.
2. Furnishing large volumes of alcohol: Furnishing kegs of beer or beer balls in the residence halls or other University-affiliated housing.
3. Organizing alcohol-related games: Organizing games, contests, and hazing involving alcohol.
4. Age misrepresentation: Misrepresenting one's age for the purposes of purchasing, possessing, or consuming alcohol.
5. Furnishing false IDs: Providing or assisting an underage student with false ID.
6. Providing premises under one's control [i.e., a residence hall room or an off-campus apartment in which persons under the age of 21 can consume or possess liquor or imitation liquor].

7. Use of illicit drugs other than marijuana: Students may not possess, consume, or transport illicit drugs.
8. Providing illicit drugs: Students may not provide or share illicit drugs with others or allow a person to possess illicit drugs on a premise under one's control.

***Standard Sanctions for Level-Three Alcohol and Drug Policy Violations***

<b>1<sup>st</sup> Offense</b>	Official reprimand 8 hours of community service Fine of \$100 to \$200 Completion of an alcohol education program Possible parental notification
<b>2<sup>nd</sup> Offense</b>	Disciplinary probation for minimum of one year 12 hours of community service Fine of \$200 to \$400 Possible parental notification Referral to counselor for assessment
<b>3<sup>rd</sup> Offense</b>	Suspension from the University

**D. Maine State Alcohol Laws**

Unity Environmental University abides by the law of the State of Maine and has, therefore, developed the alcohol policy under the belief that the consumption of alcohol by students must not be in violation of Maine State Law. For a complete listing of Maine State Liquor laws please visit the following website: [Maine Liquor Laws](#).

According to Maine law:

- It is unlawful for any person under the age of 21 to possess liquor or imitation liquor except if it is in the scope of their employment or in a home in the presence of his or her legal parent or guardian.
- No person under the age of 21 shall transport alcoholic beverages in a motor vehicle except in the scope of his or her employment or at the request of his or her parent.
- It is unlawful to give a licensee false written or oral evidence of age to attempt to purchase liquor or to attempt to gain entrance into a licensed establishment where minors are not allowed.
- It is unlawful to furnish liquor or imitation liquor to a minor, or to allow a minor to possess liquor or imitation liquor on a premise under one's control. *Exceptions:* A licensee, clerk, servant, or agent; serving liquor to a minor in a home while the minor's parent is present.
- It is unlawful to sell or aid in the sale of liquor without a license issued by the State of Maine.
- If an individual recklessly or negligently serves liquor to a minor or visibly intoxicated person and the service causes property damage, bodily injury, or death to a third party, damages up to \$250,000 plus medical expenses can be awarded.
- Any person who drinks liquor or possesses an open container in any public place, after being forbidden to do so by a law enforcement officer or within 200 feet of a sign posted prohibiting public drinking, may be fined up to \$1,000 or up to six

months in jail.

- Any motor vehicle operator under 21 who operates a motor vehicle with any alcohol in their blood shall have their license suspended for one year. If they have a passenger under 21, an additional 180 suspension will be imposed. Refusal to be tested will result in suspension for a minimum of 18 months. Minors who test .08% or higher will be prosecuted for the criminal offense of OUI.

## **Good Neighbor Policy**

The nature and mission of Unity Environmental University ensures an emphasis on the value of respect for persons and the wider environment. Consistent with this emphasis, students are advised that they must respect the property and property lines of all area residents. Students who wish to enter onto the private property of an area resident must ensure that they have the permission of the property owner. If granted permission to enter onto the private property of an area resident, the student must respect the resident's property, i.e., land, streams, buildings, trees, equipment, etc. If a complaint is received by the University, the University will investigate the matter. The Head of Student Life will review the complaint and determine what action should be taken [i.e., follow-up interview or warning to the student or resolving through a judicial board].

## **ID Card Policy**

Students will receive an official virtual student photo identification card upon entering the University. Prior to the first day of classes students must upload an approved photo for identification purposes. The ID virtual card serve as the official meal access card for those participating in a meal plan. This ID card may also be useful to obtain reduced rates from some participating businesses and travel firms. The virtual ID should always be presented on request to the proper authorities. Alteration or improper use of the virtual ID card is prohibited and may be referred for disciplinary action. Misrepresentation of one's status [meal plan or non-meal plan] is prohibited.

### **Representation**

Students are required to:

- represent themselves accurately when requested by an authorized University official having just cause to issue the order;
- carry and use the virtual University identification card for obtaining University services and privileges; and
- seek and/or obtain only those University privileges or services to which they are entitled.

## **Parking and Motor Vehicle Policy**

### **Registration Process**

All vehicles parked on the 90 Quaker Hill Road campus must have a valid parking sticker issued by the Student Services Center. The parking sticker must be properly affixed to the rear driver's-side window [when applicable]. If the sticker is improperly placed, the owner of the vehicle is in violation of the parking policy. Any question about the placement of a parking decal should be referred to the Student Services Center. Any vehicle with an altered parking decal is in violation

of University policy and the owner of the vehicle is subject to being fined and/or towed from campus property. *Note: If you live on campus and move to a different residence hall, or if you live on campus and move off campus, you need to get a new parking sticker for your vehicle from Student Services Center and park in the appropriate lot.*

Other Unity Environmental University or University-affiliated properties may have differentiated parking and motor vehicle policies. Students are required to follow the applicable policy of each location.

### **Motor Vehicle Policy and Fines**

Motor vehicle operation on campus is restricted to the roadways and parking lots.

Driving or parking on the lawn areas of campus: minimum \$25 fine plus damages.

Driving to endanger property or people: ***Driving to endanger people is a serious offense. Anyone found liable of driving to endanger people will have his/her privilege to drive on campus suspended.***

### **Parking Policy**

Campus parking at Unity Environmental University is a privilege that may be used only by those vehicles bearing a valid Unity Environmental University sticker. Unity Environmental University ID, proof of registration, and insurance is required to be allowed to park on campus.

Resident and Commuter student parking areas are designated by **LETTERED LOT SIGNS** located at the entrance of each parking lot; vehicle stickers designate authorized usage. Information on proper sticker placement and a campus parking map are issued with each parking sticker.

Handicap parking areas in each lot are designated by handicap signs or marked on pavement. Parking spaces in Lot E at the activities building are for use between the hours of 6:00 AM and 2:00 AM for commuter students, faculty, and visitors. Overnight parking of disabled cars anywhere on campus is not allowed except by permission of the Public Safety Office.

During breaks, when the University is closed for an extended period of one week or more, students who plan to leave their vehicle on campus may be asked to move their vehicle to a parking area designated by Public Safety. This assists the facilities staff in sweeping and plowing other lots during the break. Vehicles left in other parking lots during breaks may be ticketed or towed. Students not enrolled in or employed by the University may not leave their vehicle on campus.

Student parking in the following areas is a violation of the parking policy:

- Unassigned lots
- “No Parking” areas
- On lawns or athletic fields
- Along campus roads
- In front of dumpsters
- In reserved areas, such as "Faculty/Staff" areas
- In handicapped parking areas
- In fire lanes

## Student Guest Parking

A student guest is any person not employed with or enrolled at Unity Environmental University. Visitor parking areas are designated with VISITOR PARKING ONLY signs. Campus parking maps may be obtained from the Public Safety Office or the Student Service Center. Overnight campus guests must obtain a temporary parking pass from the Student Services Center and must park only in designated VISITOR PARKING ONLY areas. Students living off campus are NOT visitors to the University and are required to have a valid parking permit.

Operation of a motor vehicle on campus and use of any Unity Environmental University parking facility constitutes acceptance of this policy and the related rules and regulations. If you have any questions or seek additional information about campus parking issues, contact Public Safety at ext. 232 or 509-7232. Some parking violations, such as parking in a handicapped space, fire lane, or service area; impeding snow removal; or blocking a dumpster may result in towing without warning at the vehicle owner's expense and risk.

### Fines for Parking Policy Violations Are [\[cumulative throughout the year\]](#):

<b>1<sup>st</sup> Offense</b>	Minimum \$15 fine plus damages
<b>2<sup>nd</sup> Offense</b>	Minimum \$25 fine plus damages
<b>3<sup>rd</sup> Offense</b>	Minimum \$50 fine plus damages
<b>4<sup>th</sup> Offense</b>	Vehicle towed at owner's expense and loss of campus parking privileges.

## Tobacco Use and Smoking Policy

### Purpose

Unity Environmental University recognizes the importance of a sustainable and healthy educational, work, and global environment. The purpose of this policy is to reduce harm from secondhand smoke, encourage persons to be tobacco-free, establish a culture of wellness, and promote a tobacco-free future. The University is committed to prevention and education efforts that support the policy's purpose.

### Policy

In accordance with Maine Law, the possession or use of tobacco products is prohibited by all individuals under the age of 21. Under University policy, smoking is also prohibited in and within 25 feet of all University buildings—including the steps and entrances to buildings. Smoking is prohibited at all University-sponsored outdoor events, athletic contests, the Field of Dreams, and in the University woodlot. The use of oral tobacco [smokeless tobacco products] is prohibited from all University buildings. Please note that Westview is a chem-free residence and all tobacco/alcohol products are restricted. Tobacco users are responsible for appropriate disposal of the waste from their tobacco products.

Please note that the use of e-cigarettes, hookahs, hookah pens, and any other electronic smoking device must follow the guidelines included in this policy. It is the responsibility of all campus community members, including visitors, to observe and enforce this policy. The policy's success depends upon the thoughtfulness, consideration, and cooperation of tobacco users and non-users.

## **Compliance**

For the first violation the student will be required to meet with a member of the student success staff. At this meeting the policy will be reviewed, along with the policy rationale as it relates to community standards. Depending upon the severity of the violation, additional sanctions may be given. Failure to meet with the staff member will result in mandatory community service and/or a monetary fine. Repeated policy violations may result in increased disciplinary sanctions.

## **Student Mail Policy**

Student mail is received and distributed by the Resident Director. Students will be able to check their mail at the Resident Directors office during regular office hours. The RD office is located in the Student Activities Building, within the Fitness Center. Students will need to have their student ID with them when they pick up their mail. The proper address for students receiving mail at the University is below:

[STUDENT NAME]  
UNITY ENVIRONMENTAL UNIVERSITY  
35 MURDOCK DRIVE  
UNITY ME 04988

Regulations set by the United States Postal Service prohibit Unity Environmental University from forwarding first-class mail to a student's last known home address on record. Departing students [graduates, transfers, withdraws, suspensions] must change their address with anyone sending them mail [bank, insurance company, etc.] or with any company they may order items from [magazine subscriptions, items bought online, etc.].

## **Weapons [Firearms, Explosives and Fireworks] Policy**

Students are prohibited from possessing firearms in University buildings, vehicles, and other University property.

Students may store appropriate weapons and ammunition in the Public Safety Office at the 90 Quaker Hill Road campus only. Live ammunition [including live rifle rounds and shotgun rounds] is prohibited in campus residences and students' vehicles while they are on campus. Arrows containing field tips and/or broad heads must be stored with Public Safety.

Any student wishing to have the privilege of storing firearms at Unity Environmental University must complete the University's firearms safety training. The University will offer training sessions each term. It is mandatory for students with firearms to take one session. Failure to complete firearms safety training will result in removal of the student's firearms from University property. To enroll in the course, contact the Head of Student Life.

Provision for the storage of firearms must be made with the Public Safety Office as soon as the student arrives on campus. When it is checked out, a weapon must leave campus at once. Upon return to campus, the student must return the weapon to the Public Safety Office immediately.

All firearms carried and stored on Unity Environmental University property will be required to have a trigger lock or appropriate safety device in place.

No more than two firearms and one bow per student may be stored on campus.



The loading or discharging of firearms, ammunition, or explosives [including fireworks] is prohibited on campus except in a supervised class.

Students are prohibited from possessing handguns on campus except those students directly supervised by the faculty member[s] teaching the firearms training course.

Handguns, pellet guns, rifles, shotguns, BB guns, bows and/or arrows, compound bows, crossbows, airsoft guns, paintball guns, blowguns, and knives with blades longer than six inches will be treated as firearms/weapons.

Other devices may be deemed weapons at the discretion of University officials. Use of any item that is used as a weapon is prohibited on campus. Students should check with the Public Safety Office if in doubt as to what may be considered a weapon.

Unity Environmental University strictly prohibits use or possession of fireworks, gunpowder, fusion caps, primers, sparklers, or any other types of explosives on campus.

The sale of firearms through the University's group lists on the Unity Environmental University Internet network is strictly prohibited.

Violations of this policy will result in disciplinary proceedings. Minimum sanctions for violations will include a \$50 fine, six [6] hours community service, and an official reprimand. There is a **zero-tolerance policy** for firearms in residence halls. Minimum sanction would include residential eviction.

More severe violations may result in dismissal from the University and referral to local law enforcement authorities.

## HOUSING INFORMATION

Each resident of campus housing is required to sign and abide by the provisions of the Room and Board Contract which is posted on the student portal. The Contract should be read carefully so that all occupants are aware of the duration, cancellation procedures, charges, standards of conduct, room condition/damages, student's rights, and other provisions. In the event of a conflict between the provisions of this Handbook and the terms of the Room and Board Contract, the contract takes precedence.

### **Check-In and Check-Out Procedures**

Before occupying a room, each resident must complete a Check-In/Check-Out Form in the company of a Student Life Staff member. At the end of each term when a student is checked out of his/her room, a damage assessment is completed as part of the check-out procedure. A member of the Student life staff, usually a resident advisor, will assist the student to complete a preliminary assessment for damages at the time of the checkout. The Housing Director [or designee] and maintenance will do the final determination and assessment. Any student who leaves and does not complete the proper check-out procedure will be fined \$100.00.

Students should make sure that the Check-In/Check-Out Form is complete with necessary details regarding the condition of the room. Following this procedure will help the student avoid the possibility of being unfairly charged for items found to be missing or damaged.

Any student leaving a residence room excessively dirty [as determined by the Student life or facilities staff] may be fined \$50 minimum or a \$20 hourly rate, whichever is greater. The University prefers not to charge anyone. Therefore, students should leave rooms in an orderly and sanitary condition.

Students will be charged \$50 per day that they remain in their rooms after the final checkout deadline. Students must have permission from the Housing Director [or designee] to stay after official closing.

### **Residency Requirement**

Students are required to live on campus while attending face to face classes until they are 21 years of age. The only exception granted, upon request, is for students living with their parents within thirty miles of the University.

All resident students are required to adhere to the Room and Board Contract. A student who wants to request a change in the Room and Board Contract due to extenuating circumstances must submit a written appeal to the Head of Student Life.

### **Equipment Restrictions**

Multiple electrical outlets are supplied in each room. The total combined electrical load for each room must not exceed 1,920 watts. Those outlets should be used only for low-wattage appliances such as study lamps, clocks, radios, televisions, stereos, or electric shavers. High-wattage, resistance-coil equipment such as stoves, hot plates, irons, popcorn poppers, frying pans, toasters, or electric heaters are not allowed, nor are items such as soldering irons, immersion heaters, or appliances with open coils. Coffee makers, hot water heaters, and irons are permitted if and only if they have an automatic shut-off and do not have an open heating coil. The University reserves the right to remove any appliance that might endanger the lives of students by creating an overload of the electric system and a subsequent fire hazard. Such appliances will be retained by the University in storage until the resident can remove them from campus. Gasoline and kerosene, as well as kerosene-powered equipment and vehicles, such as motorcycles and chainsaws are prohibited in all campus residences.

Residents may possess and use normal kitchen appliances only in the kitchen/lounge area of their residence hall and only if used in a safe and proper manner.

#### **A. Air Conditioners and Fans**

Due to the limitations of electrical power, students are not permitted to have air-conditioners in residence hall rooms. Students may have fans provided the fans are Underwriters Laboratory [UL] certified.

#### **B. Extension Cords**

A 15-amp UL approved power strip with surge protection is permitted in residence halls. If extension cords are used, only the 3-pronged variety is allowed.

### **Overnight Guests**

Students living in campus residences may entertain a guest overnight for a maximum of two successive nights or for a time period that is at the discretion of the Housing Director [or designee]. Also, if a non-Unity Environmental University guest wishes to be on campus past 11:00 PM Sunday through Thursday or 1:00 AM Friday or Saturday, the guest must be registered as an overnight guest regardless of whether the guest plans to stay the rest of the night or not.

When a student wishes to host a guest, s/he should register the guest with the Housing Director [or designee] at least 24 hours before the guest's first night on campus. Registration forms are available in the Student Success Center or through a member of the Student life staff. The guest must complete the campus access form as well. The student registering the guest is accountable for the actions of the guest and must be on campus while the guest is on campus. Guests, like all campus visitors, should obtain a temporary parking pass in the Public Safety Office. There is no charge for a parking pass for a registered guest. If a student entertains an unauthorized or unregistered guest, the student will be charged \$25 per night, unless otherwise determined by the Housing Director [or designee].

### **In-Hall Sports**

To avoid personal injury and damage to the halls, skateboarding, hall hockey, Frisbee playing, bicycling, water throwing, soccer, golf, basketball, and other similar hall sports should be confined to appropriate areas that do not include residence halls. The noise accompanying such activities in the residence halls is distracting to other students.

Violation of this policy will result in disciplinary action, and possibly confiscation of sporting items used in the alleged violation. Students determined to be responsible for damage will be required to pay for these damages.

### **Keys**

Resident students will be issued a key at the time of their official check-in at their residence. The key number will be recorded on the Check-In/Check-Out Form. Students are not permitted to have duplicate copies of their room key, or any other University key made. Students are responsible for safeguarding any and all University keys that are issued to them. Students who lose or require replacement of their issued key or keys, will be charged \$100 for the replacement of the lock and key[s]. Students are always urged to carry their University-issued key[s] with them and not to lend them to others. When they check out, students must return the same numbered key that was issued to them at check-in. Failure to return the issued key will result in a \$100 charge for changing the lock and re-keying. If a student duplicates a key, the student will be required to respond to disciplinary charges.

### **Public Display Policy**

All public displays must be appropriate to an inclusive and diverse educational setting. The University defines public display as anything that can be observed on the outside part of a resident room door, hanging/posted in the window of a resident room window, or in any residential common area.

Specifics related to this policy are as follows:

- Public display using signs, bottles, cans, and lights, etc., that encourages the consumption of alcohol.
- Public display using signs, bottles, cans, or lights, etc., that encourages the use of illegal drugs.
- Any public display that a reasonable person would consider demeaning, racist, prurient, indecent, exploitative, or offensive. This prohibition specifically includes the display of the Confederate battle flag or associated images.

### **Posting Notices in the Residences**

All signs and notices posted in the residences must follow all standards set by the display policy of the University. Posting signs and notices on the windows of a common area door and/or on common area windows is not permitted.

Organizations posting signs and notices in the residences must identify themselves on the sign or the notice. Failure to follow these guidelines may result in the removal of the sign or the notice. Questions regarding the posting of signs or notices in the residences should be addressed to the Housing Director [or designee].

### **Quiet Hours**

Each residence community will set and post the times which are quiet hours for that facility no later than 10:00 PM. Sunday through Thursday and 1:00 AM. on Friday and Saturday. A quiet-hours violation might include loud music, yelling, or general noise. Although each residence community determines quiet hours, it is expected that courtesy will be extended to all campus community members 24 hours per day. Students may be expected to alter or moderate the noise level of activities upon request.

### **Residence Damages Billing**

- A. Protection of University Property.** Students are responsible for the protection of University property. Within the residence halls, students should not move the furnishings assigned to them to another room or building without permission of the Housing Director [or designee]. Students may add furnishings to their room within the limits of good judgment and safety. Common room furniture is provided for the use of all hall residents and should be left in place and normal condition. Due to the lack of storage space, the University cannot store furniture anywhere except in the room to which it is assigned. Students may not remove window screens. No student or group of students living in campus housing may install equipment, paint, or make other alterations without approval from both the Housing Director [or designee] and Director of Facilities.
- B. Damages Assessment.** Damages to residence facilities will be assessed to determine costs of repair or replacement of damaged item[s]. These costs will be apportioned as follows:
- Any resident who accepts responsibility or is found to be responsible for the damage will incur charges related to repair and/or replacement.
  - Occupants of a room where damage occurred and where direct responsibility for the damages cannot be readily determined will be assessed the charges related to repair and/or replacement divided among the number of residents within the room.
  - In common housing areas such as residence hall common rooms, corridors, bathrooms, kitchens, stairwells, etc., where damages occur beyond normal wear and tear, the occupants of the floor, hall, or facility are assigned the charges if the person[s] directly responsible cannot be identified. The charges for repair and/or replacement are divided among all residents of the floor, hall, or facility. The determination of which group should be charged would be made by the Housing Director [or designee].

**Room Changes**

For fire safety reasons, it is imperative that the University knows the correct housing location of all students. The Housing Director [or designee] must approve all requests for changes. Room changes require that residents be officially checked into their new room and checked out of their former room.

Students who change rooms without authorization may be charged \$100 plus \$5 per day for each day that the student remains in the unauthorized location.

**Storage of Personal Belongings**

The University does not provide storage areas on campus for student use. Therefore, students are requested to store all their personal belongings in their assigned residence room. Fire and safety concerns require that students not store any personal belongings in any other place on campus other than their assigned residence room. If personal belongings are stored in an inappropriate area, the student will be required to remove them. If the owner cannot be identified or does not remove the property when advised to do so, the belongings in question will be removed and possibly disposed of. If a student has a need to store belongings, and the space in her/his room is not adequate, the student should contact the Housing Director [or designee] for assistance.

**Trash Disposal**

Resident students must dispose of all trash in the appropriate receptacles provided on campus. These receptacles should be used for everyday items. For items such as tires, electronics units, appliances, furniture, etc., students must consult the Director of Facilities. All students are urged to recycle as much as possible.

## **DINING SERVICES**

Unity Environmental University dining services are provided in partnership with Aladdin Campus Dining with a goal to provide high-quality and sustainably sourced food, a friendly atmosphere, and excellent customer service while supporting local and sustainable practices.

Unity Environmental University meal plans offer students convenient access to a variety of menu options that accommodate specific dietary needs. A meal plan is required for each student residing on campus for longer than one week. Meals plans may be purchased in daily, weekly, and term-based increments and is available for students living on and off-campus.

## **HEALTH AND WELLNESS**

**Immunization and Insurance Requirements**

All students taking courses are required as a condition of attending Unity Environmental University to have health insurance and comply with the State of Maine immunization requirements which include immunizations for Diphtheria/Tetanus within 10 years prior to enrollment and Measles, Mumps, and Rubella. Students who do not satisfy immunization requirements within the time frame established by the University will be barred from in-person

learning and excluded from property owned, operated, or used in conjunction with Unity Environmental University until such time as they can satisfactorily demonstrate that they have received the required immunizations. Students who are barred from in-person learning for failure to comply with the required immunizations may be withdrawn from courses and will not be entitled to any financial refunds from the University.

We recommend that students be fully vaccinated against COVID-19 or wear masks when on campus or participating in sponsored learning or events. These guidelines are fluid with the current state of the COVID-19 pandemic and may change to reflect the current circumstances. Any changes will be communicated via email and updates will be made to applicable signage. Students with questions related to compliance with this policy should contact their Hybrid Learning Coach.

Health insurance for students is provided through the [Wellfleet Student](#). If you choose not to enroll in the Unity Environmental University Sponsored Health Insurance, you must waive the insurance by completing the [online waiver form](#).

***Please note that not all insurances provide out of state coverage, and it may be in your best interest to have dual coverage if this the case.***

The deadline for waiving the insurance is the end of the Add/Drop period each term. No waivers will be granted after that time. Please visit the Health Insurance website to learn more about the insurance or to complete the [waiver form](#). Questions regarding health insurance may be directed to the [Wellfleet Student](#). Questions regarding billing for the health insurance should you choose to keep it may be directed to the [Hybrid](#) Learning team at [hybrid@unity.edu](mailto:hybrid@unity.edu). For students participating in the Unity Environmental University student health insurance plan, the coverage will be in effect for a 12-month period [July to June].

## **Emotional Support Animal Protocol**

Unity Environmental University is committed to providing reasonable accommodations to qualified students with disabilities. An emotional support animal [ESA] is one that is necessary to afford a person with a disability an equal opportunity to use and enjoy Unity Environmental University Housing. An ESA may provide physical assistance, emotional support, calming, stability, and other kinds of assistance. ESAs do not perform work or tasks that would qualify them as ‘service animals’ under the Americans with Disabilities Act [ADA]. Students with disabilities who seek to bring an ESA to campus must follow the processes described below.

Pursuant to the Fair Housing Act [FHA], and if specific criteria are met, ESAs that are not service animals under the ADA may be permitted in Unity Environmental University Housing. Since approved ESAs are limited to Unity Environmental University Housing, the approval only applies to the student’s living situation. Approved students are not authorized to have the animal accompany them to any other University buildings. [e.g., library, cafeteria, student activities center, classrooms, labs, residence hall common areas, residence hall rooms other than the owner’s room, etc.].

**Policies and Procedures:** Requests for Emotional Support Animals are made through the Hybrid Learning designated ADA Coordinator. Contact the VPHL/SV or the designated ADA Coordinator for up-to-date forms, policies, and procedures. Requests for ESAs must be

accompanied by documentation from licensed medical providers and are subject to deadlines for each term.

## RESOURCES

### Academic Calendar

Please see the webpage for the [current Hybrid Learning academic calendar](#).

### Financial Aid Consumer Information

Please see the webpage for [institutional information for consumers](#).

### University Resources

The mailing address for all Unity Environmental University correspondence is:

Unity Environmental University Hybrid Learning  
90 Quaker Hill Road  
Unity, ME 04988

University Switchboard: [207] 509-7100

University Website: [www.unity.edu](http://www.unity.edu)

<b>Approved:</b>	<a href="#">August 16, 2023</a>
<b>Adoption Chain:</b>	<a href="#">Hybrid Learning Leadership, Senior Staff, President of the Enterprise/CAO, President</a>