



## **Distance Education Student Handbook**

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## A Note from President Khoury

Unity College Distance Education Students,

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

As I'm sure you know, Unity College 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 Distance Education Concierge or Academic Advisor. And let me know if there is anything I can do.

In Unity,

A handwritten signature in blue ink, appearing to read 'Melik Khoury', with a stylized flourish at the end.

**Dr. Melik Khoury**  
Unity College President



## SECTION 1: INTRODUCTION

### The Unity College Mission

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

### The Unity College Distance Education Student Handbook

The Distance Education Student Handbook contains the policies, procedures, and guidelines applicable to the Distance Education Sustainable Education Business Unit (SEBU) at Unity College as reviewed and approved by the Unity College Distance Education administrative team. The Unity College Distance Education SEBU currently oversees all Distance Education Programs and courses. All students in those programs/courses will follow the policies and procedures outlined in this handbook.

Distance Education Programs: The most visible activity of distance education graduate and 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 distance education can flourish.

By accepting admission to Unity College, students indicate that they are responsible for adhering to the policies and procedures that govern their education at Unity College. The requirements of the programs at Unity College 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 College.

Distance Education Courses: Distance Education courses involve engagement in a course in a small-classroom, with active-learning. Online students can expect to see organized, engaging courses in an online format. All instructors follow a set of guidelines for courses and by signing up for a class, students are responsible for the academic integrity and personal conduct expectations required for a successful learning environment. Distance Education courses may be offered online, hybrid, or face-to-face.

### Statement of Accreditation

Unity College 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>.

## SECTION 2: ACADEMIC PROGRAMS

Please refer to the Unity College Distance Education Catalog for program and course information.

## SECTION 3: ADMISSIONS

### Undergraduate Admissions

To enroll in a Unity College Distance Education undergraduate program, students must fit the following criteria:

- a) Have a minimum of a 2.0 high school GPA on a 4.0 scale;
- b) If transferring, have a minimum of a 2.0 college GPA on a 4.0 scale.

An applicant needs to submit the following for consideration:

- a) A Unity College Distance Education undergraduate application for admission;
- b) Unofficial transcripts from previously attended colleges/universities.\*
- c) Proof of high school completion equivalent (GED).

\*NOTE: While unofficial transcripts are accepted during the admissions process, official transcripts must be submitted prior to completing the student's first term at Unity College. Failure to submit official transcripts will prohibit the student from registering for the next term. "Official" means the transcript will 1) be signed by a College official, 2) have the school seal, and 3) be in a sealed envelope. Electronic transcripts are accepted from an accredited institution or verified transcript agency when sent directly to the College. Applicants must submit all official transcripts from previous institutions. International students need to have transcripts evaluated by World Education Services (WES) prior to submission.

### Graduate and Certificate Admissions

The ideal applicant will have a background in biological, environmental, or natural resource sciences or fields closely related to these sciences. Strength in science and math should be reflected in previous coursework or other preparation. Unity College encourages differently prepared students to apply, and all applications will be considered on a case-by-case basis. International students need to follow the regular admissions process.

To be considered for admission to the graduate program at Unity College, an applicant must:

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- 1) Submit official transcripts\* demonstrating the completion of a bachelor's degree. A minimum GPA of 3.0 is preferred.
- 2) Provide a current resume or C.V.
- 3) Write a personal essay (500 words minimum) addressing the following:
  - a) Why are you interested in pursuing a degree at Unity College and how does this program align with your career goals?
  - b) How does your previous experience and background prepare you for this degree?
- 4) OPTIONAL: GRE score reports may be submitted to supplement an application, but are not required.

\*NOTE: "Official" means the transcript will 1) be signed by a College official, 2) have the school seal, and 3) be in a sealed envelope. Electronic transcripts are accepted from an accredited institution or verified transcript agency when sent directly to the College. Applicants must submit all official transcripts from previous institutions. International students need to have transcripts evaluated by World Education Services (WES) prior to submission.

### Non-Degree Student Policy

A non-degree student is any student in a graduate or undergraduate course that is not matriculated in a degree program. Under certain conditions, students may take Distance Education graduate or undergraduate courses without being accepted in a degree-seeking program. Their official status is "non-matriculated," a traditional academic term meaning not enrolled in a degree program. A non-degree student must have a high-school degree or equivalent to take an undergraduate course, or a bachelor's degree for a non-degree graduate course.

Non-degree seeking students must complete a non-degree application online and submit unofficial transcripts to be considered. If a non-matriculated student decides to pursue a degree program, he or she will be required to go through the regular admissions process. Non-matriculated students are not eligible for Financial Aid. Undergraduate students may take up to fifteen (15) credits before being asked to apply to a degree program; graduate students may take up to nine (9) credits before applying.

Flagship Unity College students can only take Distance Education courses in the May or Summer terms. Flagship students may self-register for summer online courses as available. Students must meet the prerequisites when registering for a course. Prerequisite waiver requests should be reviewed by the Dean on a case-by-case basis.

## Transfer of Credits

**Undergraduate Students** may transfer a maximum of ninety (90) undergraduate credits into undergraduate programs at Unity College. Students must earn a 'C-' or higher in order for the credit to be accepted for transfer. The credit granting institution must also be accredited by a recognized regional or national accrediting body. Credits should be transferred at the time the student is admitted. Transfer credits count only toward the total earned hours, not undergraduate grade point averages.

**Graduate students** may transfer a maximum of nine (9) graduate credits into graduate programs at Unity College. All coursework transferred must link clearly to the degree requirements of the program the student is enrolled in, as determined by the Dean. Students must earn a 'B' (3.0) or higher in order for the credit to be accepted for transfer. The credit granting institution must also be accredited by a recognized regional or national accrediting body. Credits should be transferred at the time the student is admitted. Transfer credits count only toward the total earned hours, not graduate grade point averages. Transfer of credits from other approved graduate programs will be considered on a case-by-case basis by the Dean or the VP.

## Expiration of an Application

Applications for admission remain viable for one calendar year. Either the student or the College may request a change in start date if the request falls within one year of initial acceptance. After one year, the applicant must reapply. Students who request a deferment of up to one calendar year must receive approval from the Director of Enrollment.

## SECTION 4: ACADEMIC RESOURCES

### Academic Advising

Students will be assigned an academic advisor for the duration of their education at Unity College. The Distance Education advisor is responsible for providing student support through academic planning and communication as well as providing resources and tools for a student's success. Advisors will act as the primary point of contact for a student throughout their academic career.

Academic advisors are familiar with the student's field of study and act as a guide, mentor, and partner. By developing meaningful relationships with students, advisors are able to help guide and support students throughout their education. Advisors 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 an academic advisor who is both interested and skilled in helping Distance Education students meet their goals, progress toward degree completion, and advance in their academic careers

### Career Services

The Office of Career Services provides professional development resources and opportunities to students through graduation and beyond. Students can expect: one-on-one career counseling, resume and cover letter writing assistance, virtual webinars, in-person networking events, job search resources, 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.

### Collaborative Learning Center

The Collaborative Learning Center (CLC) provides accommodations to students who are diagnosed with learning disabilities, ADHD, or other learning challenges. The staff of the CLC includes a Dean, a professional learning specialist, student success coaches, and peer educators. The CLC has assistive technologies available for students with disabilities. Assistive technology can help students with learning differences become more successful readers and writers, and the software can bridge the gap between their reading and writing needs and their current skill. For incoming students. The Distance Education Concierge or Distance Education Advisor can link students with accessibility concerns with the CLC staff. For a returning student, The Distance Education Advisor can link students with accessibility concerns with the CLC staff.

## 24/7 Online Tutoring

Unity College Distance Education provides a limited number of tutoring hours to TutorMe.com, a 24/7 online tutoring. Students can create an account on the website, request what subjects they need help with, and TutorMe matches students with an online tutor.

## 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 college's curriculum. The library provides access to high quality scholarly and special-interest ebooks 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.

## Online Orientation

All undergraduate Distance Education students are required to take a Professional Skills class to prepare students for academic success in an online environment. Additionally, Distance Education students will have access to an online orientation throughout academic career.

## CAMS Student Portal

Unity College utilizes CAMS for student resources such as billing, financial aid, 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 and student email. Students can access their account through the CAMS application on their [single sign-on homepage](#).

## Canvas Online Course Platform

Distance Education students will use Canvas to access their online courses. Assignments, discussions, the syllabus, and all student resources are available

through Canvas. The courses are asynchronous, so there is no need to be online at a specific time during each online class week. Students will become more familiar with the Canvas navigation after completing the Professional Skills course. Students can access their account through the Canvas application on their [single sign-on homepage](#).

## Outlook Student Email

Each Unity College 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 College and the Distance Education Team.

## Technical Policies and Resources

Computing user accounts are provided to students for their personal use while enrolled at Unity College. Students may not lend these accounts to others or use others' accounts. Students are responsible for all activity from their account. Because of this, it is imperative that students keep their passwords confidential and never lend their account to another person. In their communications, students may not pretend to be anyone else or attempt to represent the College in any official capacity. Students may not use their email accounts for any activities that produce income.

Students are expected to provide and maintain functional personal computing equipment and Internet access service that meets or exceeds the minimum requirements below. Please note that these requirements may change from time to time.

We strongly recommend a laptop computer with the following minimum specifications:

### **Windows / PC:**

- Windows 8
- Intel Core i5 or Core i7 CPU (2+ GHz)
- 4GB RAM or more
- 128GB or larger hard drive
- Wireless network ready
- Four-year, next-business-day warranty that includes accident coverage (for theft insurance, review your homeowners insurance policy coverage.)
- Suitable carrying case

### **Apple / Mac:**

- **Mac OSX 10.12 Sierra**
- Intel Core i5 or Core i7 CPU (2+ GHz)
- 4GB RAM or more

- 128GB or larger hard drive
- Wireless network ready
- AppleCare extended warranty (for theft insurance, review your homeowners insurance policy coverage.)
- Suitable carrying case

## Software and Internet Access

Although courses are asynchronous and do not require that students be online at a certain time, it is important to have consistent internet access and a traditional desktop or laptop computer. Mobile devices and public access computers with internet (libraries, restaurants, etc.) may be slow and result in errors when trying to access coursework. Keyboard and mouse are recommended.

Students should also be able to access **Microsoft Office 2013 or newer**. Students who do not have this can use Office 365, which is available on the home screen of the [Unity single sign-on portal](#).

It is also recommended that students have **speakers, headphones, microphone, and a web camera for video conferencing**. Most computers/laptops that have a web camera come equipped with a built-in microphone. Mobile devices and tablets may be able to be used to view some of the course materials, but it is not recommended for daily use. A mouse and keyboard are preferred.

If you have difficulty accessing or using your Unity College computing account, please contact [the IT Help Desk](#). If your computer hardware or software is not functioning properly, please contact the original equipment manufacturer or vendor who sold you the particular hardware or software or contact a local computer store for assistance.

Students should be aware that there are many laws affecting computing and related activities. There are legal statutes covering system intrusion, harassment, data privacy, fraud, child pornography, theft of services, and use of publicly funded facilities for religious or political purposes. In some situations, the College is obligated to share with authorities violations of the law when using College computer systems.

Violations of the Terms of Service will be dealt with according to disciplinary procedures outlined in this handbook. This may result in denial of access to College computing facilities or in other disciplinary action.

## SECTION 5: EXPENSES AND FINANCIAL AID

### Cost of Attendance

Undergraduate courses cost \$470 per credit hour (\$1410/3-credit course). Books, software, hardware, and other materials are not included in the credit hour cost and must be purchased separately.

Graduate courses cost \$870 per credit hour (\$2610/3-credit course). Books, software, hardware, and other materials are not included in the credit hour cost and must be purchased separately.

Active military or veterans qualify for a special military rate for undergraduate and graduate courses taken online. For graduate students, the cost is \$783.00 per credit hour. For undergraduate students, the cost is \$423.00 per credit hour.

### Billing

Students will be billed for each term after registering for their courses, and all student accounts must be settled and any financial aid in place before the end of the add/drop period (day 3 of each term). Any outstanding balance will lead to automatic withdrawal from courses.

### Failure to Pay

Failure to pay bills in full when due may result in revocation of Unity College privileges, including but not limited to, issuance of grades and/or transcripts, registration for subsequent terms, participation in graduation ceremonies, and participation in registered classes and examinations. It is imperative that a student contact Student Financial Services at (207)509-7261 if any charges are disputed.

### Refund Policy

Distance Education students who drop a course, whether they are active or not, before the end of the add/drop period are eligible for a 100% tuition refund for that course. After midnight of the last day of add/drop, students are no longer eligible for a refund.

### Attendance Policy

Students who fail to participate in their course within the first three (3) days (as defined by a minimum of one discussion forum post) will be automatically dropped from the course. After the Add/Drop period, students must maintain academic activity in order to stay enrolled in their courses. Academic activity includes posting in discussions and submitting assignments. Academic activity is readily tracked and documented through the College's learning management system. Students in 8-week terms are required to

complete at least one academic activity every 10 days. Students in 5-week terms are required to complete at least one academic activity every 6 days. Students who do not demonstrate academic activity during this time frame will be administratively withdrawn from the course, with an effective date based on their last academic activity. The advisor will identify the last date of academic activity using Canvas. We adhere to this policy because non-attendance has implications on billing and financial aid. If a student stops posting academic activity, but the last active date is after the withdrawal deadline, the student will not be withdrawn from the course. A final grade will be computed by the instructor and submitted to the Registrar's Office.

Academic activity does not include: a) Logging into online classes/discussions without active participation b) Speaking with an instructor or advisor to participate in academic counseling or advising. A student cannot self-certify academic activity.

## Financial Aid

Your federal need will be determined on the basis of the income and asset information you provide on the Free Application for Federal Student Aid (FAFSA) online at [fafsa.gov](https://fafsa.gov). Choose Unity's College Code (006858) to ensure that the federal application data will be transmitted to Student Financial Services. Please respond promptly to requests for additional information or clarification concerning your aid application.

NOTE: Financial Aid is not available for certificate programs or non-degree seeking candidates.

## Private Loans

Private loans may be an option if no other sources of financial aid are available. Unity College is not permitted to provide counsel about which private loans to choose. For help on this matter, please visit: [Unity.edu/FastChoice](https://unity.edu/FastChoice)

## SECTION 6: INSTRUCTIONAL DESIGN PROCEDURE AND ASSESSMENT

### Common Course Syllabus

All Distance Education 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 Distance Education 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 an online 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 Chief Distance Education Officer.

## SECTION 7: STUDENT RIGHTS AND RESPONSIBILITIES

### Distance Education Student Code of Conduct

All members of the Unity College student body must be responsible for their actions and make sure that these actions do not adversely affect other community members. The College 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 College 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 College regulations have been violated.

Unity College requires students to obey local, state, and federal laws. The College also has regulations that it expects students to follow. Students whose activities have a direct bearing on the College or members of the Unity College community may be subject to disciplinary action. Each student is expected to follow the Distance Education Student Code of Conduct from acceptance to the College through graduation.

In order to achieve our goals as a community, we follow the Distance Education 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 assure equal treatment to all. This includes upholding honesty and maintaining respect, honor, and civility toward all community members throughout our involvement with the College community.

Disruptive behavior in a Distance Education course 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 Distance Education course may include - but is not limited to - exhibiting disrespectful behavior toward Distance Education students, faculty, and staff members. Whether or not a Distance Education student's behavior is disruptive will be carefully considered and is always at the discretion of Unity College.

Should a Distance Education student's behavior become disruptive to others, the issue should first be brought to the attention of the Associate Dean of Retention and Completion who will involve the Academic Dean of the Program and Dean of Students as necessary. A Distance Education student who is reported for disruptive behavior may first be given a warning, then put on probation, and ultimately removed from the college should the behavior continue.

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

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

Unity College values a diverse College community where all individuals are treated with respect and dignity. The College 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 College community are against College policy and will not be tolerated.

Unity College does not discriminate on the basis of 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 College 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 on the basis of these protected characteristics is against the law and the policy of the College. 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 Dean, who will promptly involve the appropriate College 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 College.

### **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. These rights include:

#### Inspection of Records

A student has the right to inspect and review his or her education records within 45 days of the day the College receives a request for access. If a student wishes to

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inspect his or her education records, he or she should contact the [Registrar](#) to make arrangements.

### Amendment of Records

A student has the right to request the amendment of his or her education records that the student believes are inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA.

A student who wishes to ask the College to amend a record should write the [Registrar](#), clearly identify the part of the record the student wants changed, and specify why it is inaccurate or misleading.

If the College decides not to amend the record as requested, the College will notify the student in writing of the decision and the student's right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the student when notified of the right to a hearing.

### Disclosure of Records

Unity College must obtain a student's written consent prior to disclosure of personally identifiable information contained in educational records except in circumstances permitted by law or regulations, some of which are summarized below. Unity College designates the following student information as directory information that may be made public at its discretion: name, address, telephone listing, email address, photograph, date and place of birth, major field of study, grade level, enrollment status, most recent educational agency or institution attended, and student ID number or other identifier other than a Social Security number (but only if the identifiers cannot be used to gain access directly to education records without one or more other factors such as a password), participation and level of students in officially recognized activities, dates of attendance in the College, degrees, honors and awards received, and photographs and videos relating to student participation in campus activities open to the public. Students who do not want the College to disclose directory information must notify the Registrar's Office in writing within thirty (30) days of enrollment. This opt-out request will remain in effect unless and until it is rescinded.

### School Officials with Legitimate Educational Interests

Education records may be disclosed to school officials with a legitimate educational interest. A school official has a legitimate educational interest if he/she needs to review an education record in order to fulfill his/her professional responsibility. School officials include persons employed by the College as an administrator, supervisor, academic or research faculty or staff, or support staff member (including health or medical staff and law enforcement unit personnel); persons or companies with whom the College has contracted to provide specific services (such as attorneys, auditors,

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medical consultants, field placement supervisors and other related personnel, collection agencies, evaluators or therapists); Board of Trustee members; students serving on official committees or assisting other school officials in performing their tasks; and volunteers who are under the direct control of the College with regard to education records.

### Grievance Process (Non-Title IX)

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

*NOTE: If a student is concerned for her or his safety then she or he 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 on the basis of 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 distance education students. If a student has a concern, the student should first communicate the concern to the Distance Education Advisor. The Distance Education Advisor 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 Dean. If the concern is unresolved after speaking with the Distance Education Advisor and/or the Dean, the student may use the following grievance procedure.

### Grievance Procedure

If a student has worked with the Distance Education Advisor and the concern remains unresolved, the student should notify the Dean of his or her intent to grieve the issue. This notification must be received, in writing, within three (3) business days of written notification, the Dean will contact the student to arrange a meeting to discuss the issue and receive relevant information from the student. The Dean 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 based on a failure to follow process. For more information, see [the State Grievance Process](#).

### Appeals Based on Failure to Follow Process

If the student does not feel that the procedures outlined here were followed, the student may file a written appeal specifying how this policy and these processes were not followed. The appeal must be submitted to the Vice President of Distance Education within ten (10) working days after receipt of the decision of the Vice President of Distance Education. The VP will investigate the grievance and talk with

the student and render a decision in writing within ten (10) working days of receipt of the appeal. The decision issued by the VP is final.

### **Sexual Misconduct Policy**

Unity College 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 College students and other participants in Unity College programs. As a recipient of federal funds, Unity College must comply with Title IX of the Educational Amendments of 1972, which prohibits discrimination on the basis of 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 College 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 College policy, as well as state or federal law, and may also be subject to criminal prosecution. Unity College 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.

#### **I. Overview Information**

##### **A. Title IX Coordinator**

Unity College's Title IX Coordinator has primary responsibility for coordinating efforts to comply with and carry out Unity College'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 College'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. Ray Phinney is Unity College's Title IX Coordinator and can be reached in person in TerraHaus, by telephone at 207-509-7241, or by email at [rphinney@unity.edu](mailto:rphinney@unity.edu). Students are also welcome to contact the College's Deputy Title IX Coordinator, Stephen Nason, who assists the Title IX Coordinator and can be reached in person in TerraHaus, by telephone at 207-509-7284, or by email at [snason@unity.edu](mailto:snason@unity.edu).

##### **B. Scope and Jurisdiction**

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This policy applies to allegations of sexual misconduct involving any current Unity College student or any participant in a Unity College program (e.g., summer programs). This policy applies to any incident that occurs on Unity College property, or at any Unity College event or program occurring at an off-campus location, and to any other incident occurring off-campus where the conduct may impact and affect a student's participation in Unity College programs or activities or the environment at Unity College. The term "Student" as used in this policy means all students registered or enrolled in any course or program at Unity College or any person accepted to the Unity College Flagship campus and/or participating in any other Unity College 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 College. Nevertheless, individuals are encouraged to make reports promptly in order to maximize the College'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 College's response. If a report concerns a visitor or guest of a Unity College student who is a student at another educational institution, including a student who is enrolled at another institution in addition to Unity College, the College will ordinarily notify and coordinate its response with the other educational institution in which that student is enrolled. Under no circumstances will Unity College allow a student's impending graduation to compromise its resolution processes. The conferral of a degree may therefore be postponed or deferred, if necessary, until the allegations are resolved. Unity College 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 College. 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 College Employee Handbook.

### C. Privacy v. Confidentiality

Privacy and confidentiality have distinct meanings. It is important to understand the distinctions, because under Title IX, only a specific small group of Unity College employees are permitted to keep information confidential. Privacy means that information related to a report of misconduct will only be shared 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 Title IX Coordinator, Deputy Title IX Coordinator, Public Safety, and student residential life staff, among all other mandatory reporters (see below). College employees receive training regarding respecting and safeguarding private information.

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 Counseling, Health

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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.

### D. Confidential Resources

Confidential personnel at Unity College include Ray Phinney, Dean of Students.

### E. Responsible Employees

Under law, a “responsible employee” is a Unity College employee who has a legal duty to report incident 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), athletic coaches, faculty, deans, Residential Life staff (including resident assistants), and most other staff persons. Only persons designated as confidential resources above, which include health and counseling staff, are not “responsible employees” under policy. All employees must undergo basic Title IX training. Employees with expanded Title IX responsibilities appeals board members must undergo additional Title IX training specific to their role.

### F. Resources for Counseling, Advocacy, and Support

Unity College has an array of supports available to any student who is impacted 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 process, 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.

### G. Interim Measures

Once a report is made to the Title IX Coordinator, the College can make available a range of supports to either a reporting or responding party involved in an alleged incident while the matter is pending. These supports, also called “interim measures,” are immediate steps the College can take to protect students pending the outcome of a complaint investigation or other procedural step under this policy. 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 College’s programs and activities. Not all of 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:

- A "no contact" directive between the students, 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
- Limiting participation in certain events
- Interim suspensions

Unity College 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.

## II. Prohibited Conduct and Key Definitions

Unity College 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, and sexual exploitation. Retaliation is also prohibited. The following definitions apply:

**Complainant** The individual who alleges that sexual misconduct has been committed against him/herself or another individual.

**Complaint** The document prepared by the complainant that sets forth the name of the respondent, and the date, location, nature of the alleged sexual misconduct, and other relevant details.

**Consent** Consent to engage in a specific sexual activity 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. Note also 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.

**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 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.

**Domestic Violence** Felony or misdemeanor crimes of violence, as defined by Maine 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 the domestic law of Maine, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of Maine. Any other form of domestic violence that is prohibited.

**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.

**Hostile Environment** Sexual misconduct that is sufficiently severe or pervasive that it substantially interferes with a student's College employment, academic performance, participation in College programs or activities, or living, learning, or working environment, the 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 College 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 College 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 undesirable or offensive to have created a hostile environment.

**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 impacts 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 impact of the use of alcohol and/or other drugs on another's ability give consent.

**Non-Consensual** Sexual contact that occurs without consent.

### **Sexual Contact**

**Non-Consensual** Sexual intercourse that occurs without consent. *Rape* is the

**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.

**Respondent** The individual student who is alleged to have committed one or more acts of sexual misconduct.

**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.

**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, or making another touch you or themselves with or on any of these body parts (including clothing covering any of these areas); 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.

**Sexual Exploitation** Taking sexual advantage of another person without consent, and 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.

**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 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.

**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.

### **III. Options for Making a Formal Report**

Students have a number of formal and informal reporting options for reporting instances of sexual misconduct. Students may pursue the criminal process, utilize Unity College's reporting processes, or do neither or both.

#### **A. Formal reporting options**

##### **1. 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. Reports made after business hours and on weekends may be made to Public Safety or a member of the Residential 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 College 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 College not take any action. When the student reports alleged misconduct by an employee or third party, the Title IX Coordinator will work with appropriate College administrators to respond to the report in accordance with applicable faculty, staff, or other College policies.

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

Sexual misconduct may constitute both a violation of this policy and criminal activity; Unity College encourages students to report alleged sexual misconduct promptly to local law enforcement agencies. The College 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 College'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 College's investigation may be delayed temporarily while criminal investigators are gathering evidence). Unity College 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 College will coordinate with law enforcement as appropriate.

### **3. 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 College's ability to respond. Nothing prevents a student or third party from utilizing the formal reporting options (see above) about an incident that has previously been anonymously reported.

## **B. Other Reporting Considerations:**

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

Unity College 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 college-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 identifying information about any students or other individuals involved.

### **2. Timely Warning Reporting Obligations**

Under federal law, if a report of misconduct discloses a serious or continuing threat to the Unity College community, Unity College 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.

### **3. 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.

#### **4. Drug and Alcohol Amnesty**

Unity College encourages students to report incidents and allegations of sexual misconduct. So as not to discourage reports, a student who makes a report made under this policy in good faith will not be subject to disciplinary action by the College 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 College may, however, expect that individuals engage in counseling or other educational supports to address substance use.

#### **5. 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 College employees have a mandatory reporting obligations 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.

### **IV. Unity College's Response**

#### **A. Intake Procedures**

##### **1. Intake Meeting with Complainant**

Upon receipt of a formal 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, 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 Formal Investigation/Adjudication. 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, Formal Investigation/Adjudication, file a criminal complaint, or does not wish to pursue resolution at that time.

##### **2. 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 that the College not pursue an investigation or disciplinary process). The Title IX Coordinator will weigh that request against its 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 College 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; and whether the report suggests a pattern of perpetration at a particular location or by a particular group; and any other relevant circumstances. If Unity College honors the request for confidentiality, the reporting student must understand that the College's ability to meaningfully investigate or otherwise respond to the alleged incident may be limited. Although rare, there are times when Unity College 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 College 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 College 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.

### **3. Intake Meeting with Respondent**

If the reporting student (hereinafter, "Complainant") wishes to proceed with either Mediation or Formal Investigation/Adjudication, 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. Next, the Title IX Coordinator will schedule an Intake Meeting with the responding student (hereinafter, "Respondent") in order to provide the Respondent with written information about this policy and procedures, discuss the specific allegations made against him/her, and to identify any form of support, interim measures, or other accommodations deemed appropriate by the College.

### **4. Supporters and Advisors**

Supporters are faculty or staff members, and occasionally students, who are trained in the Sexual Misconduct Policy and procedures, and are available to provide encouragement and emotional support. The Title IX Coordinator will work with a Complainant or Respondent to arrange for the appointment of a trained supporter to be available to the student, if requested. In addition to the supporter, the parties are also entitled to have an advisor of their choice present during an Intake Meeting, or meetings associated with Mediation, or Formal Investigation/Adjudication (see below). Neither an advisor nor a supporter may actively participate in any sessions or proceedings under this policy, make statements or objections, or pose questions to other parties or any witnesses at any point during any of these processes. Supporters and advisors will be required to sign an agreement requiring that all information concerning the alleged incidents and all information divulged throughout the proceedings under this policy will remain confidential.

## **B. Resolution Options**

There are two resolution options under this policy: (1) Mediation; and (2) Formal Investigation/Adjudication.

### **1. Mediation**

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 is expected to attend and participate in the Mediation meeting(s). 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 protective measures agreed upon by the parties, or may unilaterally impose protective measures at the Coordinator's discretion. Protective measures may include but are limited to: changes in residential locations, academic schedules, or College employment situations; limitations on contact between the parties; and required counseling. If either party wishes to appeal a protective measure imposed by the Title IX Coordinator without the agreement of both parties, they may do so by contacting the Vice President of Distance Education in writing within three (3) working days of the Title IX Coordinator's written decision. The matter will be decided by the VP 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 VP, in writing, within three (3) working days. The matter will be decided by the CSSO in a timely fashion with no additional opportunity for review or appeal.

## **2. Formal Investigation/Adjudication**

If the Complainant wishes to proceed with Formal Investigation/Adjudication, the Title IX Coordinator will forward the Complaint to the Investigator after the initial intake meeting with the Respondent. The Title IX Coordinator will provide a written notice of the allegations to the Respondent.

### **Step 1: Investigation**

The Investigator, who is a neutral fact-finder, will typically be the Deputy Title IX Coordinator, but could be another trained Unity College employee, or a trained investigator from outside the College. The Title IX Coordinator is solely responsible for assigning an Investigator. 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 expected 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. 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. 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 five (5) 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 Social Code, based upon the preponderance of the evidence (i.e., more likely than not). The Final Report will be made available to the Complainant, the Respondent, and the Title IX Coordinator. 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: Adjudication**

The Title IX Coordinator or designee serves as the "hearing officer" responsible for making a final determination, based upon a preponderance of the evidence, as to whether the Respondent violated this. Under this policy, a student may be held responsible for, and sanctioned, for alleged violations of other Unity College policies directly related to any allegations under this policy that come to light during the pendency of any process under this policy. Such related misconduct may include, without limitation: violation of the rules of privacy and/or confidentiality, violations of directive(s) and/or protective actions; and/or violations of other Unity College policies that occurred in the course of the alleged sexual misconduct. policy and/or related portions of the Social Code. The Title IX Coordinator is also responsible for issuing appropriate sanctions when a violation is found (see below). Upon receipt of the Final Report from the Investigator, the Title IX Coordinator shall invite the parties to provide a written supplemental statement, their views as to any information in the Final Report, the determination and/or sanctions, and on any other circumstances relevant to the investigation. The Title IX Coordinator will typically conclude the adjudication within five (5) working days of receiving written statements from the parties. The Title IX Coordinator will concurrently provide a Final Outcome Letter to the Complainant and Respondent. The letter will include the following information required under the Clery Act: the name of the Respondent, the specific violation(s) of this policy for which the Respondent was found responsible, and the sanction imposed, if any. The letter will also explain appeal rights.

### **Sanctions**

The Title IX Coordinator may impose sanction(s) that are deemed 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 College 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 College 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 College reserves the right to communicate with a parent or guardian regarding any student conduct taken by the College, 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**

Either the Complainant or the Respondent may appeal the Title IX Coordinator's determination of responsibility and/or sanction by submitting an appeal in writing to the Vice President of Distance Education 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 VP shall promptly provide the other party with a copy of the appeal and invite a written response within five (5) business days. 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 VP will limit his/her scope to reviewing the appeal documents and of the Investigation/Adjudication record (including the Final Report and any written statements submitted to the Title IX Coordinator at the adjudication stage); however, the VP may, at his/her discretion, reopen the investigative process if new, relevant evidence is submitted. In order for an appeal to be granted, the VP must find the existence of:

- Fraud,
- A procedural error, or
- New relevant evidence that was previously unavailable and materially affects the outcome of the adjudication or sanction.

If the VP determines that there are grounds to grant an appeal, the VP 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 VP 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.

## **V. 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 College's Social Code, and failure to do so may result in the initiation of a separate disciplinary matter.

### **B. Employee Expectations**

Unity College 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 College 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 College recognizes that a particular instance of expression, standing alone, may not be sufficient to establish a hostile environment under Title IX.

### **D. Alternative Representatives**

If a student does not feel comfortable coming forward to a particular designated College official who, according to this policy, is responsible for handling some aspect of this policy, an alternative College representative may be contacted instead. Alternative representatives may then designate an impartial and appropriate person to resolve the matter following applicable College policy.

E. 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.

F. Withdrawal

If a student withdraws from the College after a Complaint has been filed for an alleged violation, but before the Complaint has been resolved by the College, the College may continue to proceed to investigate, adjudicate or otherwise complete its resolution of the Complaint. 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.

**VI. Policy Interpretation and Amendments**

Any question of interpretation or application of the Sexual Misconduct 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 Vice President of Distance Education from taking appropriate action to ensure the safety of the College community, enforce College 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.

## SECTION 8: RESOURCES

### Academic Calendar

Please see the webpage for the current academic calendar:

<https://online.unity.edu/academic-calendar/>

### Financial Aid Consumer Information

Please see the webpage for institutional information for consumers:

<https://www.unity.edu/academics/academic-resources/registrar/consumer-information/>

### College Resources

The mailing address for all Unity College correspondence is:

Unity College Distance Education

90 Quaker Hill Road, Unity, ME 04988-952

College Switchboard: (207) 509-7100; Distance Education: (207) 509-7155

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

### Distance Education Leadership

Vice President for Distance Education, Dr. Amy Arnett

[aarnett@unity.edu](mailto:aarnett@unity.edu): (207) 509-7204

Dean of Environmental Conservation and Research, Dr. Pieter DeHart,

[pdehart@unity.edu](mailto:pdehart@unity.edu): (207) 509-7118

Dean of General Education and Environmental Studies, Dr. David Rogers

[drogers@unity.edu](mailto:drogers@unity.edu): (207) 509-7159

Director of Enrollment Management, Chris Vigezzi

[civgezzi@unity.edu](mailto:civgezzi@unity.edu): (207) 509-7231

Associate Dean of Retention and Completion, Annie Chuprevich

[achuprevich@unity.edu](mailto:achuprevich@unity.edu)

Assistant Director for Concierge Services, Heather Stetkis

[hstetkis@unity.edu](mailto:hstetkis@unity.edu): (207) 509-7155

Distance Education Office Manager, Michelle Ross

[mross@unity.edu](mailto:mross@unity.edu)

## Enterprise Employees Dedicated to Distance Education

Assistant Registrar for Transfer Evaluation, Kerry Hafford

[khafford@unity.edu](mailto:khafford@unity.edu): (207) 509-7257

## Enterprise Resources

Dean of Students, Ray Phinney

[rphinney@unity.edu](mailto:rphinney@unity.edu): (207) 509-7241

Registrar, Kelsey Gilbert

[kgilbert@unity.edu](mailto:kgilbert@unity.edu): (207) 509-7218

Financial Aid

[fin\\_aid@unity.edu](mailto:fin_aid@unity.edu): (207) 509-7235

Director of Library and Information  
Resources, Kate Russell

[krussell@unity.edu](mailto:krussell@unity.edu): (207) 509-7176

Instructional Technology:

[helpdesk@unity.edu](mailto:helpdesk@unity.edu); (207) 509-7110

***Date Modified: August 23, 2019***

***Adoption Chain: DE Leadership, President***