



**JEANNE CLERY DISCLOSURE OF CAMPUS SECURITY POLICIES & CAMPUS  
CRIME STATISTICS ACT [20 U.S.C. § 1092\(f\)](#)**

**Campus Crime Statistics 2020 to 2022**

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## TABLE OF CONTENTS

LETTER FROM THE PRESIDENT	3
PREPARING THE ANNUAL DISCLOSURE OF CRIME STATISTICS, PREVENTING AND REPORTING CRIMES, CAMPUS LAW ENFORCEMENT & LOCAL POLICE DEPARTMENTS, PASTORAL AND PROFESSIONAL COUNSELORS	4
CAMPUS SECURITY CONTACTS, CAMPUS AUTHORITIES AND JURISDICTION, PURPOSES OF REPORTING CLERY CRIME STATISTICS, POLICY FOR ADDRESSING CRIMINAL ACTIVITY OFF CAMPUS	5
CAMPUS FACILITIES AND ACCESS, MONITORING CRIMINAL ACTIVITY AT OFF CAMPUS LOCATIONS COMMUNITY NOTIFICATION, EMERGENCY NOTIFICATION METHODS AT ALL CAMPUSES	6
SAFETY, OSHA REQUIREMENTS, FIRST AID AND EMERGENCY ACTION PLAN, REPORTING INJURIES OR ACCIDENTS INCIDENT/ACCIDENT REPORTS, COVID UPDATES, MAINTENANCE OF CAMPUS FACILITIES, EMERGENCY NOTIFICATIONS	7
EMERGENCY RESPONSE AND EVACUATION PROCEDURES, EMERGENCY EVACUATION PLAN, DRILLS AND EXERCISES ACTIVE SHOOTER OR ARMED HOSTILE INTRUDER, TIMELY WARNING	8
CLERY CRIME DEFINITIONS	9
FEDERAL VAWA DEFINITIONS-VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT	10
STATE DEFINITIONS: MASSACHUSETTS & MAINE	11-13
PRESERVING EVIDENCE, WHAT TO DO IF YOU EXPERIENCE DATING VIOLENCE, DOMESTIC VIOLENCE, SEXUAL ASSULT	14
SEXUAL MISCONDUCT POLICY AND DEFINITIONS, TITLE IX & NON TITLE IX SEXUAL MISCONDUCT	15-18
REPORTING SEXUAL MISCONDUCT	19
HOW TO SUBMIT A COMPLAINT, VOLUNTARY & CONFIDENTIAL REPORTING, TITLE IX TEAM MEMBERS	20
PROCEDURES FOR DISCIPLINARY ACTION, SEXUAL MISCONDUCT REVIEW, SUPPORTIVE MEASURES	21
WRITTEN NOTIFICATION TO COMPLAINANT REGARDING OPTIONS AND ASSISTANCE, INITIAL ASSESSMENT OF	22
ANONYMOUS REPORTS AND COMPLAINTS, RIGHTS OF THE COMPLAINANT AND RESPONDENT, PROHIBITION ON RETALIATION, STANDARD OF EVIDENCE	23
SANCTIONS, POSSIBLE SANCTIONS FOR VIOLATIONS OF THE SEXUAL MISCONDUCT POLICY, REPORTING OF CRIME AND	24
NOTICE OF NON-DISCRIMINATION, COMPLIANCE WITH ANTI-DISCRIMINATION LAWS, COORDINATION WITH NON-DISCRIMINATION POLICY, COMPLIANCE WITH NON-DISCRIMINATION POLICIES	25
DRUG AND ALCOHOL POLICY	26-28
CAMPUS SECURITY AND CRIME PREVENTION PROGRAMMING, SOURCES ON EDUCATION, PREVENTION AND AWARENESS	29
SAFETY PLANNING, PROTECTING YOUR FRIENDS, SOCIAL SITUATIONS, SEX OFFENDER REGISTRY	30
REFERRAL RESOURCES AND LINKS: MASSACHUSETTS & MAINE	31
BE A SUPPORT YOUR FRIENDS & FAMILY NEED DURING DIFFICULT TIMES	32
HOW DOES DATING VIOLENCE START? WHAT CAN HAPPEN IF I DON'T END AN ABUSIVE DATING OR ROMANTIC RELATIONSHIP? WHAT IS STALKING? WHAT ARE THE EXAMPLES OF STALKING? EXAMPLES OF CYBERSTALKING, ARE THERE LAWS AGAINST STALKING? WHAT CAN YOU DO IF YOU ARE BEING STALKED?	33-34
CRIME PREVENTION & SAFETY PROGRAMS, WE SPEAK UP BYSTANDER INTERVENTION, RISK REDUCTION	34
WHAT IS DOMESTIC VIOLENCE?	35
WHAT IS DATING VIOLENCE? SIGNS OF DATING ABUSE, WHAT IS DIGITAL ABUSE?	36
CLERY CRIME STATISTICS 2019 TO 2021, WESTBROOK, ME, PLYMOUTH & WESTBOROUGH, MA	37-39

## Letter from the President

By October 1 of each year, the school publishes and distributes their Annual Campus Security Report to current and prospective students and employees. The Annual Campus Security Report can be found on the school's website at [www.spatech.edu](http://www.spatech.edu). A paper copy is available by request from the Campus Director. Compliance is monitored by the United States Department of Education.

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (20 USC § 1092(f) or Clery Act) was signed into law in 1990, all colleges and universities that participate in federal financial aid programs are required to report school safety policies and Clery crimes that occur on campus, as well as public property adjacent to the school, if any. The Clery Act also requires institutions to send timely warnings to the school community when there are known risks to public safety on campus.

There is significant overlap between Title IX requirements, Violence Against Women Act and Clery Act in relation to institutional response to incidents of dating violence, domestic violence, sexual assault, and stalking.

The Clery Act also contains the Campus Sexual Assault Victim's Bill of Rights, which requires colleges to disclose educational programming, campus disciplinary process, and victim rights regarding sexual violence complaints. In March 2013, the Violence Against Women Reauthorization Act (VAWA) was signed into law. VAWA includes amendments to the Clery Act which require institutions to comply not only with the reporting responsibilities, the disciplinary/grievance procedures and supportive measures but also requires institutions to implement and disclose programs and resources to prevent dating violence, domestic violence, sexual assaults, stalking, include primary prevention and awareness programs for incoming students and employees.

Spa Tech Institute strives to ensure the safety of all students, staff, and clients and has developed a broad set of policies and procedures to ensure the safety of everyone.

All students and employees are encouraged to report crimes, suspicious activities, injuries resulting from criminal offenses and all other security offenses may do so by contacting the Campus Director who will notify the local police department. If you are experiencing a life-threatening emergency, please call 9-1-1.

In the event the Campus Director determines that a situation constitutes an ongoing or continued threat, a campus-wide timely warning will be issued.

Spa Tech Institute will not take any retaliatory action against anyone with respect to implementation of any provision under this act. Spa Tech Institute does not have any on campus housing, nor do we recognize any off campus student organization that would be covered under this act.

Thank you for taking the time to increase your knowledge and assist in making the school and the world a safer place.

**Kris Stecker**

## Preparing the Annual Disclosure of Crime Statistics

Each year before the Department of Education reporting website opens for registration, the Director of Compliance requests the crime statistics information from the police and/or sheriff's departments for the geographical jurisdictions in which the schools are located.

This information is compiled into charts in the Annual Campus Security Report Statistics section and entered appropriately into the US Department of Education's, Campus Safety & Security Reporting website for each school location. The report is distributed on or before October 1 each year, to current students and employees. New students receive a link to the (ASR) on the school's website prior to enrollment, as well as receive a hard copy during student orientation. Newly hired employees receive a disclosure with a link to the location of the ASR on the School's website at [www.spatech.edu](http://www.spatech.edu)

## PREVENTING AND REPORTING CRIMES

Employees, contract workers, students, vendors or other persons who do business with the Institute are all subject to school policy and reporting. Spa Tech Institute students, employees, and faculty are reminded that they should participate in crime prevention by:

- ◆ Ensuring all doors are locked after business hours
- ◆ Required to report suspicious behavior to supervisor
- ◆ Be aware of surroundings
- ◆ Do not leave cars unlocked while in class or during work
- ◆ At night use the buddy system when leaving the building
- ◆ Check the backseat of the car before getting in

Spa Tech encourages the accurate and prompt reporting of all crimes to campus authorities and appropriate law enforcement agencies when the victim of a crime elects to, or is unable to, make such a report. Victims or witnesses may report crimes on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics. Community members, students, educators, staff, and visitors are encouraged to report all crimes.

## CAMPUS LAW ENFORCEMENT

Spa Tech Institute does not employ any private security personnel or have a campus police department. The individual campuses work with their local law enforcement agency, if an issue arises at the school. All reports involving students are forwarded to the Campus Director for review and potential disciplinary action. If assistance is required from other law enforcement, local fire departments, or other emergency agencies, the Campus Director will contact the appropriate unit.

No written MOUs (memorandum of understanding) are in place with local law enforcement agencies. Assistance is requested on an as-needed basis.

## Local Police Department (Emergencies Call 911)

- ⇒ North Andover, MA (978) 683-3168
- ⇒ Plymouth, MA (508) 830-4218
- ⇒ Westborough, MA (508) 366-3060
- ⇒ Westbrook, ME (207) 854-0644

## PASTORAL AND PROFESSIONAL COUNSELORS

The school does not have licensed or certified Professional Pastoral or Counselors, when acting as such, are not considered to be a campus security authority for Clery Act purposes and are not required to report crimes for inclusion in the annual disclosure of crime statistics.

The school encourages the above counselors, if and when they deem it appropriate, to inform the person they are counseling to voluntarily report the incident to the school on a confidential basis for inclusion in the annual disclosure of crime statistics. Please note that reports of sexual violence and other violations that may be sex or gender based will be reported to the Title IX Coordinator and cannot be held in complete confidence.

The institution will, upon written request, disclose to the alleged victim of a crime of violence, or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by such institution against a student who is the alleged perpetrator of such crime or offense; if the alleged victim is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of this paragraph.

**A crime, emergency, or safety concern should be reported to the following campus officials:**

### **CAMPUS SECURITY CONTACTS**

Peggy York, Campus Director  
100 Larrabee Road, Westbrook, ME 04092  
(207) 591-4141 x5001 email: pyork@spatech.edu

Ruthann Manning, Campus Director  
202 Sutton St., Ste. 460, North Andover, MA 01854  
(978) 620-5250 email: ruthie.manning@spatech.edu

Jon Schmaling, Campus Director  
59 Industrial Park Road, Plymouth, MA 02360 (508) 747-3130 x3001 email: jschmaling@spatech.edu

Thomas Ryan, Campus Director  
227 Turnpike Road, Westborough, MA 01581  
(508) 836-8864 x4001 email: tryan@spatech.edu

Kris Stecker, Director of Operations 174 High Street, Ipswich, MA 01938 (978) 356-0414 x1000  
email: kstecker@spatech.edu

### **CAMPUS AUTHORITIES AND JURISDICTION**

Campus Security Authorities (Owners, Campus Director, Campus Director of Education and All Employees) have the authority to question all persons on school property to determine their legitimate presence and to escort unauthorized persons to the proper office or off school property, control the actions of persons violating school rules or local, state, or federal laws and cooperate with all local, state, or federal agencies should that become necessary. Campus Security Authorities do not possess arrest power.

Criminal incidents are referred to local police department, who have jurisdiction. All crime victims and witnesses are strongly encouraged to immediately report crime to Campus Security Authorities and the appropriate police agency. All reports will be investigated. When a potentially dangerous threat arises on campus, a timely warning will be issued to all students and employees.

### **FOR PURPOSES OF REPORTING CLERY CRIME STATISTICS**

**On-Campus**—defined as: (i) Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls; and (ii) any building or property that is within or reasonably contiguous to the area identified in paragraph (i) of this definition, that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or retail vendor).

**Non-Campus Building Or Property**—defined as: Any building or property owned or controlled by a student organization that is officially recognized by the institution; or any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution. *Note: Spa Tech Institute does not have any Non-Campus buildings or property.*

**Public Property**—defined as: All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from the campus. *Note: privately owned property is not reported as part of the Clery Crime Statistics.*

### **POLICY FOR ADDRESSING CRIMINAL ACTIVITY OFF CAMPUS**

If a student or employee is charged with an off-campus violation of federal, state, or local laws, the school reserves the right to take disciplinary action and impose sanctions against the student or employee. Proceedings may be carried out prior to, simultaneously with, or following civil or criminal proceedings off-campus.

## CAMPUS FACILITIES AND ACCESS

During business hours, Spa Tech Institute is open to students, parents, employees, prospective students, clients, and guests. All facilities are locked during non-business hours, only authorized personnel are permitted on the premises.

**WESTBROOK, MAINE**—The main entrance is the primary point of entry for the public with the 2 additional entrances used by employees and students of the school are the only points of entry to the school. The entrance includes the front desk as well as the front office monitors, the entrance and exits of all students, faculty and visitors to the school.

Students wear name tags and all guests are escorted by students or staff while at the campus. All parking lots are well lit and maintained but the buddy system is encouraged. The school has camera surveillance of common areas.

**NORTH ANDOVER, MA**—The school has multiple internal entrances for all offices and classrooms. The main entrance is clearly marked and there is a secondary entrance that has a chime on it. Offices and classrooms are locked when not in use and the staff takes particular care in monitoring the activity. Additionally, the parking lot is exclusive to the school and monitored. Students wear name tags and all guests are escorted by students or staff while at the campus. All parking lots are well lit and maintained but the buddy system is encouraged. The school has camera surveillance of common areas.

**PLYMOUTH, MA**—The main entrance is shared with another business so the staff is instructed to keep all rooms locked when not in use. The staff and students are taught to be vigilant of any unauthorized individuals on campus, including the fairly large parking lot, and instructed to notify the staff or any unusual or questionable activity. Students wear name tags and all guests are escorted by students or staff while at the campus. All parking lots are well lit and maintained but the buddy system is encouraged. The school has camera surveillance of common areas.

**WESTBOROUGH, MA**—As a larger strip mall, each business has its own entrance but a shared parking facility. The school maintains a single entrance that is monitored by the front desk and front office while the doors are unlocked. All visitors must check in at the front desk. Students wear name tags and all guests are escorted by students or staff while at the campus. All parking lots are well lit and maintained but the buddy system is encouraged. The school has camera surveillance of common areas.

## MONITORING CRIMINAL ACTIVITY AT OFF-CAMPUS LOCATIONS

Spa Tech Institute does not operate any off-campus housing and does not recognize any off-campus student organizations.

## COMMUNITY NOTIFICATION

In the event a significant emergency or dangerous situation exists which may affect the greater community surrounding the school (i.e., City of North Andover, Plymouth, Westborough, Massachusetts or Westbrook, Maine), and at the direction of the President or Campus Director, information will be disseminated to local TV and radio stations and made available via employee and student email, and the school website [www.spatech.edu](http://www.spatech.edu).

The safety of the community will be taken into account, and without delay, the notification system will be implemented, unless issuing a broadcast email notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency. Spa Tech Institute will not issue an emergency notification if, in the professional judgment of the Campus Director, Director of Compliance, or the President, issuing such a notification will compromise efforts to assist a victim or contain, respond to, or otherwise mitigate the emergency.

## EMERGENCY NOTIFICATION METHODS AT ALL CAMPUSES

- ◆ **Fire Alarm System**—When a fire alarm is sounded, everyone must immediately vacate the building and walk calmly to the designated evacuation area.
- ◆ **Main School Message for Incoming Callers**—At the direction of the President, the Campus Director or designee will change the incoming message to reflect the emergency, which will override the existing incoming school message.
- ◆ **Broadcast Email Notification**—At the direction of the President or Campus Director will disseminate a broadcast campus-wide email indicating the nature of the emergency.
- ◆ The school will also attempt to text students that are affected by an emergency, if the school has the student's text number.
- ◆ The school also can communicate emergencies through the KlassApp student communication portal.
- ◆ **Notification Signage**—At the direction of the President or Campus Director - will direct Personnel to post notification signs at all entrances to Spa Tech Institute indicating the nature of the emergency.

## **SAFETY, OSHA REQUIREMENTS, FIRST AID AND EMERGENCY ACTION PLAN**

### **Safety and Security**

Spa Tech has been and intends to continue to maintain a safe and comfortable workplace and school environment. Should an employee or student be injured or become ill while on campus premises or if you know of a situation that could jeopardize the health or safety of others, you should report it immediately to your supervisor, the Campus Director or Instructor. All employees and students are requested to exercise common sense in the observation of simple precautions to protect their own safety and health and that of their fellow employees and students. Employees, students and customers are expressly forbidden from using tools, supplies and equipment that they are not trained and authorized to use. Additionally, employees, students and customers must not use tools, supplies or equipment for any uses other than those that the product is designed for.

### **REPORTING INJURIES OR ACCIDENTS**

The Occupational Safety and Hazard Act ("OSHA") requires that we keep records of all occupational injuries or illnesses which occur during the workday. State Worker's Compensation Acts, also require that you report any sickness, illness or injury occurring on the job, no matter how slight. If you hurt yourself or become ill, contact your supervisor for assistance. For any illnesses or injuries which fall within the scope of our Worker's Compensation (Worker's Compensation applies only to employees) coverage, the school reserves the right to request a second opinion by a physician of the company's choice. The school may request, that the employee be seen by a designated doctor or quality care provider; however, the employee may see their own doctor or care provider, as well. If you fail to report an injury, you may jeopardize your right to collect Worker's Compensation payments or other health benefits. OSHA also protects your right to know about any health hazards which might be present on the job. We ask for your assistance in alerting management to any condition that could lead or contribute to an accident.

### **INCIDENT/ACCIDENT REPORTS**

Upon receiving a report of any criminal activity, or incident involving an accident or injury, the teacher, Campus Director of Education or Campus Director will respond by completing an Incident/Accident Report, which is reviewed by the Office of Compliance & Human Resources. All incident reports should be mailed to: Spa Tech Institute, 174 High Street, Ipswich, MA 01938 or sent by email to [compliance@spatech.edu](mailto:compliance@spatech.edu).

### **COVID UPDATES**

Students and Staff can keep up to date on COVID related guidance on the school's website at: <https://spatech.edu/covid-19>

### **MAINTENANCE OF CAMPUS FACILITIES**

Throughout the year, maintenance is performed at the campuses. Administrators survey the security issues such as parking lots, locks, alarms, lighting and communications and other potential issues as necessary. All maintenance contacts can be found in the Online Operations Manual (WOW), as needed.

### **EMERGENCY NOTIFICATION**

The School has developed a process to notify the campus community in case of an emergency. While impossible to predict every significant emergency or dangerous situation that may occur on campus, the following identified situations are examples which may warrant an emergency (immediate) notification after confirmation. In the event of an emergency, contact the Campus Security Contact at your campus who will issue a notification to students, faculty and staff for emergencies that require notification.

#### **Examples include:**

- ◆ Armed active shooter or armed hostile intruder
- ◆ Bomb/Explosive (threat)
- ◆ Communicable Disease Outbreak
- ◆ Terrorist Incident
- ◆ Civil Unrest
- ◆ Natural Disaster
- ◆ Health hazard, such as noxious fumes, boil water warnings or structural issues
- ◆ Structure fire, flood, chemical or electrical danger
- ◆ Power or plumbing outage that creates a hazard

Such notification will typically contain the date and time of time frame of the incident, a brief description of incident and information that will promote safety and aid in the prevention of similar incidences. To report an incident, please see the Campus Security Contacts on page 5.

## EMERGENCY RESPONSE AND EVACUATION PROCEDURES

Upon report or discovery of a campus emergency by the Campus Director, management will evaluate the situation and confirm that there is a significant campus emergency or dangerous situation on campus. Upon confirmation, the Campus Director, Director of Compliance and the President shall convene without delay and taking into account the safety of the community to evaluate the extent of the emergency and to determine the appropriate content of the notification and the appropriate segment(s) of the campus community to receive notification.

## EMERGENCY EVACUATION PLAN

In case of fire or other occurrence necessitating emergency evacuation of the facility, please use normal doors to leave the building or fire doors so marked as "fire exits." Employees working in the office should meet in the parking lot, opposite the front door.

## DRILLS & EXERCISES

Spa Tech will test the emergency response and evacuation procedures in April and October, annually, including:

Tests that may be announced or unannounced.

Publication of emergency response and evacuation procedures in conjunction with at least two test per calendar year.

Documentation, for each test, including a description of the exercise, the date, time, and whether it was announced or unannounced.

## ACTIVE SHOOTER OR ARMED HOSTILE INTRUDER

To prepare students and employees in the event of an on-campus active shooter or hostile intruder. The following preparedness training is in place during Student Orientation.

Annually in October and April, the campus-wide email notification for timely warning tests to all students and staff will include information on how to best protect themselves in the event of an active shooter or armed hostile intruder inside the building.

Students and employees would be instructed to:

- ◆ Run to safety as a first option or
- ◆ Hide for safety, if escaping the scene is not possible or
- ◆ Fight and defend yourself, as a last option.

U.S. Department of Homeland Security: [https://www.dhs.gov/xlibrary/assets/active\\_shooter\\_pocket\\_card.pdf](https://www.dhs.gov/xlibrary/assets/active_shooter_pocket_card.pdf)

Additionally, the school will conduct in class preparedness training and discuss what to do in the event of an active shooter and to educate students and teachers on potential escape points specific to the campus.

## TIMELY WARNING

Spa Tech Institute is committed to providing a safe educational and work environment which is free of violence, harassment and discrimination. As required by the Clery Act, Spa Tech Institute will initiate a timely warning to notify students, faculty and staff in response to Clery Act crimes reported to campus authorities or local police departments that occurred on Spa Tech's campus or covered public property, and, in the judgment of the President, Campus Director, or Director Compliance, constitute an ongoing or continuing threat to students or employees. The notification will be done by sending an "ALERT" message to all students, faculty and staff at their e-mail accounts, or mobile device. Depending on severity of the crime students could possibly receive a phone call from the Campus Director or other school administrator. When an alert is issued Spa Tech Institute will ensure the victim's name and other identifying information is confidential.

### Spa Tech Institute does not issue timely warnings for the above listed crimes when:

- ◆ The suspect(s) is apprehended and the threat of imminent danger to the Spa Tech community has been mitigated by the apprehension by local law enforcement authorities.
- ◆ A report was not filed or a Campus Security Contact was not notified in a manner that would allow the school to post a "timely" warning to the community.
- ◆ In cases involving sex offenses that may be reported long after the incident occurred, there is no ability to distribute a timely warning or safety alert to the community. Sex offenses will be considered on a case-by-case basis depending on when and where the incident occurred, when it was reported, and the amount of information known.
- ◆ A crime is reported to a pastoral or professional counselor while acting in those capacities.



## CLERY CRIME DEFINITIONS

**Murder/Non-Negligent Manslaughter:** The willful (non-negligent) killing of one human being by another.

**Negligent Manslaughter:** The killing of another person through gross negligence.

**Sexual Assault:** Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

a) **Rape:** The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. This offense includes the rape of both males and females.

b) **Fondling:** The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.

c) **Incest:** Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

d) **Statutory Rape:** Sexual intercourse with a person who is under the statutory age of consent.

**Robbery:** The taking or attempting to take anything of value from the care, custody or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.

**Aggravated Assault:** An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm.

**Burglary:** The unlawful entry of a structure to commit a felony or a theft.

**Motor Vehicle Theft:** The theft or attempted theft of a motor vehicle.

**Arson:** Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another kind.

**Weapon Law Violations:** The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices or other deadly weapons. This classification encompasses weapons offenses that are regulatory in nature.

**Drug Abuse Violations:** The violation of laws prohibiting the production, distribution and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation or importation of any controlled drug or narcotic substance.

Arrests for violations of state and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing and making of narcotic drugs.

**Liquor Law Violations:** The violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession or use of alcoholic beverages, not including driving under the influence and drunkenness.

## HATE CRIMES

Spa Tech Institute is also required to report statistics for hate (bias) related crimes by the type of bias as defined for the following classifications: **murder/non-negligent manslaughter, negligent manslaughter, sex offenses, robbery, aggravated assault, burglary, motor vehicle theft, arson) larceny, vandalism, intimidation, and simple assault.**

- ◆ **Destruction, Damage, Vandalism of Property:** To willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.
- ◆ **Intimidation:** To unlawfully place another person in reasonable fear of bodily harm using threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.
- ◆ **Larceny-Theft:** The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another.
- ◆ **Simple Assault:** An unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration or loss of consciousness.

A hate or bias related crime is not a separate, distinct crime, but is the commission of a criminal offense which was motivated by the offender's bias. For example - a subject assaults a victim, which is a crime, if the facts of the case indicate that the offender was motivated to commit the offense because of his bias against the victim's race, religion, sexual orientation, gender, gender identity, ethnicity, national origin, or disability, the assault is then also classified as a hate/bias crime.

*For purposes of reporting crimes, when more than one criminal offense was committed during a single incident, only the most serious offense is counted pursuant to the FBI's Uniform Crime Reporting Program. Exceptions to the hierarchy rule include that arson is always reported as a separate crime regardless of whether it occurs in the same incident as another crime, and where rape, fondling or statutory rape occurs in the same incident as a murder, both crimes are reported in the crime statistics. Source: The Handbook for Campus Crime Reporting, U.S. Department of Education, Office of Postsecondary Education, 2016.*

## **Federal VAWA Definitions: The following definitions are used for the purposes of reporting dating violence, domestic violence, sexual assault and stalking under the Clery Act as amended by VAWA.**

The Violence Against Women Reauthorization Act (VAWA), which President Obama signed into law on March 7, 2013, imposes new obligations on colleges and universities under its Campus Sexual Violence Act.

Under VAWA, colleges and universities are required to:

- ◆ Report domestic violence, dating violence, and stalking, beyond crime categories the Clery Act already mandates;
- ◆ Adopt certain student discipline procedures, such as for notifying purported victims of their rights; and
- ◆ Adopt certain institutional policies to address and prevent campus sexual violence, such as to train in particular respects to pertinent institutional personnel.

The Clery Act requires annual reporting of statistics for various criminal offenses, including sex offenses and aggravated assault. VAWA's Campus SaVE Act provision adds domestic violence, dating violence, and stalking to the categories that, if the incident was reported to a campus security authority or local police agency, must be reported under Clery. The Campus SaVE Act provision imposes new reporting requirements. These crimes are defined below:

### **VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT (VAWA)**

**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; (i) The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. (ii) For the purposes of this definition—(A) Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. (B) Dating violence does not include acts covered under the definition of domestic violence. (iii) For the purposes of complying with the requirements of this section and § 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

**Domestic Violence** – (i) A felony or misdemeanor crime of violence committed - (A) By a current or former spouse or intimate partner of the victim; (B) By a person with whom the victim shares a child in common; (C) By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner; (D) By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred, or (E) By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

**Sexual Assault** – An offense that meets the definition of rape, fondling, incest, or statutory rape. •Rape – The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the complainant. •Fondling – The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the complainant, including instances where the complainant is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity. •Incest – Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law. •Statutory Rape – Sexual intercourse with a person who is under the statutory age of consent.

**Stalking** – (i) Engaging in a course of conduct directed at a specific person that would cause a reasonable person to - (A) Fear for the person's safety or the safety of others; or (B) Suffer substantial emotional distress. (ii) For the purposes of this definition - (A) Course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property. (B) Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim. (C) Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling. (iii) For the purposes of complying with the requirements of this section and section 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

## STATE DEFINITIONS

The following definitions reflect Maine & Massachusetts state law which may be different from the federal definitions. The federal definitions are used for the purpose of reporting crime statistics as mandated by the Clery Act as amended by VAWA. It is important to be aware of state law definitions that govern criminal proceedings.

### STATE OF MASSACHUSETTS

**Assault:** Sexual assault is defined by the Massachusetts Office of Public Safety as any sexual activity that is forced or coerced or unwanted. Under Massachusetts criminal law, sexual assault includes both indecent assault and battery and rape. Indecent assault is the intentional physical contact of a sexual nature with a person without the person's consent. Massachusetts law defines rape as having sexual intercourse with a person and compelling such person to submit by force and against his/her will, or compelling such person to submit by threat of bodily injury.

**Consent:** Under Massachusetts law, consent for sexual activity cannot be obtained from an individual who is incapable of giving consent because the person: has a mental, intellectual, or physical disability; or is under the legal age to give consent (16 in Massachusetts); or is asleep, unconscious, physically helpless; or otherwise incapacitated, including through the consumption of alcohol or drugs.

**Domestic and Dating Violence:** Under Massachusetts law, the definition of "domestic abuse" includes domestic violence and dating violence. Domestic abuse is defined as the occurrence of one or more of the following acts between family or household members: (a) attempting to cause or causing physical harm; (b) placing another in fear of imminent serious physical harm; or (c) causing another to engage involuntarily in sexual relations by force, threat or duress. "Family or household members" are persons who: (a) are or were married to one another; (b) are or were residing together in the same household; (c) are or were related by blood or marriage; (d) having a child in common regardless of whether they have ever married or lived together; or (e) are or have been in a substantive dating or engagement relationship, which shall be adjudged by courts through consideration of the following factors: (1) the length of time of the relationship; (2) the type of relationship; (3) the frequency of interaction between the parties; and (4) if the relationship has been terminated by either person, the length of time elapsed since the termination of the relationship.

**Stalking:** Under Massachusetts criminal law, stalking is committed when a person (1) willfully and maliciously engages in a knowing pattern of conduct or series of acts over a period of time directed at a specific person which seriously alarms or annoys that person and would cause a reasonable person to suffer substantial emotional distress; and (2) makes a threat with the intent to place the person in imminent fear of death or bodily injury. The conduct, acts or threats includes those conducted by mail, telephone, or electronic communication device.

**Sexual Misconduct:** Under Massachusetts law (M.G.L. ch. 6 section 168D), sexual misconduct is defined as an incident of sexual violence, dating violence, domestic violence, gender-based violence, violence based on sexual orientation or gender identity or expression, sexual assault, sexual harassment, or stalking.

### STATE OF MAINE

**Dating Violence: Maine Statute Title 17A §207** – Intentionally, knowingly or recklessly causing bodily injury or offensive physical contact to another person. In Maine, there are no laws concerning dating violence. If individuals are in a consensual romantic relationship that does not meet the definition of domestic violence (family or household member as defined in Title 19A Section 4002 subsection 4) dating violence would be considered assault.

**Domestic Violence: Maine Statute Title 17A §207A** Intentionally, knowingly or recklessly causing bodily injury or offensive physical contact to another person and the victim is a spouse or domestic partner or former spouse or former domestic partner, an individual presently or formerly living together as a spouse, a natural parent of the same child, adult household member related by consanguinity or affinity or minor children of a household member when the defendant is an adult household member and, individuals presently or formerly living together and individuals who are or were sexual partners. Holding oneself out to be a spouse is not necessary to constitute "living as spouses." For purposes of this definition, "domestic partners" means 2 unmarried adults who are domiciled together under long-term arrangements that evidence a commitment to remain responsible indefinitely for each other's welfare.

**Gross Sexual Assault: Maine Statute Title 17A §253** 1. A person is guilty of gross sexual assault if that person engages in a sexual act with another person and: A. The other person submits as a result of compulsion. B. The other person, not the actor's spouse, has not in fact attained the age of 14 years. C. The other person, not the actor's spouse, has not in fact attained 12 years of age. 2. A person is guilty of gross sexual assault if that person engages in a sexual act with another person and: A. The actor has substantially impaired the other person's power to appraise or control the other person's sexual acts by furnishing, administering or employing drugs, intoxicants or other similar means. B. The actor compels or induces the other person to engage in the sexual act by any threat. C. The other person suffers from mental disability that is reasonably apparent or known to the actor, and which in fact renders the other person substantially incapable of appraising the nature of the contact involved or of understanding that the person has the right to deny or withdraw consent. D. The other person is unconscious or otherwise physically incapable of resisting and has not consented to the sexual act. E. The other person, not the actor's spouse, is under official supervision as a probationer, a parolee, a sex offender on supervised release, a prisoner on supervised community confinement status or a juvenile on community reintegration status or is detained in a hospital, prison or other institution, and the actor has supervisory or disciplinary authority over the other person. F. The other person, not the actor's spouse, has not in fact attained the age of 18 years and is a student enrolled in a private or public elementary, secondary or special education school, facility or institution and the actor is a teacher, employee or other official having instructional, supervisory or disciplinary authority over the student. G. The other person, not the actor's spouse, has not attained the age of 18 years and is a resident in or attending a children's home, child care facility, facility operated by a family child care provider, children's residential care facility, drug treatment center, youth camp licensed under Title 22, section 2495 or similar school, facility or institution regularly providing care or services for children, and the actor is a teacher, employee or other person having instructional, supervisory or disciplinary authority over the other person. H. The other person has not in fact attained the age of 18 years and the actor is a parent, stepparent, foster parent, guardian or other similar person responsible for the long-term care and welfare of that other person. I. The actor is a psychiatrist, a psychologist or licensed as a social worker or purports to be a psychiatrist, a psychologist or licensed as a social worker to the other person and the other person, not the actor's spouse, is a current patient or client of the actor. J. The actor owns, operates or is an employee of an organization, program or residence that is operated, administered, licensed or funded by the Department of Health and Human Services and the other person, not the actor's spouse, receives services from the organization, program or residence and the organization, program or residence recognizes the other person as a person with an intellectual disability or autism. It is an affirmative defense to prosecution under this paragraph that the actor receives services for an intellectual disability or autism or is a person with an intellectual disability, as defined in Title 34-B, section 5001, subsection 3, or autism, as defined in Title 34-B, section 6002. K. The actor owns, operates or is an employee of an organization, program or residence that is operated, administered, licensed or funded by the Department of Health and Human Services and the other person, not the actor's spouse, receives services from the organization, program or residence and suffers from a mental disability that is reasonably apparent or known to the actor. L. The actor is employed to provide care to a dependent person, who is not the actor's spouse or domestic partner and who is unable to perform self-care because of advanced age or physical or mental disease, disorder or defect. For the purposes of this paragraph, "domestic partners" means 2 unmarried adults who are domiciled together under a long-term arrangement that evidences a commitment to remain responsible indefinitely for each other's welfare.

**Unlawful Sexual Touching: Maine Statute Title 17A §260** A person is guilty of unlawful sexual touching if the actor intentionally subjects another person to any sexual touching and: 1. The other person has not expressly or impliedly acquiesced in the sexual touching. 2. The other person is unconscious or otherwise physically incapable of resisting and has not consented to the sexual touching. 3. The other person, not the actor's spouse, is in fact less than 14 years of age and the actor is at least 5 years older. 4. The other person suffers from a mental disability that is reasonably apparent or known to the actor that in fact renders the other person substantially incapable of appraising the nature of the touching involved or of understanding that the other person has the right to deny or withdraw consent. 5. The other person, not the actor's spouse, is under official supervision as a probationer, a parolee, a sex offender on supervised release, a prisoner on supervised community confinement status or a juvenile on community reintegration status or is detained in a hospital, prison or other institution and the actor has supervisory or disciplinary authority over the other person. 6. The other person, not the actor's spouse, is in fact less than 18 years of age and is a student enrolled in a private or public elementary, secondary or special education school, facility or institution and the actor is a teacher, employee or other official having instructional, supervisory or disciplinary authority over the student. 7. The other person is in fact less than 18 years of age and the actor is a parent, stepparent, foster parent, guardian or other similar person responsible for the long-term general care and welfare of that other person. 8. The other person submits as a result of compulsion. 9. The actor owns, operates or is an employee of an organization, program or residence that is operated, administered, licensed or funded by the Department of Health and Human Services and the other person, not the actor's spouse, receives services from the organization, program or residence and the organization, program or residence recognizes that other person as a person with an intellectual disability or autism. It is an affirmative defense to prosecution under this paragraph that the actor receives services for an intellectual disability or autism or is a person with an intellectual disability, as defined in Title 34-B, section 5001, subsection 3, or autism, as defined in Title 34-B, section 6002.

10. The other person, not the actor's spouse, is in fact less than 18 years of age and is a student enrolled in a private or public elementary, secondary or special education school, facility or institution and the actor, who is at least 21 years of age, is a teacher, employee or other official in the school district, school union, educational unit, school, facility or institution in which the student is enrolled. 11. The actor is a psychiatrist, a psychologist or licensed as a social worker or purports to be a psychiatrist, a psychologist or licensed as a social worker to the other person and the other person, not the actor's spouse, is a current patient or client of the actor. 12. The actor owns, operates or is an employee of an organization, program or residence that is operated, administered, licensed or funded by the Department of Health and Human Services and the other person, not the actor's spouse, receives services from the organization, program or residence and suffers from a mental disability that is reasonably apparent or known to the actor. 13. The actor is employed to provide care to a dependent person, who is not the actor's spouse or domestic partner and who is unable to perform self-care because of advanced age or physical or mental disease, disorder or defect. For the purposes of this paragraph, "domestic partners" means 2 unmarried adults who are domiciled together under a long- term arrangement that evidences a commitment to remain responsible indefinitely for each other's welfare. Sexual Abuse of a Minor Maine Statute Title 17A §254 A person is guilty of sexual abuse of a minor if: 1. The person engages in a sexual act with another person, not the actor's spouse, who is either 14 or 15 years of age and the actor is at least 5 years older than the other person. a. The person violates paragraph A and the actor knows that the other person is related to the actor within the 2nd degree of consanguinity. b. The person violates paragraph A and the actor is at least 10 years older than the other person. 2. The person is at least 21 years of age and engages in a sexual act with another person,

**Consent is not specifically defined.** However, Maine law provides that a person is guilty of a sex crime if that person engages in a "sexual act" with another person and: (1) the other person submits as a result of compulsion; (2) the other person, not the actor's spouse, has not in fact attained the age of 14 years; (3) the other person, not the actor's spouse, has not in fact attained 12 years of age; (4) the actor has substantially impaired the other person's power to appraise or control the other person's sexual acts by furnishing, administering or employing drugs, intoxicants or other similar means; (5) the actor compels or induces the other person to engage in the sexual act by any threat; (6) the other person suffers from mental disability that is reasonably apparent or known to the actor, and which in fact renders the other person substantially incapable of appraising the nature of the contact involved or of understanding that the person has the right to deny or withdraw consent; (7) the other person is unconscious or otherwise physically incapable of resisting and has not consented to the sexual act; (8) the other person, not the actor's spouse, is either 14 or 15 years of age and the actor is at least 5 years older than the other person; (9) the actor is at least 21 years of age and engages in a sexual act with another person, not the actor's spouse, who is either 16 or 17 years of age and is a student enrolled in a private or public elementary, secondary or special education school, facility or institution and the actor is a teacher, employee or other official in the school district, school union, educational unit, school, facility or institution in which the student is enrolled; (10) the other person has not expressly or impliedly acquiesced to the sexual act; or (11) the actor is a law enforcement officer acting in performance of official duties and the other person, not the actor's spouse, is under arrest, in custody or being interrogated or temporarily detained, including during a traffic stop or questioning pursuant to an investigation of a crime.

**17-A M.R.S.A. 253, 254.** A person is also guilty of a sex crime if the actor intentionally subjects another person to any "sexual contact" and: (1) the other person has not expressly or impliedly acquiesced in the sexual contact; (2) the other person is unconscious or otherwise incapable of resisting and has not consented to the sexual contact; (3) the other person is unconscious or otherwise physically incapable of resisting and has not consented to the sexual contact includes penetration; (4) the other person, not the actor's spouse, is in fact less than 14 years of age and the actor is at least 3 years older; (5) the other person, not the actor's spouse, is in fact less than 12 years of age and the actor is at least 3 years older; (6) the other person, not the actor's spouse, is in fact less than 14 years of age and the actor is at least 3 years older and the sexual contact includes penetration; (7) the other person, not the actor's spouse, is in fact either 14 or 15 years of age and the actor is at least 10 years older than the other person; or (8) the other person suffers from a mental disability that is reasonably apparent or known to the actor that in fact renders the other person substantially incapable of appraising the nature of the contact involved or of understanding that the other person has the right to deny or withdraw consent.

**17-A M.R.S.A. 255-A.** A person is guilty of a sex crime if the actor intentionally subjects another person to any "sexual touching" if: (1) the other person has not expressly or impliedly acquiesced in the sexual touching; How is consent defined? (2) the other person is unconscious or otherwise physically incapable of resisting and has not consented to the sexual touching; (3) the other person, not the actor's spouse, is in fact less than 14 years of age and the actor is at least 5 years older; (4) the other person suffers from a mental disability that is reasonably apparent or known to the actor that in fact renders the other person substantially incapable of appraising the nature of the contact involved or of understanding that the other person has the right to deny or withdraw consent. 17-A M.R.S.A. 260



## PRESERVING EVIDENCE

### What to do if you Experience Dating Violence, Domestic Violence, Sexual Assault, or Stalking

- ◆ Get to a safe location. If you are a student and are unsure where to go or can think of nowhere that is safe at this time, please consider calling local law enforcement at 911.
- ◆ Consider asking a trusted friend or relative to be with you for support.
- ◆ Seek medical care as soon as possible. You may need basic medical treatment for injuries, and you may have injuries of which you are unaware. You also may be at risk of acquiring a sexually transmitted infection, and women may be at risk for pregnancy. Trained staff at Health Services or Maine Medical Center can speak with you about all of the medical options available and provide information about a sexual assault forensic examination. In Maine, evidence may be collected even if you chose not to make a report to law enforcement. In Massachusetts, you can choose to have evidence collected even if you are not sure that you want to report your assault to the police.
- ◆ You may choose to file a report with the local law enforcement agency. Your report puts in place support systems that you may choose to use. The School will provide someone to assist you in filing a report with Law Enforcement if you wish.
- ◆ Preserve all evidence of the incident. If you choose to file a report with the police, it is important that you:
  - Do not bathe, wash your hands, brush your teeth, drink, eat, or even use the restroom—all these things can destroy evidence that may be helpful in a criminal investigation; however, if you have done any of these things since the incident, evidence can still be collected; it is important that a victim of sexual assault not bathe, douche, smoke, change clothing or clean the bed/linen/area where they were assaulted if the offense occurred within the past 96 hours. This is so evidence may be preserved that may assist in proving that the alleged criminal offense occurred/or is occurring or may be helpful in obtaining a protection order. In circumstances of sexual assault, if victims do not opt for forensic evidence collection, health care providers can still treat injuries and take steps to address concerns of pregnancy and/or sexually transmitted infections.
  - Do not clean or remove anything from the location where the incident occurred;
  - Write down as much as you can recall about the incident and the people involved.
  - Victims of sexual assault, domestic violence, stalking, and dating violence are encouraged to also preserve evidence by saving text messages, instant messages, social networking pages, other communications, and keeping pictures, logs or other copies of documents if they have any, that would be useful to school adjudicators/investigators or police.
  - As time passes, evidence may dissipate or become lost or unavailable, thereby making investigation, possible prosecution, disciplinary proceedings, or obtaining a protection from abuse order related to the incident more difficult. If a victim chooses not to make a complaint regarding an incident, he or she nevertheless should consider speaking with law enforcement to preserve evidence in the event that the victim decides to make a formal report of the incident at a later date. Doing so will assist in proving that the alleged criminal offense occurred or that may be helpful in obtaining a protection order.
  - Seek some form of emotional support. While taking care of your physical needs may be the first step in taking care of yourself, it is important not to neglect the emotions you may be experiencing as a result of the assault, violence or stalking.
  - It is your choice to determine when and in what manner you recover from your trauma. Give yourself the time you need and know that it is never too late to get help.
  - KNOW THAT WHAT HAPPENED WAS NOT YOUR FAULT AND YOU ARE NOT ALONE.

## SPA TECH INSTITUTE SEXUAL MISCONDUCT POLICY AND DEFINITIONS

The policies that the school has developed and follows are not a substitute for the law. Spa Tech Institute supports any student who reports any criminal activity to local law enforcement agencies.

The School will respond promptly to all complaints. Where it is determined that such inappropriate conduct has occurred, the School will act to eliminate the conduct and impose such corrective action as is necessary, including disciplinary action where appropriate. Sexual Harassment is prohibited under the Title VII of the Civil Rights Act of 1964, Title IX of the Higher Education Amendments of 1972 (Title IX), the Violence Against Women Act of 1994 (VAWA), and Maine and Massachusetts Laws.

Additionally, this includes any related policy violations that may fall under the Employee Handbook for employees and the General Terms and Institute Rules and Regulations of the Enrollment Agreement for students.

The School's Complete Sexual Misconduct Policy and Title IX Procedures can be found at <https://www.spatech.edu/sexual-misconduct-policy>

This section describes sexual misconduct and definitions under Title IX (Title IX Sexual Misconduct), this Policy, or other laws or regulations (Non-Title IX Sexual Misconduct).

The Title IX regulations issued by the United States Office for Civil Rights provides definitions of specific conduct prohibited under Title IX. The school's commitment to eradicating sexual misconduct extends to other conduct that does not fall within those definitions.

### (A) TITLE IX SEXUAL MISCONDUCT

Title IX Sexual Misconduct is conduct on the basis of sex against a person in the United States, occurring within the context of an education program or activity, which satisfies one or more of the following definitions:

**1. Quid Pro Quo Sexual Harassment** – A School employee conditions the provision of an aid, benefit, or service of the school on a person's participation in unwelcome sexual conduct.

**2. Sexual Harassment** – Unwelcome conduct that a reasonable person would determine to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the school's education program or activity.

**3. Sexual Assault** – Any sexual act directed against another person, without that person's consent (including instances where the victim is incapable of giving consent), and includes each of the following: a. **Forcible Rape** – (i) sexual intercourse, or (ii) oral or anal sexual intercourse, or (iii) use of an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, either (A) forcibly and/or against that person's will, or (B) against the person's will in instances where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

**b. Fondling** – touching of the private body parts of another person for the purpose of sexual gratification, forcibly and/or against that person's will or not forcibly or not against the person's will in instances where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

**c. Incest** – nonforcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

**d. Statutory Rape** – nonforcible sexual intercourse with a person who is under the statutory age of consent.

**4. 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; and where the existence of such a relationship shall be determined based on a consideration of (a) the length of the relationship, (b) the type of relationship, and (c) the frequency of interaction between the persons involved in the relationship.

**5. Domestic Violence** – Felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, 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 the jurisdiction.

**6. Stalking** – Engaging in a course of conduct directed at a specific person that would cause a reasonable person to (a) fear for his, her or their safety or the safety of others; or (b) suffer substantial emotional distress.

## (B) NON-TITLE IX SEXUAL MISCONDUCT

“Non-Title IX Sexual Misconduct” is a broad, non-legal term that encompasses a wide range of behaviors that are prohibited by this Policy or federal and state law, including but not limited to, sexual harassment, sexual assault, rape, acquaintance rape, stalking, and relationship violence (including dating and domestic violence). Non-Title IX Sexual Misconduct includes conduct occurring both on-campus and off-campus, if the conduct was in connection with a school or school-recognized education program or activity, or if the conduct may have the effect of creating a hostile environment for a member of the Spa Tech Institute community. It is a violation of School Policy and/or applicable law to commit or to attempt to commit any of the acts listed below.

**1. Sexual Assault** – Actual or attempted sexual contact with another person without that person’s consent that includes, but is not limited to:

- ◆ Intentional touching of another person’s intimate parts without that person’s consent; or Other intentional sexual contact with another person without that person’s consent; or
- ◆ Coercing, forcing, or attempting to coerce or force a person to touch another person’s intimate parts without that person’s consent; or

Rape, which is penetration, no matter how slight, of (1) the vagina or anus 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. *See page 18 for the definitions of consent, incapacitation, and force.*

**2. Sexual Harassment** – Unwelcome conduct of a sexual nature that has the effect of creating a hostile or stressful living, learning, or working environment, or whenever toleration of such conduct or rejection of it is the basis for an academic or employment decision affecting an individual. Conduct is considered “unwelcome” if the person did not request or invite it and considered the conduct to be undesirable or offensive. Sexual harassment includes any conduct or incident that is sufficiently serious that it is likely to limit or deny a student’s ability to participate in or benefit from the school’s educational program or activity or faculty or staff member’s ability to work, which may include a single incident of sexual assault or other serious sexual misconduct.

Examples of Sexual Harassment. Sexual harassment can take many forms, and can:

- ◆ Occur between equals, such as student to student, teacher to teacher, staff to staff, or visitor/contracted employee to staff.
- ◆ Occur between persons of unequal power status, such as supervisor to subordinate, teacher to student. Although sexual harassment often occurs in the context of an exploitation of power by the person with the greater power, a person who appears to have less power in a relationship can also commit sexual harassment (such as a student harassing a teacher or staff member).
- ◆ Be committed by an acquaintance, a stranger, or someone with whom the complainant has or has had a personal, intimate, or sexual relationship.
- ◆ Occur by or against a person of any sex, gender identity or expression, or sexual orientation.

The following non-exhaustive list includes examples of behavior that could be considered sexual harassment:

- ◆ Unwelcome sexual innuendo, propositions, sexual attention, or suggestive comments and gestures.
- ◆ Unwelcome physical contact of a sexual nature, such as touching, hugging, kissing, patting, or pinching, that is uninvited and unwanted or unwelcome by the other person.
- ◆ Humor and jokes about sex or gender-specific traits; sexual slurs or derogatory language directed at another person’s sexuality or gender.
- ◆ Insults and threats based on sex or gender; and other oral, written, or electronic communications of a sexual nature that a person communicates are unwelcome.
- ◆ Written graffiti or the display or distribution of sexually explicit drawings, pictures, or written materials; sexually charged name-calling; sexual rumors or ratings of sexual activity/performance; the circulation, display, or creation of e-mails or websites of a sexual nature.
- ◆ Non-academic display or circulation of written materials or pictures degrading to a person(s) or gender group.
- ◆ Unwelcome attention, such as repeated inappropriate flirting, inappropriate or repetitive compliments about clothing or physical attributes, staring, or making sexually oriented gestures.
- ◆ Change of academic or employment responsibilities (increase in difficulty or decrease of responsibility) based on sex, gender identity, gender expression, or sexual orientation.
- ◆ Use of a position of power or authority to: (i) threaten or punish, either directly or by implication, for refusing to tolerate harassment, for refusing to submit to sexual activity, or for reporting harassment; or (ii) promise rewards in return for sexual favors.
- ◆ Acts of verbal, nonverbal, or physical aggression, intimidation, or hostility based on sex or sex-stereotyping.



## Hostile Environment

A hostile environment exists when sexual or sex-based harassment is sufficiently serious to deny or limit a student's ability to participate in or benefit from the School's programs or activities or has the effect of unreasonably interfering with an employee's work performance or altering the terms and conditions of the employee's employment. A hostile environment can be created by anyone involved in a School program or activity (e.g., administrators, teachers, students, and campus visitors). In determining whether sex-based harassment has created a hostile environment, the School considers the conduct in question from both a subjective and objective perspective. It will be necessary, but not enough, that the conduct was unwelcome to the student or employee who was harassed. The School will also need to find that a reasonable person in the student or employee position would have perceived the conduct as undesirable or offensive in order for that conduct to create or contribute to a hostile environment.

To determine whether a hostile environment exists for a student or employee, the School will consider a variety of factors related to the severity, persistence, or pervasiveness of the sex-based harassment, including:

- (1) the type, frequency, and duration of the conduct;
- (2) the identity and relationships of persons involved;
- (3) the number of individuals involved;
- (4) the location of the conduct and the context in which it occurred; and
- (5) the degree to which the conduct affected the student's education or the employee's employment. The more severe the sex-based harassment, the less need there is to show a repetitive series of incidents to find a hostile environment. Indeed, a single instance of sexual assault may be sufficient to create a hostile environment. Likewise, a series of incidents may be sufficient even if the sex-based harassment is not particularly severe.

**3. Sexual Exploitation** – Occurs when a person takes sexual advantage of another person for the benefit of anyone other than that person, without that person's consent.

Examples of sexual exploitation:

- ◆ Prostituting another person;
- ◆ Recording images (e.g., video, photograph) or audio of another person's sexual activity, intimate body parts, or nakedness without that person's consent;
- ◆ Distributing images (e.g., video, photograph) or audio of another person's sexual activity, intimate body parts, or nakedness, if the individual distributing the images or audio knows or should have known that the person depicted in the images or audio did not consent to such disclosure and objects to such disclosure; and,
- ◆ Viewing another person's sexual activity, intimate body parts, or nakedness in a place where that person would have a reasonable expectation of privacy, without that person's consent, and for the purpose of arousing or gratifying sexual desire.

**4. Stalking** – A course of conduct involving more than one instance of inappropriate and unwanted attention, harassment, threatening or intimidating physical or verbal contact, or any other course of conduct directed at a person that could be reasonably regarded as likely to alarm or place that person in fear of harm or injury, including physical, emotional, or psychological harm. This includes the use of technology to pursue, harass, threaten, intimidate, or otherwise make unwelcome contact with another person. Stalking may involve people who are known to one another or have an intimate or sexual relationship or may involve people not known to one another.

Stalking is prohibited by Maine and Massachusetts law. Stalking can also constitute a violation of this Policy when the conduct involves a Spa Tech Institute student or employee and is gender-based.

**5. Relationship Violence (Dating and Domestic)** – Abuse, violence, or intentionally controlling behavior between partners or former partners involving one or more of the following elements:

- ◆ battering that causes bodily injury;
- ◆ purposely or knowingly causing reasonable apprehension of bodily injury;
- ◆ emotional abuse creating apprehension of bodily injury or property damage;
- ◆ repeated telephonic, electronic, or other forms of communication — anonymously or directly — made with the intent to intimidate, terrify, harass, or threaten. Relationship violence can occur in all types of relationships (e.g., heterosexual, same sex, or any other type of relationship).

Relationship violence may constitute a violation of this Policy when it involves a Spa Tech Institute student, teacher or staff member, and the conduct is gender-based.

## OTHER IMPORTANT CONCEPTS AND DEFINITIONS

### Consent

Consent must be informed and voluntary, and can be withdrawn at any time. Consent can be given by words or actions as long as those words or actions create mutually understandable permission regarding the scope of sexual activity. There is no consent when there is force, expressed 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. Silence or absence of resistance does not imply consent. Past consent to sexual activity with another person does not imply ongoing future consent with that person or consent to that same sexual activity with another person.

If a person is mentally or physically incapacitated or impaired so that he, she, or they 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.

### Effect of drugs and alcohol on consent:

Individuals should be aware of, and carefully consider, the potential consequences of the use of alcohol or drugs. Alcohol and other drugs can lower inhibitions and create an atmosphere of confusion over whether consent is freely and affirmatively given. If there is a question about whether someone consented to sexual activity after consuming drugs or alcohol, the School will examine the issue from the perspective of a reasonable person. Specifically, the School will consider whether the respondent reasonably should have known about the impact of alcohol and other drugs on the complainant's ability to give consent.

### Incapacitation

Incapacitation is the inability, temporarily or permanently, to give consent, because the person is mentally and/or physically helpless due to drug or alcohol consumption, either voluntarily or involuntarily, or the person is unconscious, asleep, or otherwise unaware that the sexual activity is occurring. Some signs of incapacitation may include, but are not limited to, lack of control over physical movements (e.g., stumbling, falling down), lack of awareness of circumstances or surroundings, inability to speak or communicate orally, or the inability to communicate for any reason.

It is a violation of this Policy and federal, Maine and Massachusetts laws, to engage in sexual activity with a person who is incapacitated, regardless of whether the person appeared to be a willing participant. It is especially important, therefore, that anyone engaging in sexual activity be aware of the other person's level of intoxication.

### Force

The use of force to cause someone to engage in sexual activity is, by definition, nonconsensual contact, and is prohibited. Force may include words, conduct, or appearance. Force includes causing another's intoxication or impairment through the use of drugs or alcohol. Under this Policy, force includes the use of any of the following:

1. Physical Force, Violence, or a Weapon
2. Threats
3. Intimidation and Implied Threats
4. Coercion

### Miscellaneous Definitions

**Complainant:** The person making the allegations of sexual misconduct.

**Respondent:** The person against whom a complaint of sexual misconduct has been made.

**Reporter:** A person who has information that sexual misconduct may have been committed by a Spa Tech Institute employee, student or a participant in a School program and who initiates a complaint.

## REPORTING SEXUAL MISCONDUCT

Spa Tech Institute encourages all survivors to report incidents of Title IX Sexual Misconduct and Non-Title IX Sexual Misconduct as promptly as possible so that the School can respond effectively. Students may report Title IX Sexual Misconduct and Non-Title IX Sexual Misconduct to the Campus Title IX Coordinator, a Campus Deputy Title IX Coordinator, as well as any Corporate Title IX Coordinator.

Teachers and staff may report incidents to Human Resources, Campus Title IX Coordinator, Campus Deputy Title IX Coordinator, as well as any Corporate Title IX Coordinator.

Any person who believes he or she has been the victim of sexual harassment or violence by a student, faculty member, administrator or other school personnel should report the occurrence to any responsible employee of the school. An employee may be required only to report the harassment to other school officials who have the responsibility to take appropriate action or to take the appropriate action themselves if they are a designated official. The complainant has the option to notify proper law enforcement authorities, including local police. The complainant has the option to be assisted by campus authorities in notifying law enforcement authorities if the complainant chooses. The complainant also has the option to decline to notify such authorities.

### All such reports will be disclosed to the Office of Compliance and Human Resources

The School recognizes that student complainants may be most comfortable disclosing Title IX Sexual Misconduct or Non-Title IX Sexual Misconduct to a School employee they know well, such as a teacher or staff member. Students are welcome to speak with them, but should understand that if they disclose an incident of Title IX Sexual Misconduct or Non-Title IX Sexual Misconduct to these individuals, they are required to inform the Campus Title IX Coordinator about the incident. Similarly, teachers and staff members may be most comfortable disclosing Title IX Sexual Misconduct or Non-Title IX Sexual Misconduct to a trusted supervisor or manager. Teachers and staff should keep in mind that supervisors and managers must share this information with the Corporate Title IX Coordinator.

Before an individual discloses an incident of Title IX Sexual Misconduct or Non-Title IX Sexual Misconduct, the School's teachers and staff will try to ensure that the individual understands their reporting obligations — and, if the individual wishes to maintain confidentiality, direct them to confidential resources.

Those reporting Misconduct to an employee who must report the incident but has also requested that his or her identity not be disclosed or that no action be taken. In the case of Sexual Misconduct complaints, the Campus Title IX Coordinator, in consultation with Corporate Title IX Coordinator will weigh the request against the School's obligation to provide a safe, non-discriminatory environment for all students, including the complainant. When weighing a request that no investigation be pursued or the complainant's identity not be disclosed, the School will consider a range of factors, including whether:

- ◆ The respondent is likely to commit additional acts of sexual or other violence, such as:
- ◆ There have been other sexual misconduct complaints about the same respondent;
- ◆ The respondent has a history of arrests or records from a prior school indicating a history of violence;
- ◆ The respondent threatened further sexual misconduct or other violence against the complainant or others;
- ◆ The sexual misconduct was committed by multiple respondents;
- ◆ The sexual misconduct was perpetrated with a weapon;
- ◆ The complainant is a minor;
- ◆ The respondent is a Spa Tech Institute employee;
- ◆ The School possesses other means to investigate the sexual misconduct (e.g., personnel, physical evidence);
- ◆ The complainant's report reveals a pattern of perpetration (e.g., via illicit use of drugs or alcohol) at a given location or by a particular person or group.

The presence of one or more of these factors could lead the School to investigate and, if appropriate, pursue conduct action against the respondent. If none of these factors are present, the School will likely respect the complainant's request. If the School honors a request for confidentiality or decision not to participate in an investigation, the School's ability to meaningfully investigate the incident or pursue conduct action against the respondent(s) may be limited. In some cases, the School may not be able to honor a confidentiality request in order to adhere to its obligation to provide a safe, non-discriminatory environment for the Spa Tech Institute community. If the Corporate Title IX Coordinator determines that the School cannot maintain a complainant's confidentiality, the Corporate Title IX Coordinator will inform the complainant prior to starting an investigation.

## How to Submit a Complaint using the Sexual Misconduct Report Form

1. Download and complete the Sexual Misconduct Report Form. <https://irp.cdn-website.com/fdd2293f/files/uploaded/Sexual-Misconduct-Report-Form.pdf>. This form can be found on the school's website under the important links section on the end of the homepage <https://www.spatech.edu/sexual-misconduct-policy>
2. Completely fill out the Form providing detailed information.
3. Bring or email the complaint to the campus Title IX Coordinator listed on the 1st page of the form for your campus location.

Spa Tech will protect the confidentiality of victims in cases of alleged dating violence, domestic violence, sexual assault, or stalking and other necessary parties by completing publicly available recordkeeping, including Clery Act reporting and disclosures, without the inclusion of personally identifying information about the victim. Spa Tech will maintain as confidential, any accommodations or protective measures provided to the victim, to the extent that maintaining such confidentiality will not impair the ability of the institution to provide the accommodations or protective measures.

### Voluntary and Confidential Reporting

If you are the victim of a crime and do not want to pursue action through Spa Tech Institute or the criminal justice system, you may still want to consider making a voluntary, confidential report. With your permission, the Campus Director can file a report on the details of the incident without revealing your identity. The purpose of a confidential report is to comply with your wish to keep the matter confidential, while taking steps to ensure the future safety of yourself and others. With such information, the school can keep an accurate record of the number of incidents involving students, educators, staff, and visitors; determine where there is a pattern of crime with regard to a particular location, method, or assailant; and alert the campus community to potential danger. Reports filed in this manner are counted and disclosed in the annual crime statistics.

### Trained Staff Overseeing the School's Response to Title IX and Non-Title IX Reports and Complaints

All members of the Spa Tech Institute community have access to a variety of individuals who are trained to support those affected by Title IX Sexual Misconduct or Non-Title IX Sexual Misconduct and to coordinate with the Title IX Coordinator consistent with the School's commitment to a safe and healthy campus environment. While not bound by confidentiality, these resources will nevertheless maintain the privacy of a person's information within the limited circle of those involved in the Title IX Sexual Misconduct or Non-Title IX Sexual Misconduct investigation and resolution processes.

### TITLE IX TEAM MEMBERS:

#### Corporate Title IX Coordinator:

Donna Ali, Director of Compliance/HR and Lead Title IX Coordinator

Email: [compliance@spatech.edu](mailto:compliance@spatech.edu) Phone: (978) 356-0414 x1005

#### ♦ Westbrook, ME Campus:

Peggy York, Campus Director & Title IX Coordinator

Charlotte Hanna, Campus Director of Education & Deputy Title IX Coordinator

Phone: (207) 591-4141 x5001 Email: [titleixwestbrook@spatech.edu](mailto:titleixwestbrook@spatech.edu)

#### ♦ North Andover, MA Campus

Ruthann Manning, Campus Director & Title IX Coordinator, Phone: (978) 356-0414 x2001

Email: [titleixnorthandover@spatech.edu](mailto:titleixnorthandover@spatech.edu)

#### ♦ Plymouth, MA Campus:

Jon Schmaling, Campus Director and Title IX Coordinator, Phone: (508) 747-3130 x3001

Email: [titleixplymouth@spatech.edu](mailto:titleixplymouth@spatech.edu)

#### ♦ Westborough, MA Campus:

Thomas Ryan, Campus Director/Campus Director of Education, Title IX Coordinator

Phone: (508) 836-8864 x4001 Email: [titleixwestboro@spatech.edu](mailto:titleixwestboro@spatech.edu)

## Procedures for Disciplinary Action

The Campus Title IX Coordinator oversees the response to and assessment of reports of Title IX Sexual Misconduct or Non-Title IX Sexual Misconduct, through the School's sexual misconduct investigation and resolution procedures.

The procedure used will be determined by the status of the respondent and the nature of the complaint:

- ◆ Complaints of Title IX Sexual Misconduct against students, faculty, staff or other respondents will be addressed under the **Title IX Sexual Misconduct Procedures for Resolution**.
- ◆ Complaints of Non-Title IX Sexual Misconduct against students, faculty and staff respondents, affiliates and non-affiliates will be resolved under the **Non-Title IX Sexual Misconduct Procedures for Resolution**.
- ◆ Each process is guided by the same principles of fairness and respect for all parties.
- ◆ Resources are available for both students and employees, whether as complainants or respondents, to provide guidance throughout the investigation and resolution of a complaint.

**All complete policies information is on the school's website under <https://www.spatech.edu/sexual-misconduct-policy>**

## Sexual Misconduct Review

The Title IX Coordinator oversees the School's centralized review, investigation, and resolution procedures for reports of sexual harassment or other sexual misconduct and coordinates the School's compliance with Title IX. The Title IX Coordinator is supported by a team of School administrators who serve as Deputy Title IX Coordinators. Each Deputy Title IX Coordinator is knowledgeable and trained in state and federal laws that apply to matters of sexual misconduct, as well as this Policy and the complaint resolution procedures. A complete list of the Deputy Title IX Coordinators is on page 20. The Title IX and Deputy Title IX Coordinators can be contacted by telephone, e-mail, or in person during regular office hours.

## Supportive Measures

Upon the filing of a Complaint, Third-Party Report, or Formal Complaint alleging Title IX Sexual Misconduct, the Title IX Coordinator, or a Deputy Title IX Coordinator will review the allegations and determine the necessity and scope of any Supportive Measures to restore or preserve equal access for a Complainant or Respondent to the School's education and work environments without unreasonably burdening the other party.

The range of Supportive Measures may include, but not be limited to:

- ◆ Providing access to counseling.
- ◆ Providing access to tutoring or other academic support.
- ◆ Adjusting the Complainant's or Respondent's work schedule (including leaves of absence), assignment, or location for School employment.
- ◆ In consultation with the Complainant's, changing the Complainant's academic schedule (including leaves of absence) extending deadlines for examinations or other assignments, allowing the Complainant to take an incomplete in one or more courses, allowing the Complainant to drop (or retake) a course without penalty, allowing the Complainant to attend class via web conference, or other course-related adjustments.
- ◆ Reassigning the Respondent to another section, if the Complainant and Respondent are enrolled in the same class, discussion class, academic team, or project group.
- ◆ Issuing an administrative No Contact Directive.

In addition to the above, the School may remove a Respondent from its campus(es) if it determines, after an individualized safety and risk analysis, that a Respondent poses an immediate threat to the physical health or safety of any student or other person and that the threat arises from the allegations of Title IX Sexual Misconduct. Such removal may include a temporary suspension or leave of absence. In such cases, the Respondent will be provided with notice and the opportunity to challenge the decision immediately following the removal. Any such removals will be subject to, and do not supersede, existing faculty and staff policies governing administrative suspensions and leaves of absence, such as the employee handbook and collective bargaining agreements.

The School will maintain as confidential any accommodations or Supportive Measures provided to the parties to the extent that maintaining such confidentiality would not impair the ability of the School to provide the accommodations or Supportive Measures.

### Written Notification to Complainant Regarding Option and Assistance

Spa Tech Institute will provide written notification to students and employees about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid and other services available for complainants, both within the institution and in the community.

Spa Tech Institute will provide written notification to complainants about options for available assistance in, and how to request changes to academic, living, transportation and working situations or protective measures. The school will make such accommodations or provide such protective measures if the complainant requests them and if they are reasonably available, regardless of whether the complainant chooses to report the crime to local law enforcement.

### Initial Assessment of Complaints

After receiving a Third Party Report or Complaint of alleged Title IX Sexual Misconduct, the Title IX Coordinator or their designee will contact the Complainant and do the following:

- ◆ Explain the availability of Supportive Measures
- ◆ Describe the resolution processes available to the Complainant, including Supportive Measures, filing a Formal Complaint, Informal Resolution, and the Formal Resolution Process;
- ◆ Assist the Complainant in determining which process they prefer; and
- ◆ Explain to the Complainant the process for filing a Formal Complaint.

If the complainant does not wish to submit a Formal Complaint after a report or complaint is filed, the Title IX Coordinator will determine whether to initiate a Formal Complaint if the allegations identify misconduct that threatens the safety of members of the School community. Both the complainant and the respondent have the same opportunities to have others present during any institutional disciplinary proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice. Neither the accuser nor the accused shall be limited in the choice of advisor or the advisor's presence in any meeting or institutional disciplinary proceeding.

### Assessment & Dismissal of Formal Complaints by Title IX Coordinator

If the Complainant files a Formal Complaint, the Title IX Coordinator will determine whether the alleged misconduct constitutes Title IX Sexual Misconduct and, if so, may proceed to the Informal Resolution Process or Formal Resolution Process. Dismissal of a Formal Complaint by the School at any stage of the complaint resolution procedures is appropriate under the circumstances described below. The School will provide prompt written notice to the parties of a dismissal of a Formal Complaint at any stage, which will include the reasons for the dismissal. If the Title IX Coordinator determines that some of the allegations in a Formal Complaint, if substantiated, may constitute Title IX Sexual Misconduct and other allegations may constitute Non-Title IX Sexual Misconduct, all of the allegations in the Formal Complaint may be resolved through these Procedures or, at the discretion of the Title IX Coordinator, those allegations that do not constitute Title IX Sexual Misconduct may be referred out of the process set forth in these Procedures and handled through the applicable Non-Title IX Sexual Misconduct Procedures for Resolution.

### Mandatory Dismissal

The School must dismiss a Formal Complaint (or any parts of the Formal Complaint) at the assessment stage or at any point prior to or during the investigation and hearing if:

- ◆ The alleged misconduct, even if proved, would not constitute Title IX Sexual Misconduct as defined in the Sexual Misconduct Policy;
- ◆ The alleged misconduct did not occur in the School's education program or activity;
- ◆ The alleged misconduct did not occur against a person in the United States; or,
- ◆ The Complainant is not participating in or attempting to participate in an education program or activity at the school at the time the Formal Complaint was filed.

Formal Complaints, or parts thereof, that are dismissed for any of the reasons listed above may also be referred by the Title IX Coordinator to the Procedures available for resolution of Non-Title IX Sexual Misconduct through the Non-Title IX Sexual Misconduct Procedures for Resolution, or other applicable School processes.

### Discretionary Dismissal

The School may dismiss a Formal Complaint (or any parts of the Formal Complaint) at any point prior to or during the investigation and hearing if:

- ◆ The Complainant notifies the Title IX Coordinator in writing that the Complainant would like to withdraw the Formal Complaint (or any part(s) of the complaint);
- ◆ The Respondent is no longer enrolled in or employed by the School; or Specific circumstances prevent the School from gathering evidence sufficient to reach a determination as to the Formal Complaint (or any part(s) of the complaint).

Withdrawal of the Formal Complaint by the Complainant will ordinarily end the Informal or Formal Resolution Process. However, the School reserves the right to proceed with the Formal Complaint, even after the Complainant withdraws it, in order to protect the interests and safety of the Spa Tech Institute community.



## Anonymous Reports and Complaints

Anonymous reports of Title IX Sexual Misconduct will be investigated by the Title IX Coordinator or their designee, to the extent possible, to assess the underlying allegations and to determine if supportive measures can be provided. However, anonymous reports usually limit the School's ability to investigate, respond and provide remedies, depending on the information that is provided. If a Complainant initiates the Formal Resolution Process under these Procedures, the School is obligated to notify the Respondent of the Complainant's identity. In cases where the Complainant wishes to remain anonymous, but the Title IX Coordinator determines that it is necessary to file a Formal Complaint to initiate the complaint resolution process, the School is obligated to disclose details about the allegations to the Respondent, including the Complainant's identity, if known.

## Rights of the Complainant and Respondent

The Title IX Sexual Misconduct complaint resolution process is designed to be accessible, prompt, equitable, and impartial. Throughout this process, both the Complainant and Respondent have the following rights:

- ◆ To be treated with respect, dignity, and sensitivity.
- ◆ To receive appropriate support from the School.
- ◆ To receive information about the School's Sexual Misconduct Policy.
- ◆ To receive information about available supportive measures.
- ◆ The presence of an advisor throughout the process.
- ◆ To receive notice of allegations of Title IX Sexual Misconduct and information about the School's complaint resolution process.
- ◆ With the agreement of the complainant and respondent, to use an informal resolution process instead of a full investigation except in cases involving allegations of Title IX Sexual Misconduct by an employee of a student.
- ◆ To participate or to decline to participate in the investigation or complaint resolution process. A decision not to participate in the process either in whole or in part will not prevent the School from proceeding with the information available, but it may impede the School's ability to investigate and resolve complaints.
- ◆ A reasonably prompt and thorough complaint resolution process, including appeals.
- ◆ The assurance that personnel involved in the complaint resolution process will not have a conflict of interest or bias, and will have appropriate training on all aspects of the Title IX Sexual Misconduct Procedures and relevant definitions.
- ◆ To inspect, review, and respond to evidence during the investigation and prior to completion of the investigative report.
- ◆ To receive an objective evaluation of all relevant evidence and the assurance that credibility determinations are not based on a person's status as a complainant, respondent, or witness.
- ◆ The presumption that the respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the complaint resolution process.
- ◆ The assurance that the burdens of proof and gathering evidence sufficient to reach a determination regarding responsibility rests on the School and not the parties. To a live hearing involving the presentation of witnesses and evidence, and questioning by advisors of all parties and witnesses.
- ◆ To appeal the decision made or any sanctions imposed by the School.
- ◆ To refrain from making self-incriminating statements.
- ◆ Notification, in writing, of the case resolution, including the outcome of any appeals, and the final determination. For the Complainant, to report the incident to law enforcement or the police department in the jurisdiction in which the sexual misconduct occurred) at any time.

Both the complainant and the respondent have the same opportunities to have others present during any institutional disciplinary proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice. Neither the complainant nor the respondent shall be limited in the choice of advisor or the advisor's presence in any meeting or institutional disciplinary proceeding.

## Prohibition on Retaliation

It is illegal and a violation of the School's Sexual Misconduct Policy to retaliate against a person for filing a complaint of Title IX Sexual Misconduct or for cooperating in a Title IX Sexual Misconduct complaint resolution process. Any person who retaliates against a person for reporting, filing a complaint of, participating in the investigation or adjudication of allegations of Title IX Sexual Misconduct are subject to disciplinary action up to and including expulsion from the School or termination of employment at the School.

## Standard of Evidence

The standard of evidence used is called *Preponderance of the Evidence*. Preponderance of the Evidence means that "more likely than not" the incident occurred. The preponderance of the evidence standard will apply to investigations and disciplinary proceedings arising from an allegation of dating violence, domestic violence, sexual assault or stalking, meaning Spa Tech Institute will evaluate whether it is more likely than not that the alleged conduct occurred.

## Sanctions

If a student or a staff member is convicted of a sexual offense, domestic violence, dating violence, sexual assault or stalking regardless of whether or not the action took place at a Spa Tech Institute campus, that individual is subject to disciplinary actions by the school. Any student or staff member may be subject to sanctions leading up to or including termination if convicted of any domestic violence, sex offense, including rape, acquaintance rape, any other forcible or non-forcible sex offenses or stalking.

### Possible Sanctions for Violations of the Sexual Misconduct Policy

The sanction will be designed to eliminate the misconduct, prevent its recurrence, and remedy its effects, while supporting the School's educational mission and Title IX obligations. Sanctions may also serve to promote safety or deter students, employees, affiliates, and non-affiliates from similar future behavior.

- ◆ The following, individually or in combination, are a non-exhaustive list of potential sanctions for violations by students of the School's Sexual Misconduct Policy.
- ◆ Expulsion from the School or program of the School.
- ◆ Suspension from the School or a program of the School for a specific period of time.
- ◆ Deferred suspension from the School or a program of the School.
- ◆ Denial of graduation, certificate of completion.
- ◆ Deferral of graduation, or certificate of completion for a specific period of time.
- ◆ Revocation or withdrawal of certificate of completion previously credited, awarded, or conferred.
- ◆ Withholding of course hours.
- ◆ Disciplinary probation. Disciplinary probation may involve counseling with faculty or administrative staff; restriction of student privileges; prohibitions against participation in School activities or events.
- ◆ Disciplinary reprimand or warning.
- ◆ Substance use assessment.
- ◆ Restitution. The student will reimburse the School and/or other appropriate party for damage to or loss of property or for costs or expenses incurred by the School or other party. Restitution will be made at full cost of replacement or repair, and other expenses.

The following, individually or in combination, are a non-exhaustive list of potential sanctions for violations by faculty, staff, affiliates, and non-affiliates for violations of the School's Sexual Misconduct Policy and are subject to existing employment policies and/or contracts governing the specific respondent:

- ◆ Counseling or training;
- ◆ Written warning/reprimand;
- ◆ Administrative leave of absence (without pay);
- ◆ Demotion;
- ◆ Change of work location or schedule;
- ◆ Suspension; or
- ◆ Termination of employment.

### Reporting of Crime and Disciplinary Statistics

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act ("Clery Act") is a federal law that requires the School to record and report certain information about campus safety, including the number of incidents of certain crimes on or near campus, some of which constitute sexual misconduct under this Policy. Spa Tech Institute employees who receive reports of sexual misconduct are required by the Clery Act to notify school officials about such incidents for statistical reporting purposes, without the inclusion of personally identifiable information, as defined by the Violence Against Women Act. These notifications may include the classification and location of the reported crimes, but do not identify the parties involved.

The Clery Act also requires the School to issue a "timely warning" when it receives a report of certain crimes that pose a serious or continuing threat to the School community. This warning will not contain any biographical or other identifying information regarding the victim of the crime. Immediately threatening circumstances include, but are not limited to, recently reported incidents of sexual misconduct that include the use of force, a weapon, or other circumstances that represent a serious and ongoing threat to Spa Tech Institute students, teachers, administrators, staff, or visitors.

### Time Frame for Complaint Resolution

The School will seek to resolve every complaint of Title IX Sexual Misconduct within 90 calendar days after the filing of a Formal Complaint, including appeals. Time frames may be extended for appropriate reasons, including but not limited to the complexity of a case; the availability of the parties, a party's advisor, or witnesses; concurrent law enforcement activity; the need for language assistance or accommodation of disabilities; or at certain times of the academic year (for example, during breaks, study periods or final exams). In the case of significant delay, the School will provide a written explanation to the parties, including an estimate of the anticipated additional time that will be needed as a result of the delay. Both the complainant and the respondent will be simultaneously informed in writing of the result of any disciplinary proceeding relating from any allegation of dating violence, domestic violence, sexual assault or stalking; the procedures for appealing the results of the disciplinary proceeding; any change to the results that occurs before the results become final; and when such results become final.



## Notice of Non-Discrimination

Spa Tech Institute is committed to establishing and maintaining an environment free of all forms of discrimination and harassment for all members of our school community. Spa Tech Institute prohibits discrimination against any person on the basis of race, color, religion, sex, age, national origin, physical or mental disability, sexual orientation, gender identity or expression, genetic information, military service, or because of marital, parental, veteran status, or any other protected class. The School does not discriminate on the basis of sex in its educational, extracurricular, or other programs, or in the context of employment. Sexual misconduct, including sexual harassment as defined in this Policy, is a form of sex discrimination prohibited by Title IX of the Education Amendments of 1972, a federal law that provides: No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.

## Compliance with Anti-Discrimination Laws

The Institute complies with all state and federal discrimination laws, including but not limited to Title IX of the Higher Education Amendments of 1972, the federal law that prohibits discrimination on the basis of sex in education programs and activities; Title VII, the federal law that prohibits unlawful discrimination in employment, including that based on sex; and Mass. Gen. Laws chapters 151B and 151C, and Maine Title 5, 337: Human Rights Act, Subchapter 3, 5-B, the state laws that prohibit unlawful discrimination in employment and education, including that based on sex, respectively. The Spa Tech Institute Policy on Sexual Misconduct and Title IX Sexual Misconduct ("Policy") is intended to ensure a safe and non-discriminatory educational and work environment, free from all forms of sex-based discrimination and harassment.

## Coordination with Spa Tech Institute's Non-Discrimination Policy

Spa Tech Institute recognizes that discrimination and harassment related to a person's sex can occur in connection with misconduct related to a person's sexual orientation, gender identity, gender expression, race, color, ethnicity, national origin, religion, age, disability, or other protected class. Targeting a person on the basis of these characteristics is a violation of state and federal law and School policy. Under these circumstances, the School will endeavor to coordinate the investigation and resolution of sexual misconduct complaints with the investigation and resolution of complaints of discrimination or harassment based on other protected classes.

## Compliance with Non-discrimination policies

To ensure compliance with state and federal civil rights laws and regulations, the School has developed internal policies and procedures that provide for a prompt and impartial process for individuals involved in an allegation of harassment or discrimination on the basis of protected class status. The School values all members of the community and works to balance the rights of all those involved in a grievance process during what is a challenging time. When any of these issues come forward, the School will take all necessary steps to prevent the recurrence of these issues and to correct the effects on complainants and others. You may file a complaint with the school at any time by completing the Sexual Misconduct Report Form. <https://irp.cdn-website.com/fdd2293f/files/uploaded/Sexual-Misconduct-Report-Form.pdf>, or by contacting a Campus Security Contact on page 5 or Title IX Coordinator or Deputy Title IX Coordinator listed on page 20.

Title IX prohibits sexual discrimination, including sexual harassment and sexual violence. Conduct prohibited under Title IX includes domestic violence, dating violence, sexual assault and stalking.

Any questions regarding Title IX may be referred to the Title IX Coordinator or Deputy Coordinator at Spa Tech Institute or to the Office of Civil Rights.

Inquiries may be made externally to Office for Civil Rights (OCR)

### US Department of Education

400 Maryland Ave SW, Washington, DC 20202-1100

Customer Service Hotline # (800) 421-3481

Facsimile (202) 453-6012 TDD# (877) 521-2172 Email: [OCR@ed.gov](mailto:OCR@ed.gov) Web: <http://www.ed.gov/ocr>

Regional Director, Office of Civil Rights U.S. Department of Education 5 Post Office Square, 8th Floor Boston, MA 02109 (617) 289.0174

### Massachusetts Commission Against Discrimination (MCAD)

1 Ashburton Place, Suite 601, Boston, MA 02108

(617) 994-6000 TTY: (617)994-6194 Fax: (617)994-6024 [mcad@mass.gov](mailto:mcad@mass.gov)

**Maine Human Rights Commission Office of the Commission**, 51 State House Station Augusta, ME 04330 Phone: 207.624.6290 Email: [info@mhrc.maine.gov](mailto:info@mhrc.maine.gov)

All portions of the Sexual Misconduct and Title IX Policy apply to:

- All students alleging sexual misconduct carried out by other students, employee(s) of the School or a third party
- All acts of sexual misconduct whether the act occurred on campus or off campus
- All students regardless of sexual orientation or sexual identity

## Maine/Massachusetts Drug & Alcohol Policy

### Drug-Free Schools and Campus Act (DFSCA) Drug and Alcohol Abuse Prevention

The Drug-Free Schools and Communities Act (DFSCA) of 1989 - also known as the Drug-Free Schools and Campuses Act - requires institutions of higher education to establish policies that address unlawful possession, use, or distribution of alcohol and illicit drugs. The DFSCA also requires the establishment of a drug and alcohol prevention program. In accordance with the Higher Education Opportunity Act of 2008 (HEOA), each post-secondary institution in the United States that participates in Title IV student aid programs must annually distribute, in writing, to each student and each employee, information about the Drug and Alcohol Abuse Prevention Program.

#### Standard of Conduct

Spa Tech Institute is committed to an alcohol and drug-free learning and working environment and adheres to the responsibilities set forth in applicable local, state, and federal laws. All members of the Spa Tech Community, visitors, clients or vendors are required to comply.

The school mission is designed to make you successful. The standard for performance is based on what employers would expect from a valued employee. In simple terms, the school treats all students and employees with the same standard of expected performance.

With the legalization of marijuana in some states and an increased utilization of prescription medications for anxiety, there has been a significant shift in people's understanding of the risks. Many people have incorrectly associated the decriminalization of drugs to thinking that indiscriminate drug use is acceptable. The school recognizes that many people choose drug use as a form of coping with stress. However, the school's mission as an employer and a school is to teach and assist you to be successful and that includes being attentive, alert, and focused. The standard for the student/employee either attending classes, participating in the student clinic, or working at the school requires that students/employee are sober and fully present. If the sobriety or condition of the student/employee is in question, the student/employee will be dismissed for the day if the school determines the student/employee is not in the right frame of mind to participate safely and effectively in class or student clinic, or office no matter what the cause. The school does not need to have proof of drug utilization to dismiss the student/employee for the day.

Spa Tech Institute has a zero-tolerance policy and prohibits the unlawful manufacture, sale, distribution, dispensation, possession or use of illegal drugs or controlled substances, and the unauthorized use (e.g., being intoxicated) of alcohol or drugs by an employee, student, client, visitor or vendor. The use of alcohol or drugs on-campus or adjacent grounds such as parking lots, in vehicles, or offices during work or school hours is strictly prohibited, including any off-campus supervised school activity.

Spa Tech Institute strictly prohibits employees and students from doing the following:

Being under the influence of alcohol or drugs that adversely affects the individual's work or academic performance, safety at work or in the classroom, the employer's or school's regard or reputation in the community, and the students' safety in the learning environment.

#### School Sponsored Off-Campus Activities

Activities such as field trips or events are considered School activities under the jurisdiction or sponsorship of the School. Students attending these off-campus events will adhere to the School's regulations, and direction. Student and employee alcohol or unauthorized or illicit drug use is prohibited for the entire duration of the off-campus activities, including travel to and from the school.

Employees who travel off-campus for School-sponsored activities such as conferences and field trips are permitted to consume alcohol in reasonable amounts so long as the official School business (e.g. a conference presentation or event) has ended and no School students are present.

Driving under the influence of alcohol while traveling to and from activities under the jurisdiction or sponsorship of the School is prohibited.

Anyone found violating this policy and local, state, and federal laws will be reported to the local law enforcement. Students convicted of a federal or state drug conviction can be disqualified from receiving financial aid funds.

Spa Tech Institute's interest in identifying violators of law and School policy is not intended to be punitive, but rather to establish clear limits of conduct for members of the campus community. The school encourages those persons habituated to drugs and/or alcohol to seek rehabilitation.

Conscientious efforts to seek such help will not jeopardize a student's academic standing or employee's job, and all information related to such efforts will be confidential. However, efforts to obtain assistance will not preclude other disciplinary action for any of the usual reasons including policy violation or unacceptable job performance. Students or employees seeking or receiving assistance are subject to all school policies and procedures.

Spa Tech Institute provides education and prevention resources related to the use of alcohol and other drugs. The school utilizes educational strategies to increase awareness of drug and alcohol use. The school reserves the right to refuse any advertising or promotional activities that focus on the consumption of alcoholic beverages, tobacco, or drugs that might encourage use or abuse.

### **School Assistance and Description of Alcohol Abuse Education**

- ◆ School makes available information on an alcohol-free workplace.
- ◆ School may refer students and employees to community or outside groups or resources.
- ◆ School may grant leave with or without pay to any employee who requests to participate in an alcohol abuse assistance or rehabilitation program.

### **School Assistance and Description of Drug Abuse Education**

The school recognizes drug and other controlled substance dependencies as a treatable condition and offers referrals to local services for employees and students with substance dependency problems.

Students and employees are encouraged to seek assistance as appropriate from outside professional counseling services. The school can offer local referrals and information.

### **The school may distribute information regarding:**

- ◆ Spa Tech Institute policy of a drug-free workplace and penalties that may be imposed.
- ◆ Dangers and health risks of drug abuse.
- ◆ Outside referrals to local services for those with substance dependency problems.
- ◆ For Employees: the availability for drug counseling, rehabilitation for employees and their families. This service puts an employee or their dependents in touch with a skilled counselor who has training and experience in helping people. This may range from a no-cost support group to private counseling. Take advantage of our Employee Assistance Program (EAP) — free to both you and your family. This program offers counseling with local, licensed, certified counselors, along with referrals to resources for stress, grief, and coping with loss. The EAP also provides a number of downloadable resources to help you navigate life's challenges. Reach out to the EAP at 866-574-7256 to schedule a session.
- ◆ For Employees: Available through the ADP TotalSource® Wellness Program, "Life. Keep it Well", the Personal Health Advocate is a trained professional, typically a registered nurse, supported by medical directors and benefits and claims specialists, who understands the intricacies of the healthcare system and how to navigate through it. As soon as a member contacts them, they can establish a relationship with a Personal Health Advocate who stays with them until the issue is resolved. Personal Health Advocates demonstrate a commitment to service excellence, possess strong problem-solving skills, and support members as they seek healthcare services and interact with providers and insurers. They assist with clinical issues, claims, benefits, grievances, paperwork and other important needs. Health Advocate can be accessed 24/7. Normal business hours are Monday through Friday from 8 am to 9 pm, Eastern Time. Health Advocate can be accessed 24/7. Staff is available for assistance after hours and on weekends. Please contact the MyLife Advisor for assistance. (844)448-0325 or 866-695-8622 [HealthAdvocate.com](https://www.healthadvocate.com) or email [answers@HealthAdvocate.com](mailto:answers@HealthAdvocate.com).

### **Non-compliance with Spa Tech Institute policy for Drug and Controlled Substance Use, or violations of related State and Federal regulations, will be subject to sanctions that may include, but are not limited to the following:**

- ◆ Sanctions that may be imposed on an employee/student for violations and may include verbal or written warnings; disciplinary probation; payment for destroyed property; required counseling; treatment; suspension or temporary exclusion or permanent expulsion from the school or termination from employment.
- ◆ No employee/student will report for duty or remain on duty if the employee/student uses any controlled substance, except as authorized by a physician who confirms that the employee's/student's ability to perform will not be impaired by the prescribed substance.

- ◆ No employee/student will remain on duty if the employee/student tests positive for use of a controlled substance, unless a physician who confirms that the employee's/student's ability to perform will not be impaired by the prescribed substance.
- ◆ An employee/student may be required to satisfactorily complete an approved drug abuse assistance or rehabilitation program as a condition of continued employment.
- ◆ An employee may be reassigned and a student may have their enrollment terminated
- ◆ An employee may be required to agree to a "last chance agreement" as a condition of employment.
- ◆ An employee/student may be subject to immediate disciplinary action up to and including termination.
- ◆ Violators may also be referred for criminal prosecution and/or require the violator to participate in appropriate treatment programs.
- ◆ Violators may be referred to local enforcement agencies.

Immediate termination from employment or in case of a student, from school, will be imposed for use, distribution, or possession of unauthorized or illicit drugs and alcohol. The institution will notify the student or employee in writing if the institution becomes aware of any violation of this policy. The student or employee may request a formal hearing after receiving said notice. Three members from the faculty and staff will comprise the hearing board. If the student or employee fails to request a hearing within three business days, then immediate termination will take place. If a student or employee requests a hearing, the board will notify the student or employee of the date the hearing will take place. The student or employee has the right to be represented by legal counsel for this purpose. The hearing board will take testimony from all individuals involved in the case. The institution's administration will then be notified of the board's decision. In all cases the board's decision will be final. The institution's administration will then notify the student or employee of the board's decision. If the student or employee is found to have violated Spa Tech Institute's Drug and Alcohol Policy, then immediate termination from school or employment will take place.

### Drugs and Controlled Substances

Drugs considered to be controlled substances are listed in schedules I through V of Section 202 of the Controlled Substances Act (21 U.S.C. 812) and as further defined by regulation 21 C.F.R.1308.11 through 1308.15.

### Health Effects of Alcohol and Other Drugs

This is a brief summary of some of the principal health risks and hazards associated with the use of illicit drugs and alcohol. It is neither comprehensive nor exhaustive.

**Alcohol and Other Depressants** (barbiturates, sedatives and tranquilizers) Addiction, accidents because of impaired ability and judgment, alcohol overdose, overdose when used with other depressants, causes damage to a developing fetus, heart and liver damage.

**Marijuana**—Impairs short-term memory, thinking and physical coordination. Can also cause panic reaction and increase the risk of lung cancer and emphysema. Can interfere with judgment, attention span, concentration and overall intellectual performance. Impairs driving ability. May cause psychological dependence and compromise the immune system.

**Cocaine**—Addiction, cardiovascular system damage including heart attack, brain damage, seizures, lung damage, severe depression, paranoia, psychosis. Similar risks are associated with other stimulants, such as speed and uppers.

**Nicotine**—Tobacco smoke contains thousands of chemical compounds, many of which are known to cause cancer. Nicotine, which is a central nervous system stimulant, produces an increase in heart and respiration rates, blood pressure, adrenaline production and metabolism. People can rapidly become physically and psychologically dependent on tobacco. Nicotine compromises the immune system.

**Inhalants**—Inhalants are a diverse group of chemicals that easily evaporate and can cause intoxication when their vapors are inhaled. Most inhalants are central nervous system depressants. Use of these drugs slow down many body functions. High doses can cause severe breathing problems.

**Prescription Drug Abuse**—Adverse reactions, dependency, withdrawal, and overdose.

Sleep deprivation or illness can also create significant risks including lowered immunity and loss of coordination, judgement, mental and physical dexterity, and anticipation of dangerous situations or conditions. It's the responsibility of the student to address issues that may be contributing to lack of sleep and the school is happy to assist with life-style coaching to mitigate the issues.

Please see the resource section for alcohol and drug addiction and treatment services on Page 31.

## CAMPUS SECURITY & CRIME PREVENTION PROGRAMMING

### RESOURCES ON EDUCATION, PREVENTION AND AWARENESS

Educational programming consists of primary prevention and awareness programs for all incoming students and annual primary prevention education for employees, and ongoing awareness.

Spa Tech Institute will provide appropriate resources to promote the awareness of sexual and prohibited misconduct for all employees and students on an ongoing basis. Educational resources include an overview of the school's policies and procedures and relevant definitions, including prohibited conduct. This will include information regarding:

- ◆ Safe and positive options for bystander intervention to prevent harm or intervene when there is at risk of domestic violence, sexual assault, or stalking.
- ◆ Non-retaliation policy for victim, accused or those reporting an incident.
- ◆ Bystander intervention includes recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening.
- ◆ Identifying safe and effective intervention options, and taking action to intervene.
- ◆ Information on risk reduction.
- ◆ Discussion of the impact of alcohol and illegal drug use.
- ◆ Consent.
- ◆ Review of resources and reporting options available for students, faculty, and staff; and information about risk reduction, designed to decrease perpetration and bystander inaction, and to increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence.
- ◆ Outlines procedures victims should follow if a crime of dating violence, domestic violence, sexual assault, or stalking has occurred, including topics such as how to report such crimes, the importance of preserving evidence, and options for involving law enforcement.
- ◆ Reviews information about how the institution will protect the confidentiality of victims and other necessary parties.
- ◆ Provides an overview of information contained in the ASR, including procedures for institutional disciplinary action in cases of sexual assault.
- ◆ Outlines procedures victims should follow if a crime of dating violence, domestic violence, sexual assault, or stalking has occurred, including topics such as how to report such crimes, the importance of preserving evidence, and options for involving law enforcement.

Reviews information about how the institution will protect the confidentiality of victims and other necessary parties; Incoming students and new employees will receive primary prevention and awareness programming as part of their orientation. This will include the following:

- ◆ That domestic violence, dating violence, sexual assault, and stalking are prohibited conduct.
- ◆ Defines, using definitions provided by both the Department of Education, as well as state law, what behaviors constitutes domestic violence, dating violence, sexual assault, and stalking.
- ◆ Defines what behaviors and actions constitute consent to sexual activity.
- ◆ Provides an overview of information contained in the ASR, including procedures for institutional disciplinary action in cases of sexual assault. As part of Spa Tech's commitment to provide an educational and work environment free from Prohibited Conduct, this Policy will be disseminated widely to the school community through e-mail communication, publications, websites, new employee orientations, student orientations, and other appropriate channels of communication. The Title IX Coordinator, and anyone else who is involved in responding to, investigating, or adjudicating sexual misconduct will receive annual training from experts in the field. In addition to training on how the adjudicatory process works, the training will include specific instruction about how to approach students about sensitive issues that may arise in the context of sexual misconduct.

## SAFETY PLANNING

Things to think about:

- ◆ How to get away if there is an emergency? Be conscious of exits or other escape routes. Think about options for transportation (car, bus, subway, etc.)
- ◆ Who can help? Friends and/or family, or support centers in your area.
- ◆ Where to go? Options may include a friend's house or relative's house, or you may consider going to a domestic violence or homeless shelter. You may also go to the police. Important Safety Note: If the dangerous situation involves a partner, go to the police or a shelter first.
- ◆ What to bring? This may include important papers and documents such birth certificate, social security card, license, passport, medical records, lease, bills, etc. This will also include housekeys, car keys, cash, credit cards, medicine, important numbers, and your cell phone. If you are bringing children with you, remember to bring their important papers and legal documents. You can keep all of these things in an emergency bag. You should hide the bag-it is best if it is not in your house or car. If the bag is discovered, you can call it a "tornado" or "fire" bag.

## PROTECTING YOUR FRIENDS

You have a crucial role to play in keeping your friends safe. No matter what the setting, if you see something that doesn't feel quite right or see someone who might be in trouble, there are some simple things you can do to help out a friend:

Distract. If you see a friend in a situation that doesn't feel quite right, create a distraction to get your friend to safety. This can be as simple as joining or redirecting the conversation: suggest to your friend that you leave the party, or ask them to walk you home.

Try asking questions like: "Do you want to head to the bathroom with me?" or "Do you want to head to another party - or grab pizza?"

Step in. If you see someone who looks uncomfortable or is at risk, step in. If you feel safe, find a way to de-escalate the situation and separate all parties involved. Don't be shy about directly asking the person if they need help or if they feel uncomfortable. Enlist others. You don't have to go it alone. Call in friends or other people in the area as reinforcements to help defuse a dangerous situation and get the at-risk person home safely. There is safety in numbers.

Keep an eye out. Use your eyes and ears to observe your surroundings. If you see someone who has had too much to drink or could be vulnerable, try to get them to a safe place. Enlist friends to help you. Even if you weren't around when the assault occurred, you can still support a friend in the aftermath.

## SOCIAL SITUATIONS

While you can never completely protect yourself from sexual assault, there are some things you can do to help reduce your risk of being assaulted in social situations: When you go to a social gathering, go with a group of friends. Arrive together, check in with each other throughout the evening, and leave together. Knowing where you are and who is around you may help you to find a way out of a bad situation. Trust your instincts. If you feel unsafe in any situation, go with your gut. If you see something suspicious, contact law enforcement immediately. Don't leave your drink unattended while talking, dancing, using the restroom, or making a phone call. If you've left your drink alone, just get a new one. Don't accept drinks from people you don't know or trust. If you choose to accept a drink, go with the person to the bar to order it, watch it being poured, and carry it yourself. At parties, don't drink from the punch bowls or other large, common open containers. Watch out for your friends, and vice versa. If a friend seems out of it, is way too intoxicated for the amount of alcohol they've had, or is acting out of character, get him or her to a safe place immediately. If you suspect you or a friend has been drugged, contact law enforcement immediately. Be explicit with doctors so they can give you the correct tests.

## SEX OFFENDER REGISTRY

The federal Campus Sex Crimes Prevention Act, enacted on October 8, 2000, requires institutions of higher education to issue a statement advising the campus community where law enforcement agency information provided by a State concerning registered sex offenders may be obtained. It also requires sex offenders already required to register in a State to provide notice, as required by State law, of each institution of higher education in that State at which the person is employed, carries on a vocation, volunteers services or is a student.

### Adam Walsh Child Protection and Safety Act

Information regarding registered sex offenders in the State of Maine under section 121 of the Adam Walsh Child Protection and Safety Act of 2006 (42 U.S.C. 16921), may be obtained by contacting Public Safety or at the State of Maine Sex Offender Registry at: <http://sor.informe.org/sor/>

<https://www.mass.gov/orgs/sex-offender-registry-board> or; by contacting the Commonwealth of Massachusetts, Sex Offender Registry Board, P.O. Box 392, North Billerica, MA 01862 Tel: (978) 740-6400.



## REFERRAL RESOURCES & LINKS

For more information or emotional support, call the [Stalking Resource Center National Center for Victims of Crime Helpline](#) at 800 -FYI-CALL (394-2255), Monday through Friday, 10 a.m. to 6 p.m. ET.

<http://www.rainn.org/> - Rape, Abuse and Incest National Network

### U.S. DEPARTMENT OF HEALTH & HUMAN SERVICES

#### OASH/OFFICE ON WOMEN'S HEALTH

<https://www.womenshealth.gov/relationships-and-safety/other-types/dating-violence-and-abuse>

### MASSACHUSETTS

<https://moreaboutmj.org/>

<https://www.mass.gov/info-details/frequently-asked-questions-after-sexual-assault>

<https://www.mass.gov/service-details/violence-against-women-act-vawa-stop-grant-program>

<https://masshousing.com/programs-outreach/community-services/knowledge-capacity-building/vawa>

[https://www.safehousingta.org/wp-content/uploads/2020/07/MH\\_VAWA-Handbook-FINAL.pdf](https://www.safehousingta.org/wp-content/uploads/2020/07/MH_VAWA-Handbook-FINAL.pdf)

<https://casamyrna.org/get-support/safelink/> SafeLink is Massachusetts' statewide 24/7 toll-free domestic violence hotline and a resource for anyone affected by domestic or dating violence. Are you worried about someone or do you have questions about abuse? Do you recognize warning signs of an unhealthy relationship? Do you need help or support? Call SafeLink toll-free number is (877) 785-2020. Advocates are bilingual in English and Spanish and have access to a service that can provide translation in more than 130 languages.

### Massachusetts Guide for Addiction Centers and recovery

<https://mass211.org/>

<https://www.banyantreatmentcenter.com/facilities/massachusetts/>

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

<https://www.cleanslatecenters.com/>

<https://mass211.org/domestic-violence-sexual-assault-help>

<https://mass211.org/behavioral-health>

<https://alcoholicsanonymous.com/aa-meetings/massachusetts/>

### MAINE

Depart of Health & Human Services <https://www.maine.gov/dhhs/obh>

- ♦ Maine Crisis Line (MCL): 888-568-1112: Call, text or chat support for individuals or families experiencing a behavioral health crisis or having thoughts of suicide and/or self-harm. Free, confidential, 24/7 support for anyone needing support.
- ♦ 988 Suicide & Crisis Lifeline: Call or text 988 or chat <https://988lifeline.org/> a national suicide and behavioral health crisis hotline. Calls to 988 will be answered by trained crisis specialists at the Maine Crisis Line. Free, confidential, 24/7 support for anyone needing support.
- ♦ Intentional Peer Support Warmline: Speak with staff who have lived experience with mental health conditions: 866-771-9276
- ♦ Teen Text Line- 207-515-8398
- ♦ National Suicide Prevention Lifeline: 800-273-TALK (800-273-8255)
- ♦ The FrontLine WarmLine: Support for clinicians and first responders from 8 am to 8 pm, 7 days a week by calling (207) 221-8196 or 866-367-4440
- ♦ StrengthenME Helpline: Free stress management and resiliency resources to anyone in Maine experiencing stress reactions to the COVID-19 Pandemic from 8 am to 8 pm, 7 days a week by calling 207-221-8198
- ♦ 211 and 211maine.org: Provides general COVID-19 information, including how to access behavioral health and social service resources.

<https://211maine.org/> - Portland, ME area resource for aging, disability, crisis, education, family, food, substance abuse, transitions.

<https://csoaamaine.org/> - Central Service Office Alcoholics Anonymous

<https://www.maine.gov/dafs/ocp/medical-use/rules-statutes>

<https://www.mcedv.org/mcedv-statement-on-efforts-to-reauthorize-the-violence-against-women-act/> Statewide Domestic Abuse Helpline: 1-866-834-HELP

<http://www.mainehomelessplanning.org/wp-content/uploads/2019/07/Region-1-2-VAWA-HUD-Presentation.pdf>

## Be the support your friends & family need during difficult times

Sexual violence, relational and dating violence, gender-based discrimination or harassment, stalking and retaliation can have an impact on all involved. Friends and family members have an important role in providing support and connection to resources.

### Complainants

The impact of sexual violence, relational violence, gender-based discrimination or harassment, stalking or retaliation may significantly impact how a person feels about themselves and those around them. Individual responses may differ but feelings of fear, anxiety, shame and guilt are common for individuals who are impacted by these situations and may be compounded by previous traumatic experiences or stressful events.

As a friend or family member you may have your own emotional response or questions about what happened. You may even be triggered by what happened due to events in your own life or experience. It is important to listen with compassion and care, remain supportive and non-judgmental. Allow them to make choices about what is best for them. Offer to help connect your friend to resources and supports that can also aid in their mental well-being. Remember that it may be important for you to seek out support as well to help you be there for those you care about during such a difficult time.

### How to Respond

- ◆ How to respond if a friend or family member has experienced sexual misconduct or relational violence:
- ◆ Thank them for sharing with you.
- ◆ Ask if they feel safe.
- ◆ Encourage medical care and follow up.
- ◆ Encourage counseling and emotional support.
- ◆ Remind them it is not their fault.
- ◆ Be empathetic and open minded.
- ◆ Resist asking “why” questions or investigating what happened.
- ◆ Allow them to make what choices they feel are best.
- ◆ Ask what they may need from you.
- ◆ Remind them of confidential resources.
- ◆ Offer to help connect them to support, resources and reporting options.
- ◆ Remind them they have a choice to make a Title IX or criminal report.
- ◆ Respect their privacy.
- ◆ Ensure they know they are not alone.
- ◆ Balance being there and giving them their own space.
- ◆ Monitor your own feelings and need for support.

### Respondents

Being a respondent to a Title IX or sexual misconduct complaint can be a stressful and triggering time, and may compound additional stressors that your friend or family member has been experiencing. You may have your own questions and emotional response. You may find you are angry about the accusation. You may not be in agreement with what may have occurred, or it may cause you to question your friend or family member’s behavior. Encourage your friend or family member to seek out support to aid their mental well-being. Remember that it may be important for you to get support to give you suggestions on how to be supportive, as well to help process any emotional response that you may have.

### How to Support

How to support a friend or family member who is accused of sexual misconduct or relational violence:

Thank them for sharing with you.

- ◆ Ask if they feel safe.
- ◆ Resist asking “why” questions or investigating what happened.
- ◆ Allow them to make what choices they feel are best.
- ◆ Ask what they may need from you.
- ◆ Offer to help connect them to support and resources.
- ◆ Remind them to not reach out to the complainant. Any outreach attempts by the respondent or respondent’s friends or family may be considered retaliation.
- ◆ Respect their privacy.
- ◆ Balance being there and giving them their own space.
- ◆ Monitor your own feelings and need for support.



## HOW DOES DATING VIOLENCE START?

Dating violence or abuse often starts with emotional and verbal abuse. The person may start calling you names, constantly checking on you, or demanding your time. This is your partner's attempt to gain power and control over you.

These behaviors can lead to more serious kinds of abuse, such as hitting or stalking, or preventing you from using birth control or protection against sexually transmitted infections (STIs).

Dating violence can happen even on the first date. If a date pays for the date, that does not mean you owe them sex. Any sexual activity that is without your consent is rape or sexual assault.

## WHAT CAN HAPPEN IF I DON'T END AN ABUSIVE DATING OR ROMANTIC RELATIONSHIP?

Staying in an abusive relationship can have long-lasting effects on your mental and physical health, including chronic pain and depression or anxiety. Read more about the effects on your health.

Abusive partners may also pressure you into having unprotected sex or prevent you from using birth control. Or you may think that getting pregnant will stop the abuse. Abuse can actually get worse during pregnancy. It's a good idea to talk with your doctor about types of birth control you can use. If you are concerned about your partner knowing or becoming aware of your birth control use, talk to your doctor. If a male partner refuses to wear a condom, get tested for sexually transmitted infections (STIs).

## WHAT IS STALKING?

Stalking is any repeated and unwanted contact with you that makes you feel unsafe.<sup>3</sup> You can be stalked by a stranger, but most stalkers are people you know — even an intimate partner. Stalking may get worse or become violent over time. Stalking may also be a sign of an abusive relationship.

Someone who is stalking you may threaten your safety by clearly saying they want to harm you. Some stalkers harass you with less threatening but still unwanted contact. The use of technology to stalk, sometimes called "cyberstalking," involves using the Internet, email, or other electronic communications to stalk someone. Stalking is against the law.

Stalking and cyberstalking can lead to sleeping problems or problems at work or school.

## WHAT ARE EXAMPLES OF STALKING?

- ◆ Following you around or spying on you
- ◆ Sending you unwanted emails or letters
- ◆ Calling you often
- ◆ Showing up uninvited at your house, school, or work
- ◆ Leaving you unwanted gifts
- ◆ Damaging your home, car, or other property
- ◆ Threatening you, your family, or pets with violence

## WHAT ARE EXAMPLES OF CYBERSTALKING?

- ◆ Sending unwanted, frightening, or obscene emails, text messages, or instant messages (IMs)
- ◆ Harassing or threatening you on social media
- ◆ Tracking your computer and internet use
- ◆ Using technology such as GPS to track where you are

## ARE THERE LAWS AGAINST STALKING?

Yes. Stalking is a crime. Learn more about the laws against stalking in your state at the Stalking Resource Center <http://www.victimsofcrime.org/our-programs/stalking-resource-center/stalking-laws>. If you are in immediate danger, call 911.

You can file a complaint with the police and get a restraining order (court order of protection) against the stalker. Federal law says that you can get a restraining order for free. Do not be afraid to take steps to stop your stalker.

## WHAT CAN YOU DO IF YOU THINK YOU'RE BEING STALKED?

If you are in immediate danger, call 911. Find a safe place to go if you are being followed or worry that you will be followed. Go to a police station, friend's house, domestic violence shelter, fire station, or public area.

### You can also take the following steps if you are being stalked:

- ◆ File a complaint with the police. Make sure to tell them about all threats and incidents.
- ◆ Get a restraining order. A restraining order requires the stalker to stay away from you and not contact you. You can learn how to get a restraining order from a domestic violence shelter, the police, or an attorney in your area.
- ◆ Write down every incident. Include the time, date, and other important information. If the incidents occurred online, take screenshots as records.

- ◆ Keep evidence such as videotapes, voicemail messages, photos of property damage, and letters.
- ◆ Get names of witnesses.
- ◆ Get help from domestic violence hotlines, domestic violence shelters, counseling services, and support groups. Put these numbers in your phone in case you need them.
- ◆ Tell people about the stalking, including the police, your employer, family, friends, and neighbors.
- ◆ Always have your phone with you so you can call for help.
- ◆ Consider changing your phone number (although some people leave their number active so they can collect evidence). You can also ask your service provider about call blocking and other safety features.
- ◆ Secure your home with alarms, locks, and motion-sensitive lights.

For more information or emotional support, call the [Stalking Resource Center National Center for Victims of Crime Helpline](https://www.rainn.org/) at 800-FYI-CALL (394-2255), Monday through Friday, 10 a.m. to 6 p.m. ET.

<http://www.rainn.org/> - Rape, Abuse and Incest National Network

<http://www2.ed.gov/about/offices/list/ocr/index.html> Department of Education, Office of Civil Rights

## U.S. DEPARTMENT OF HEALTH & HUMAN SERVICES

### OASH/OFFICE ON WOMEN'S HEALTH

<https://www.womenshealth.gov/relationships-and-safety/other-types/dating-violence-and-abuse>

## Crime Prevention & Safety Programs

The R.A.D. Systems of Self Defense offers programs for women, children, men and seniors. These offerings provide a truly holistic approach to self defense education, supporting the necessity of continuous learning in order to provide realistic options for each population as they go through life. Each of these programs includes educational components comprised of lecture, discussion, physical resistive strategies. All of which are facilitated by certified R.A.D. Instructors supported by a network of dedicated professionals who honor one another's student through our unique Lifetime Return and Practice Policy. Use this link to find a program near you. [http://www.rad-systems.com/rad\\_programs.html](http://www.rad-systems.com/rad_programs.html)

## We Speak Up Bystander Intervention

We Speak Up. Active bystanders take the initiative to help someone who may be targeted for a sexual assault. They do this in ways that are intended to avoid verbal or physical conflict. Active bystanders also take the initiative to help friends, who are not thinking clearly, from becoming offenders of crime. Intervention does not mean that you directly intervene to stop a crime in progress; rather, these steps are "early intervention" - before a crime begins to occur.

Every person can have an impact in preventing sexual violence, relational violence, gender based discrimination or harassment, stalking or retaliation. Each of us can send a clear message that we as a community, will step up to prevent and intervene in incidents that may be harmful to an individual or our community.

## Remember the 3Ds to bystander intervention:

- ◆ Distract from the incident. Cause a diversion.
- ◆ Delegate to other friends, faculty or a staff member to help.
- ◆ Directly intervene by outreaching to the impacted individual for support, or to stop the individual engaging the problematic behavior or comments.

If you witness or experience any type of sexual or relational misconduct, or gender based discriminatory behavior, report it. Together, we can create a healthy and safe campus environment.

## RISK REDUCTION

Spa Tech Institute's primary prevention and awareness program includes information on risk reduction. While you can never completely protect yourself from sexual assault, there are some things you can do to help reduce your risk of being assaulted - This includes:

- ◆ Avoiding Dangerous Situations.
- ◆ Be aware of your surroundings. Knowing where you are and who is around you may help you to find a way to get out of a bad situation.
- ◆ Try to avoid isolated areas. It is more difficult to get help if no one is around.
- ◆ Walk with purpose. Even if you don't know where you are going, act like you do.
- ◆ Trust your instincts. If a situation or location feels unsafe, it probably isn't the best place to be.
- ◆ Try not to load yourself down with packages or bags as this can make you appear more vulnerable.
- ◆ Make sure your cell phone is with you and charged and that you have cash money.
- ◆ Don't allow yourself to be isolated with someone you don't trust or someone you don't know.
- ◆ Avoid putting music headphones in both ears so that you can be more aware of your surroundings, especially if you are walking alone.

## WHAT IS DOMESTIC VIOLENCE?

Domestic violence is a pattern of abusive behavior in any relationship that is used by one partner to gain or maintain power and control over another intimate partner. Domestic violence can be physical, sexual, emotional, economic, psychological, or technological actions or threats of actions or other patterns of coercive behavior that influence another person within an intimate partner relationship. This includes any behaviors that intimidate, manipulate, humiliate, isolate, frighten, terrorize, coerce, threaten, blame, hurt, injure, or wound someone. Examples of abusive behavior include:

**Physical Abuse:** Hitting, slapping, shoving, grabbing, pinching, biting, hair pulling, etc. are types of physical abuse. This type of abuse also includes denying a partner medical care or forcing alcohol and/or drug use upon him or her.

**Sexual Abuse:** Coercing or attempting to coerce any sexual contact or behavior without consent. Sexual abuse includes, but is certainly not limited to, marital rape, attacks on sexual parts of the body, forcing sex after physical violence has occurred, or treating one in a sexually demeaning manner.

**Emotional Abuse:** Undermining an individual's sense of self-worth and/or self-esteem is abusive. This may include, but is not limited to constant criticism, diminishing one's abilities, name-calling, or damaging one's relationship with his or her children.

**Economic Abuse:** Controlling or restraining a person's ability to acquire, use, or maintain economic resources to which they are entitled. This includes using coercion, fraud, or manipulation to restrict a person's access to money, assets, credit, or financial information; unfairly using a person's personal economic resources, including money, assets, and credit, or exerting undue influence over a person's financial and economic behavior or decisions, including forcing default on joint or other financial obligations, exploiting powers of attorney, guardianship, or conservatorship, or failing or neglecting to act in the best interests of a person to whom one has a fiduciary duty.

**Psychological Abuse:** Elements of psychological abuse include - but are not limited to - causing fear by intimidation; threatening physical harm to self, partner, children, or partner's family or friends; destruction of pets and property; and forcing isolation from family, friends, or school and/or work.

**Technological Abuse:** An act or pattern of behavior that is intended to harm, threaten, control, stalk, harass, impersonate, exploit, extort, or monitor another person that occurs using any form of technology, including but not limited to: internet enabled devices, online spaces and platforms, computers, mobile devices, cameras and imaging programs, apps, location tracking devices, or communication technologies, or any other emerging technologies.

Domestic violence can happen to anyone regardless of race, age, sexual orientation, religion, sex, or gender identity. Domestic violence affects people of all socioeconomic backgrounds and education levels. Domestic violence occurs in both opposite-sex and same-sex relationships and can happen to intimate partners who are married, living together, dating, or share a child.

Domestic violence not only affects those who are abused, but also has a substantial effect on family members, friends, co-workers, other witnesses, and the community at large. Children, who grow up witnessing domestic violence, are among those seriously affected by this crime. Frequent exposure to violence in the home not only predisposes children to numerous social and physical problems, but also teaches them that violence is a normal way of life - therefore, increasing their risk of becoming society's next generation of victims and abusers.

This discussion of domestic violence is intended to educate the public about the dynamics of abuse in intimate partner relationships, as well as to help victims understand their experience and family and friends of victims to recognize signs of abuse in the relationships of their loved ones. The Violence Against Women Act contains a definition of domestic violence that governs the programs funded under the Act. The discussion here does not alter the definition in VAWA.

### National Domestic Violence Hotline

1-800-799-SAFE (7233)

1-800-787-3224 (TTY)

Advocates are also available to chat 24/7.

### National Center for Victims of Crime

1-855-4-VICTIM (1-855-484-2846)

## WHAT IS DATING VIOLENCE?

Dating violence is physical, sexual, emotional, or verbal abuse from a romantic or sexual partner. It happens to women of all races and ethnicities, incomes, and education levels. It also happens across all age groups and in heterosexual and same-sex relationships. Some people call dating violence domestic abuse, especially when you live with your partner.

Dating violence includes:

- ◆ **Emotional and verbal abuse** — yelling, name-calling, bullying, isolating you from your family and friends, saying you deserve the abuse or are to blame for it, and then giving gifts to “make up” for the abuse or making promises to change
- ◆ **Sexual assault and rape** — forcing you to do any sexual act you do not want to do or doing something sexual when you’re not able to consent, such as when you’ve been drinking heavily
- ◆ **Physical abuse** — hitting, shoving, kicking, biting, throwing objects, choking, or any other aggressive contact
- ◆ It can also include forcing you to get pregnant against your will, trying to influence what happens during your pregnancy, or interfering with your birth control.

### Some signs of dating abuse include:

- ◆ Forcing you to have sex when you don’t want to
- ◆ Telling you that you owe them sex in exchange for taking you out on a date
- ◆ Acting overly jealous, including constantly accusing you of cheating
- ◆ Being extremely controlling, such as telling you what to wear, forbidding you from seeing friends and family, or demanding to check your phone, email, and social media
- ◆ Constantly checking in with you and getting angry if you don’t check in with him or her
- ◆ Putting you down, including your appearance (clothes, makeup, hair, weight), intelligence, and activities
- ◆ Trying to isolate you from other people, including by insulting them
- ◆ Blaming you for the abusive behavior and listing the ways you “made him or her do it”
- ◆ Refusing to take responsibility for their own actions
- ◆ Apologizing for abuse and promising to change again and again
- ◆ Having a quick temper, so you never know what you will do or say that may cause a problem
- ◆ Not allowing you to end the relationship or making you feel guilty for leaving
- ◆ Threatening to call the authorities (police, deportation officials, child protective services, etc.) as a way to control your behavior
- ◆ Stopping you from using birth control or going to the doctor or nurse
- ◆ Committing any physical violence, such as hitting, pushing, or slapping you

None of the behavior described above is OK. Even if your partner does only a few of these things, it’s still abuse. It is never OK for someone to hit you or be cruel to you in any way.

## WHAT IS DIGITAL ABUSE?

Digital abuse is a type of abuse that uses technology, especially texting or social media. Digital abuse is more common among younger adults, but it can happen to anyone who uses technology, such as smartphones or computers.

### Digital abuse can include:

- ◆ Repeated unwanted calls or texts
- ◆ Harassment on social media
- ◆ Pressure to send nude or private pictures (called “sexting”)
- ◆ Using texts or social media to check up on you, insult you, or control whom you can see or be friends with
- ◆ Demanding your passwords to social media sites and email
- ◆ Demanding that you reply right away to texts, emails, and calls

In a healthy relationship, both partners respect relationship boundaries. You do not have to send any photos that make you uncomfortable. Once you send a revealing photo, you have no control over who sees it. The other person can forward it or show it to others.

**Spa Tech Institute, 100 LARRABEE ROAD, WESTBROOK, ME 04092 –  
CLERY CRIME STATISTICS 2020 TO 2022**

OFFENSES	YEAR	ON-CAMPUS PROPERTY	PUBLIC PROPERTY
Murder/non negligent manslaughter	2022 2021 2020	0 0 0	0 0 0
Manslaughter by negligence	2022 2021 2020	0 0 0	0 0 0
Rape	2022 2021 2020	0 0 0	0 0 0
Fondling	2022 2021 2020	0 0 0	0 0 0
Incest	2022 2021 2020	0 0 0	0 0 0
Statutory Rape	2022 2021 2020	0 0 0	0 0 0
Robbery	2022 2021 2020	0 0 0	0 0 0
Aggravated Assault	2022 2021 2020	0 0 0	0 0 0
Burglary	2022 2021 2020	0 0 0	0 0 0
Motor Vehicle Theft	2022 2021 2020	0 0 0	0 0 0
Arson	2022 2021 2020	0 0 0	0 0 0
<b>VAWA OFFENSES</b>			
Domestic Violence	2022 2021 2020	0 0 0	0 0 0
Dating Violence	2022 2021 2020	0 0 0	0 0 0
Stalking	2022 2021 2020	0 0 0	0 0 0
<b>*Hate Crime Categories of Prejudice: Disability (D), Ethnicity (E), Gender (G) Gender Identity (GI), National Origin (N), Race (Ra), Religion (Re), Sexual Orientation (S)</b>			
<b>*HATE CRIMES</b>			
Murder/non negligent manslaughter	2022 2021 2020	0 0 0	0 0 0
Rape	2022 2021 2020	0 0 0	0 0 0
Fondling	2022 2021 2020	0 0 0	0 0 0
Incest	2022 2021 2020	0 0 0	0 0 0
Statutory Rape	2022 2021 2020	0 0 0	0 0 0
Robbery	2022 2021 2020	0 0 0	0 0 0
Aggravated Assault	2022 2021 2020	0 0 0	0 0 0
Burglary	2022 2021 2020	0 0 0	0 0 0
Motor Vehicle Theft	2022 2021 2020	0 0 0	0 0 0
Arson	2022 2021 2020	0 0 0	0 0 0
Larceny-Theft	2022 2021 2020	0 0 0	0 0 0
Simple Assault	2022 2021 2020	0 0 0	0 0 0
Intimidation	2022 2021 2020	0 0 0	0 0 0
Destruction/Damage/Vandalism of Property	2022 2021 2020	0 0 0	0 0 0
<b>ARRESTS &amp; DISCIPLINARY REFFERALS</b>			
Liquor Law Arrest	2022 2021 2020	0 0 0	0 0 0
Liquor Law Violations Referred for Disciplinary Action	2022 2021 2020	0 0 0	0 0 0
Drug Law Arrests	2022 2021 2020	0 0 0	0 0 0
Drug Law Arrests Referred for Disciplinary Action	2022 2021 2020	0 0 0	0 0 0
Illegal Weapons Possession Arrests	2022 2021 2020	0 0 0	0 0 0
Illegal Weapons Possession Violations Referred for disciplinary Action	2022 2021 2020	0 0 0	0 0 0

**Spa Tech Institute, 227 TURNPIKE ROAD, SUITE 1, WESTBOROUGH, MA 01581 –  
CLERY CRIME STATISTICS 2020 TO 2022**

OFFENSES	YEAR	ON-CAMPUS PROPERTY	PUBLIC PROPERTY
Murder/non negligent manslaughter	2022 2021 2020	0 0 0	0 0 0
Manslaughter by negligence	2022 2021 2020	0 0 0	0 0 0
Rape	2022 2021 2020	0 0 0	0 0 0
Fondling	2022 2021 2020	0 0 0	0 0 0
Incest	2022 2021 2020	0 0 0	0 0 0
Statutory Rape	2022 2021 2020	0 0 0	0 0 0
Robbery	2022 2021 2020	0 0 0	0 0 0
Aggravated Assault	2022 2021 2020	0 0 0	0 0 0
Burglary	2022 2021 2020	0 0 0	0 0 0
Motor Vehicle Theft	2022 2021 2020	0 0 0	0 0 0
Arson	2022 2021 2020	0 0 0	0 0 0
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Domestic Violence	2022 2021 2020	0 0 0	0 0 0
Dating Violence	2022 2021 2020	0 0 0	0 0 0
Stalking	2022 2021 2020	0 0 0	0 0 0
<b>*Hate Crime Categories of Prejudice: Disability (D), Ethnicity (E), Gender (G) Gender Identity (GI), National Origin (N), Race (Ra), Religion (Re), Sexual Orientation (S)</b>			
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Rape	2022 2021 2020	0 0 0	0 0 0
Fondling	2022 2021 2020	0 0 0	0 0 0
Incest	2022 2021 2020	0 0 0	0 0 0
Statutory Rape	2022 2021 2020	0 0 0	0 0 0
Robbery	2022 2021 2020	0 0 0	0 0 0
Aggravated Assault	2022 2021 2020	0 0 0	0 0 0
Burglary	2022 2021 2020	0 0 0	0 0 0
Motor Vehicle Theft	2022 2021 2020	0 0 0	0 0 0
Arson	2022 2021 2020	0 0 0	0 0 0
Larceny-Theft	2022 2021 2020	0 0 0	0 0 0
Simple Assault	2022 2021 2020	0 0 0	0 0 0
Intimidation	2022 2021 2020	0 0 0	0 0 0
Destruction/Damage/Vandalism of Property	2022 2021 2020	0 0 0	0 0 0
<b>ARRESTS &amp; DISCIPLINARY REFFERALS</b>			
Liquor Law Arrest	2022 2021 2020	0 0 0	0 0 0
Liquor Law Violations Referred for Disciplinary Action	2022 2021 2020	0 0 0	0 0 0
Drug Law Arrests	2022 2021 2020	0 0 0	0 0 0
Drug Law Arrests Referred for Disciplinary Action	2022 2021 2020	0 0 0	0 0 0
Illegal Weapons Possession Arrests	2022 2021 2020	0 0 0	0 0 0
Illegal Weapons Possession Violations Referred for disciplinary Action	2022 2021 2020	0 0 0	0 0 0

**Spa Tech Institute, 59 INDUSTRIAL PARK ROAD, PLYMOUTH, MA 02360 –  
CLERY CRIME STATISTICS 2020 TO 2022**

OFFENSES	YEAR	ON-CAMPUS PROPERTY	PUBLIC PROPERTY
Murder/non negligent manslaughter	2022 2021 2020	0 0 0	0 0 0
Manslaughter by negligence	2022 2021 2020	0 0 0	0 0 0
Rape	2022 2021 2020	0 0 0	0 0 0
Fondling	2022 2021 2020	0 0 0	0 0 0
Incest	2022 2021 2020	0 0 0	0 0 0
Statutory Rape	2022 2021 2020	0 0 0	0 0 0
Robbery	2022 2021 2020	0 0 0	0 0 0
Aggravated Assault	2022 2021 2020	0 0 0	0 0 0
Burglary	2022 2021 2020	0 0 0	0 0 0
Motor Vehicle Theft	2022 2021 2020	0 0 0	0 0 0
Arson	2022 2021 2020	0 0 0	0 0 0
<b>VAWA OFFENSES</b>			
Domestic Violence	2022 2021 2020	0 0 0	0 0 0
Dating Violence	2022 2021 2020	0 0 0	0 0 0
Stalking	2022 2021 2020	0 0 0	0 0 0
<small>*Hate Crime Categories of Prejudice: Disability (D), Ethnicity (E), Gender (G) Gender Identity (Gi), National Origin (N), Race (Ra), Religion (Re), Sexual Orientation (S)</small>			
<b>*HATE CRIMES</b>			
Murder/non negligent manslaughter	2022 2021 2020	0 0 0	0 0 0
Rape	2022 2021 2020	0 0 0	0 0 0
Fondling	2022 2021 2020	0 0 0	0 0 0
Incest	2022 2021 2020	0 0 0	0 0 0
Statutory Rape	2022 2021 2020	0 0 0	0 0 0
Robbery	2022 2021 2020	0 0 0	0 0 0
Aggravated Assault	2022 2021 2020	0 0 0	0 0 0
Burglary	2022 2021 2020	0 0 0	0 0 0
Motor Vehicle Theft	2022 2021 2020	0 0 0	0 0 0
Arson	2022 2021 2020	0 0 0	0 0 0
Larceny-Theft	2022 2021 2020	0 0 0	0 0 0
Simple Assault	2022 2021 2020	0 0 0	0 0 0
Intimidation	2022 2021 2020	0 0 0	0 0 0
Destruction/Damage/Vandalism of Property	2022 2021 2020	0 0 0	0 0 0
<b>ARRESTS &amp; DISCIPLINARY REFFERALS</b>			
Liquor Law Arrest	2022 2021 2020	0 0 0	0 0 0
Liquor Law Violations Referred for Disciplinary Action	2022 2021 2020	0 0 0	0 0 0
Drug Law Arrests	2022 2021 2020	0 0 0	0 0 0
Drug Law Arrests Referred for Disciplinary Action	2022 2021 2020	0 0 0	0 0 0
Illegal Weapons Possession Arrests	2022 2021 2020	0 0 0	0 0 0
Illegal Weapons Possession Violations Referred for disciplinary Action	2022 2021 2020	0 0 0	0 0 0

The North Andover campus was exempt from participating in the Web-based data collection of the Campus Safety and Security Survey for 2022. Below are the \*Partial Year Clery Crime Statistics: March 17, 2022 to December 31, 2022.

Spa Tech Institute, 202 Sutton Street, Suite 460, North Andover, MA 01845 – CLERY CRIME STATISTICS *(Partial Year March 17, 2022 to December 31, 2022)			
OFFENSES	YEAR	ON-CAMPUS PROPERTY	PUBLIC PROPERTY
Murder/non negligent manslaughter	2022	0	0
Manslaughter by negligence	2022	0	0
Rape	2022	0	0
Fondling	2022	0	0
Incest	2022	0	0
Statutory Rape	2022	0	0
Robbery	2022	0	0
Aggravated Assault	2022	0	0
Burglary	2022	0	0
Motor Vehicle Theft	2022	0	0
Arson	2022	0	0
VAWA OFFENSES			
Domestic Violence	2022	0	0
Dating Violence	2022	0	0
Stalking	2022	0	0
*Hate Crime Categories of Prejudice: Disability (D), Ethnicity (E), Gender (G) Gender Identity (Gi), National Origin (N), Race (Ra), Religion (Re), Sexual Orientation (S)			
*HATE CRIMES			
Murder/non negligent manslaughter	2022	0	0
Rape	2022	0	0
Fondling	2022	0	0
Incest	2022	0	0
Statutory Rape	2022	0	0
Robbery	2022	0	0
Aggravated Assault	2022	0	0
Burglary	2022	0	0
Motor Vehicle Theft	2022	0	0
Arson	2022	0	0
Larceny-Theft	2022	0	0
Simple Assault	2022	0	0
Intimidation	2022	0	0
Destruction/Damage/Vandalism of Property	2022	0	0
ARRESTS & DISCIPLINARY REFFERALS			
Liquor Law Arrest	2022	0	0
Liquor Law Violations Referred for Disciplinary Action	2022	0	0
Drug Law Arrests	2022	0	0
Drug Law Arrests Referred for Disciplinary Action	2022	0	0
Illegal Weapons Possession Arrests	2022	0	0
Illegal Weapons Possession Violations Referred for disciplinary Action	2022	0	0