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**UNIVERSITY OF MIAMI POLICY AND PROCEDURE MANUAL**

TITLE:	Sexual Misconduct Policy	REFERENCE: Title IX of the Education Amendments of 1972, as amended by Violence Against Women Reauthorization Act of 2013 (“Title IX”); Title VII of the Civil Rights Act of 1964 (“Title VII”); and the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (“Clery Act”).
CATEGORY:	University-wide	PAGE: 1 of 22 SUPERSEDES: Sexual Misconduct Policy, effective February 24, 2015
APPROVER:	Julio Frenk President	EFFECTIVE: July 1, 2018

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**I. PURPOSE**

The University of Miami (“University” or “UM”) seeks to maintain a safe learning, living, and working environment free from all types of sex-based and gender-based discrimination prohibited by state and federal laws, including Title IX and Title VII, and in keeping with the University’s culture of belonging, DIRECCT values and expected behaviors. The purpose of this Policy is to provide a single document for current and prospective students, employees, and faculty, and others within and outside the University community, to access information regarding: the University’s Sexual Misconduct rules and procedures, and available University and community resources.

Sexual Misconduct includes Dating Violence, Domestic Violence, Sex- or Gender-Based Discrimination, Sexual Assault (including Sexual Battery), Sexual Exploitation, Sexual Harassment, and Stalking (all as defined in this Policy). This Policy is part of the University’s commitment to prevent Sexual Misconduct and to create an environment where all individuals know how to report an incident of Sexual Misconduct. This Policy is designed to comply with applicable legal requirements, including Title IX; Title VII; and the Clery Act.

**II. SCOPE**

This Policy applies to all complaints of Sexual Misconduct involving UM Students (defined below); UM Residents (defined below); University employees, including all officers, professional staff and administrators (“Employees”); University faculty, including adjunct and visiting faculty (“Faculty”); University affiliates, including contractors, vendors, volunteers, preceptors and on-site supervisors for clinical rotations, or other third parties within the University’s control (“Affiliates”); and other visitors or guests of the University (“Guests”), regardless of incident location. As used in this Policy:

- “UM Students” means any student, including visiting students, who is enrolled, or has the ability to re-enroll, full-time, part-time, or to audit a course, at any University campus, under the auspices of the University, and/or using the University resources.
- “UM Residents” means anyone enrolled in, or who has the ability to re-enroll, to participate in the University’s medical residency program, at any University campus, under the auspices of the

University, and/or using the University resources. UM Residents are considered Employees for all purposes under this Policy.

- UM Students, Employees (including UM Residents), Faculty, Affiliates, and Guests are sometimes collectively referred to in this Policy as a “Covered Person” or “Covered Persons”.

This Policy is not limited solely to the University’s campuses. Many University students, faculty and staff work with, supervise, or are under supervision of, employees of the University’s affiliates and teaching sites (including, without limitation, placements for internships, externships, or clinical rotations, with solo practitioners, business entities, governmental agencies, or hospital sites such as Jackson Memorial Hospital, John F. Kennedy Hospital, and Veterans’ Administration Medical Center). This Policy applies to acts committed by or against Covered Persons when:

- A. The conduct occurs on University premises; or
- B. The conduct occurs in the context of a UM employment or educational program or activity, at any location, including, but not limited to, UM-sponsored study abroad, research, or internship programs; or
- C. The conduct occurs outside the context of an UM employment or educational program or activity, but has continuing adverse effects on University premises or in any University employment or educational program or activity.

Related University policies and procedures, include, but may not be limited to:

1. Disciplinary Procedures for Reported Sexual Misconduct or Sex- or Gender-Based Discrimination in the [Student Rights and Responsibilities Handbook](#);
2. Administrative Review pursuant to [University’s Equal Employment Opportunity Policy](#); and
3. Procedures of the Committee on Professional Conduct in the Faculty Manual;
4. [University Policy on Protection of Youth and Mandatory Reporting of Child Abuse, Neglect or Abandonment](#); and
5. [University Policy on Nepotism and Consensual Relationships](#).

A UM Student, Employee, or Faculty determined to have engaged in Sexual Misconduct shall be in violation of this Policy, and subject to disciplinary action, up to and including separation from the University. Affiliates or Guests who violate this Policy may have their relationship with the University terminated and/or their privileges and access to the University’s premises revoked.

The University reserves the right to take action against a Covered Person who commits an act of Sexual Misconduct outside the scope of this Policy.

The University applies the preponderance of the evidence standard when determining whether this Policy has been violated. “Preponderance of the evidence” means that it is more likely than not that a policy violation occurred.

The University’s investigation of Sexual Misconduct is performed under the authority of the University’s Title IX Coordinator, and is an administrative investigation to determine whether a violation of this Policy. Such an investigation is not a substitute for civil or criminal charges, or for any other administrative or legal process that either party may wish to pursue.

Other forms of discrimination, including discrimination based on race, religion, national origin, age and disability are addressed by: (1) the [University’s Equal Employment Opportunity Policy](#); and (2) the [Equal Opportunity/Non-Discrimination Policy in the Student Rights and Responsibility Handbook](#).

This Policy supersedes any conflicting information contained in any University policy or procedure with respect to the definitions of, or procedures relating to, Sexual Misconduct.

### **III. POLICY**

The University does not discriminate on the basis of sex, sexual orientation, gender, or gender identity or expression, in its education or employment programs and activities. The University prohibits, and will not tolerate, any form of Sexual Misconduct, including Dating Violence, Domestic Violence, Sex- or Gender-Based Discrimination, Sexual Assault (including Sexual Battery), Sexual Exploitation, Sexual Harassment, and Stalking. In addition, an attempt to commit an act of Sexual Misconduct, even if not completed, is also a violation of this Policy; accordingly, an attempted act of Sexual Misconduct will be resolved or adjudicated under this Policy following the same procedure as if the act was completed.

Sexual Misconduct is sex-based discrimination prohibited by federal laws, including Title IX, and may also constitute criminal activity. Sexual Misconduct is prohibited regardless of the biological sex, sexual orientation, gender, gender identity, or gender expression of the persons involved.

In accordance with applicable state and federal laws, the University must take prompt and effective steps to prevent the occurrence of Sexual Misconduct and remedy its discriminatory effects. In addition, the University prohibits Retaliation against anyone who files a good faith complaint of Sexual Misconduct, anyone to whom a complaint of Sexual Misconduct is filed, or anyone who participates in an investigation of Sexual Misconduct. Likewise, the University will not tolerate or condone the deliberate filing of false accusations. An individual found to have made, or encouraged another to make, a bad faith complaint is in violation of University Policy and may be subject to disciplinary action.

### **IV. DEFINITIONS**

For purposes of this Policy, the following definitions apply:

- A. **Advisor** means a support person or other person selected by a participant in an investigation in accordance with the applicable procedure, to attend interviews and investigative meetings with the participant. An Advisor may not be someone who is a participant in the investigation (e.g., a witness to the incident). If the Advisor is present during an investigative meeting, the Advisor is an observer, and may not speak on behalf of the participant.
- B. **Complainant** refers to an individual who files a complaint of sexual misconduct alleging a violation of this Policy.
- C. **Consent** means an intelligent, knowing, and voluntary agreement to engage in specific activity, and shall not be construed to include submission obtained by force, intimidation, threat, blackmail, extortion, or any other method of coercion or duress.

For purposes of this definition:

- Intelligent means verbally or otherwise communicated;
- Knowing means the person must have specific knowledge of each activity they are agreeing to engage in; and
- Voluntary means done, given, or acting of one's own free will, and not through force, intimidation, threat, blackmail, extortion, or any other method of coercion or duress; "giving in" is not the same as providing consent.

Consent **cannot** be given:

1. By someone who Respondent knew or should have known was under 18 years of age; or
2. By someone who Respondent knew or should have known had a temporary or permanent disability making them unable to consent; or

3. By someone who Respondent knew or should have known was intoxicated (by alcohol or another substance). While this is not an exhaustive list of indicators for intoxication, the following factors should be considered in determining whether a person was intoxicated:
    - a. Respondent knew the person had been drinking or using drugs, and/or knew how much the person had consumed;
    - b. The person was visibly stumbling or otherwise was at a loss of equilibrium;
    - c. The person had noticeably bloodshot, glassy or unfocused eyes;
    - d. The person exhibited any of the signs of alcohol poisoning;
    - e. The person was known to have vomited as a result of consumption of an intoxicating substance;
    - f. The person was known to be disoriented or confused as to their whereabouts, or the time and date; or
    - g. The person has exhibited the loss of consciousness at any point between the consumption of the intoxicating substance and the alleged sexual activity.
- D. **Interim Protective Measures** means reasonably available steps the University may take to protect the parties while a review or investigation of a Sexual Misconduct complaint is pending. Interim measures may include, but are not limited to, possible absences employment or the academic program and arrangements for alternate academic, living or employment accommodations. Interim Protective Measures will be withdrawn at the conclusion of the formal disciplinary process if the disciplinary process is activated. The University may also withdraw Interim Protective Measures at the conclusion of a review or an investigation, or at any point thereafter, if the University concludes that the Interim Protective Measure is no longer necessary or appropriate.
- E. **Relationship Violence** includes any act of sexual, physical, or psychological violence, abuse, or aggression, or threats thereof, which is committed by one person against another person with whom they are (or were) in a dating/intimate or domestic relationship. Dating Violence and Domestic Violence, each defined below) are forms of Relationship Violence. Dating Violence and Domestic Violence are prohibited regardless of the sexuality of the persons involved, or the presence of multiple parties in the relationship.
1. **Dating Violence** means violence committed by a person who has been in a romantic or intimate relationship with the victim. Whether there was such a relationship will be gauged by the length, type, and frequency of interaction between the parties involved. Dating Violence can take on the same forms as Domestic Violence (defined below).
  2. **Domestic Violence** means abusive behavior that is used by an intimate partner to gain or maintain power and control over the other party. Domestic Violence can take the form of assault, aggravated assault, battery, aggravated battery, sexual assault, sexual battery, false imprisonment, or any criminal offense resulting in physical injury or death of one family or household member by another family or household member. Examples of domestic relationships include: current or former spouses, individuals who have a child in common or with whom a child in common has been conceived; individuals who have lived together in a domestic partnership; and a child or other protected individual of the person.
- F. **Respondent** refers to an individual who is alleged to have engaged in Sexual Misconduct.
- G. **Responsible Employee** means a University employee who has the authority to redress Sexual Misconduct; who has a duty to report incidents of Sexual Misconduct or other incidents; or who an individual could reasonably believe has such authority or duty. A “Responsible Employee” includes, without limitation, all University faculty, non-confidential staff in their supervisory roles, teaching assistants, institutional law enforcement, and personnel in Athletics, Residential Life and Student Affairs. A Responsible Employee who receives an oral or written complaint of Sexual Misconduct involving University faculty, staff, students, or affiliates has an affirmative responsibility to promptly report the complaint to the Title IX Coordinator under Sections VI and X

of this Policy. Duties of Responsible Employees are further described in Sections VI.B.3, VI.E, and X of this Policy.

- H. **Retaliation** means any adverse action taken against an individual for making a good faith report of Sexual Misconduct or participating in any investigation or proceeding under this Policy. Retaliation includes threatening, intimidating, harassing or any other conduct that would discourage a reasonable person from engaging in activity protected under this Policy.
- I. **Sex- or Gender-Based Discrimination** means unlawful discrimination against an individual because of the individual's actual or perceived sex or gender in regard to hiring, termination, promotion, compensation, training, admission, dismissal, advancement, graduation or any other term, condition or privilege of employment or student status. Prohibited sex discrimination under Title IX includes, but is not limited to: (1) harassment based on gender identity or nonconformity with sex stereotypes, and not necessarily involving conduct of a sexual nature; (2) applying any rule concerning parental, family, or marital status that treats persons differently on the basis of sex; and (3) discriminating against or excluding any student from its education program or activity, including any class or extracurricular activity on the basis of pregnancy, childbirth, false pregnancy, termination of pregnancy, or recovery therefrom.
- J. **Sexual Assault** means any act, of a sexual nature, directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent. For purposes of this Policy, Sexual Assault includes the following acts:
  - 1. **Rape** is defined as 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.
  - 2. **Fondling** is defined as the touching of the private parts of another person for the purposes 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.
  - 3. **Incest** is defined as non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
  - 4. **Statutory Rape** is defined as non-forcible sexual intercourse with a person who is under the statutory age of consent.

For purposes of this Policy, Sexual Assault also includes sexual intercourse by any person who has chancroid, gonorrhea, granuloma inguinale, lymphogranuloma venereum, genital herpes simplex, chlamydia, nongonococcal urethritis (NGU), pelvic inflammatory disease (PID)/acute salpingitis, syphilis, or human immunodeficiency virus infection, when such person knows they are infected with one or more of these diseases and when such person has been informed that they may communicate this disease to another person through sexual intercourse, to have sexual intercourse with any other person, unless such other person has been informed of the presence of the sexually transmissible disease and has consented to the sexual intercourse.

- K. **Sexual Battery** is a form of Sexual Assault. Sexual Battery means non-consensual oral, anal, or vaginal penetration by or union with the sexual organ of another or by any other object, and includes non-consensual sexual touching (fondling) or intentional contact with the breasts, buttocks, groin, or genitals.
- L. **Sexual Exploitation** means taking non-consensual or abusive sexual advantage of another person for one's own advantage or benefit, or for the advantage or benefit of anyone other than the person being exploited.

For purposes of this Policy, Sexual Exploitation also includes: (1) Knowingly compiling, entering into, or transmitting by use of computer, computer online service, Internet service, local bulletin board service, cellular phone, or any other device capable of electronic data storage or transmission; (2) Making, printing, publishing, or reproducing by any means; (3) Knowingly causing or allowing to be entered into or transmitted; or (4) Buying, selling, receiving, exchanging, or disseminating, any of the following:

- (a) Any notice, statement, or advertisement of a person's name, telephone number, place of residence, physical characteristics, or other descriptive or identifying information, for purposes of facilitating, encouraging, offering, or soliciting sexual conduct of or with that individual; or
- (b) Any audio recording and/or visual depiction of sexual conduct with an individual.

M. **Sexual Harassment** means any unwelcome sexual advance, unwelcome request for sexual favors, or unwelcome verbal or physical conduct of a sexual nature, generally characterized by non-consensual, unwelcome sexual behavior whether between people of the same gender or different genders or sexual orientation when:

1. Submission to or rejection of such conduct is made, either explicitly or implicitly, a term or condition of an individual's employment, evaluation of academic work, or participation in any aspect of a University program or activity;
2. Submission to or rejection of such conduct by an individual is used as the basis for academic, employment, or activity or program participation-related decisions affecting an individual; or
3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance, i.e., it is sufficiently severe or pervasive to create an intimidating, hostile, humiliating, demeaning or sexually offensive working, academic, residential or social environment, (a) of a specific individual or those around them; (b) even if someone else is the target of the behavior; or (c) even if the individual is initially unaware of the behavior.

Sexual Harassment, including sexual violence, can include any or all of the following behaviors, as well as others which are not listed:

- a. Harassment through public or private insult, sexually suggestive comments concerning a person's body or behavior, and sexual demands;
- b. Subtle or overt pressure to comply with demands of sexual activity;
- c. Remarks about another person's clothing, body, sexual activities, sexual preferences, gender identity or sexual orientation, as well as teasing, jokes, remarks, or gestures which are sexual in nature;
- d. Unnecessary touching, pinching, patting, or exposure of another person's body;
- e. Unwarranted staring at another person's body;
- f. Unwanted communications of a sexual nature in any form, over any medium, and in any media;
- g. Requests or demands for sexual favors accompanied by implied or overt threats or promised rewards, e.g., grades, class or clinical assignments, recommendations, student employment (for students) or assignments, promotions, discipline, references (for employees);
- h. Repetition of unwanted invitations for dates; or
- i. Physical assault of a sexual nature, up to and including attempted or actual rape.

N. **Stalking** means a course of conduct directed at a specific person that would cause a reasonable person to fear for her/his safety or the safety of others, or to suffer substantial emotional distress. Stalking includes the concept of cyber-stalking, a particular form of stalking in which electronic media such as the internet, social networks, blogs, cell phones, texts, or other similar devices or forms of contact are used.

## **V. TITLE IX COORDINATOR AND COMPLIANCE OVERSIGHT**

- A. The **Title IX Coordinator** is the University's representative responsible for monitoring compliance with this Policy, as well as related federal statutes and regulations concerning the prohibition of Sexual Misconduct in higher education. The Title IX Coordinator is also responsible for providing education, training, and notifications; overseeing complaints; and coordinating the University's investigation, response, and resolution of all reports under this Policy. The Title IX Coordinator is available to assist all members of the University community, on all University campuses, with any questions about this Policy:

### **University's Title IX Coordinator**

Beverly Pruitt, *Interim* Title IX Coordinator  
Asst. Vice President, Workplace Equity & Performance  
University of Miami Human Resources  
1320 South Dixie Highway, Suite 1155  
Coral Gables, FL 33146  
Telephone: 305-284-8624  
Email: [titleixcoordinator@miami.edu](mailto:titleixcoordinator@miami.edu)  
Website: [www.miami.edu/titleix](http://www.miami.edu/titleix)

- B. The Title IX Coordinator works in cooperation with Deputy Title IX Coordinators (defined below), and Title IX Liaisons (defined below), across the University campuses in the performance of the Title IX compliance functions.
1. "**Deputy Title IX Coordinators**" have been designated by the University to perform the duties of the Title IX Coordinator in this Policy when the Title IX Coordinator is absent or cannot perform such duties due to a conflict of interest in a particular case. A Deputy Title IX Coordinator is available at all times to assist specific members of the University community within their role or campus location. A current list of Deputy Title IX Coordinators is posted at [www.miami.edu/titleix](http://www.miami.edu/titleix) under *Title IX Coordinators*.
  2. "**Title IX Liaisons**" are individuals throughout the UM community who help provide sexual misconduct resources to the UM community, and help develop and implement sexual misconduct prevention and awareness programs. Title IX Liaisons, while acting in that capacity, are Responsible Employees, and must report any sexual misconduct incident to the Title IX Coordinator. The list of Title IX Liaisons is posted at [www.miami.edu/titleix](http://www.miami.edu/titleix) under *Title IX Liaisons*.

## **VI. COMPLAINTS AND DUE PROCESS**

- A. Once the University knows or reasonably should know of alleged Sexual Misconduct, it will take prompt and appropriate action to investigate or inquire to determine what occurred. This applies to Sexual Misconduct covered by this Policy whether or not a parallel law enforcement action is pending or if a formal complaint is filed.

Individuals seeking confidential guidance related to a Sexual Misconduct matter should speak with those who have a professional or legal obligation to keep communications confidential as identified in Section IX of this Policy as a "Confidential Resource."

### **B. Filing a Complaint**

1. Incidents of Sexual Misconduct may be reported to the University, to an external agency, to local law enforcement, or to any combination of the three.

If a Sexual Misconduct complaint is reported to the University and also to an external agency or law enforcement, the University will take appropriate steps to ensure its

compliance with applicable processes, once the University is made aware of the external report. In some instances, the University may need to delay temporarily any fact-finding while police are initially gathering evidence.

2. Incidents of Sexual Misconduct may be reported to the University by anyone:
  - a. Online (through [It's On Us UMiami](#) or [CaneWatch](#)),
  - b. By contacting [the Title IX Coordinator or a Deputy Title IX Coordinator](#) directly;
  - c. With the assistance of a [Title IX Liaison](#), or
  - d. By informing a Responsible Employee.

Complaints of Sexual Misconduct related to employment may also be filed directly with the Office of Workplace Equity and Performance (WEP) in University Human Resources Department either (i) by submitting the complaint form available at [www.miami.edu/wep](http://www.miami.edu/wep), or (ii) by contacting WEP directly at (305) 284-3064 or at [wep@miami.edu](mailto:wep@miami.edu).

3. If a Covered Person informs a Responsible Employee of an incident of Sexual Misconduct:
  - a. The Responsible Employee shall inform the Covered Person of the Responsible Employee's obligation to report the incident, and that the Title IX Coordinator (or designee) will contact the Covered Person directly to provide them with options and resources. Responsible Employees will honor and support a Covered Person's wishes with regard to the handling of the Sexual Misconduct complaint, including whether to proceed with the formal disciplinary process or to report the incident to law enforcement.
  - b. If the Covered Person wants to maintain confidentiality and/or requests that no investigative or disciplinary measures be taken, the Responsible Employee shall advise the Covered Person that the University will consider the request but cannot guarantee that the University will be able to honor the request. Responsible Employees shall not pressure a Covered Person to request confidentiality.
  - c. The Responsible Employee shall report the incident, as well any confidentiality or handling request by the Covered Person, to the Title IX Coordinator. The Title IX Coordinator will evaluate any confidentiality or handling requests in accordance with Section VIII. D of this Policy.

C. After receiving a complaint with an allegation of Sexual Misconduct, the Title IX Coordinator will determine if the allegations are Sexual Misconduct subject to this Policy. Complaints of Sexual Misconduct will be investigated and resolved in accordance with the applicable University procedure:

1. Complaints Against UM Students, Employees or Faculty. Generally, the applicable University procedure for investigating and resolving complaints of Sexual Misconduct is determined by the status of Respondent, as set forth below:

<b>Respondent:</b>	<b>Applicable Procedure:</b>	<b>University Department Responsible for Investigation:</b>	<b>Department Contact Information:</b>
UM Student	Disciplinary Procedures for Reported Sexual Misconduct or Sex- or Gender-Based Discrimination in the <a href="#">Student Rights and Responsibilities Handbook</a>	Dean of Students Office	Deputy Title IX Coordinator (students)  305-284-5353



<b>Respondent:</b>	<b>Applicable Procedure:</b>	<b>University Department Responsible for Investigation:</b>	<b>Department Contact Information:</b>
Employee (including UM Residents and other non-Faculty)	Administrative Review pursuant to <a href="#">University's Equal Employment Opportunity Policy</a>	Office of Workplace Equity and Performance	Deputy Title IX Coordinator (staff) 305-284-3064
Faculty	Procedures of the Committee on Professional Conduct in the Faculty Manual	Office of Vice Provost for Faculty Affairs	Deputy Title IX Coordinator (faculty) 305-284-2002

2. Complaints Against a Respondent Who Has Multiple Roles Within the University.

Where Respondent has multiple roles within the University, the University's Title IX Coordinator will determine which of the procedures will apply based on the facts and circumstances of a particular incident, such as which role predominates and/or the role most applicable in the incident. For example, if Respondent is a full-time employee and a part-time student at the University, Respondent's predominant role as employee may require that the incident be reviewed under the procedures applicable to employees.

3. Complaints Involving Affiliates.

- a. The University's Affiliates will be informed of the University's commitment to provide UM Students, Employees and Faculty with a workplace and learning environment free of Sexual Misconduct.
- b. Affiliates and Affiliates' employees are encouraged to report complaints of Sexual Misconduct involving UM Students, Employees and Faculty to the Title IX Coordinator.
- c. UM Students, Employees and Faculty are subject to discipline for Sexual Misconduct directed toward employees and others in the Affiliate's location.
- d. Affiliates will be asked to work with the University in confidence (i) to investigate complaints involving an Affiliate's employee, or where the incident occurred at the Affiliate's location; and (ii) to eliminate Sexual Misconduct through education and, if need be, employee sanctions.
- e. The University cannot discipline employees of its Affiliates, but the University will cooperate with its Affiliate to resolve such complaints, and take reasonable steps to prevent Sexual Misconduct that may be directed toward the Covered Person and others. The University will attempt to resolve the issue, as soon as practicable, and may reassign Complainant to another area or supervisor, if a resolution is not feasible. If necessary and practicable, the University may also work with the Affiliate to co-investigate the complaint under the Affiliate's process.

4. Complaints Involving Guests. Complaints of Sexual Misconduct by Guests should be reported to the Title IX Coordinator. After discussion with the Covered Person and a review of the

circumstances, the University will take reasonable steps to prevent Sexual Misconduct that may be directed toward Complainant and others.

- D. The University Department Responsible for Investigation will conduct the investigation through or with the Title IX Coordinator, the Deputy Title IX Coordinator, or another designee trained to conduct Sexual Misconduct investigations ("**Investigator**"). In general:
1. In the event of a conflict of interest between the parties and an Investigator, the Title IX Coordinator will work with the appropriate offices within the University to have an alternate Investigator assigned within five (5) business days to conduct the investigation.
  2. The University may not attempt to resolve a complaint of Sexual Assault (including Sexual Battery), or Relationship Violence informally, such as through a conference with the parties or mediation. If requested, and agreed to in writing by both parties, the University may allow informal resolution of other Sexual Misconduct matters.
  3. The Investigator will notify persons with administrative disciplinary authority over Respondent that an investigation is pending.
  4. The Investigator will notify and interview Complainant, Respondent and any other persons with factual knowledge of the circumstances surrounding the complaint.
  5. Any participant in the investigative process may attend interviews with an Advisor, upon advance written notice to the Investigator. If the person selected to be an Advisor has a conflict of interest, the Investigator will reschedule the meeting to allow the participant time to arrange another Advisor. If the participant is a staff member, the [University's Equal Employment Opportunity Policy](#) applies.
  6. The Investigator is authorized to require University offices to produce documentary evidence (e.g., emails, work records, prior grievances) relevant to the allegation, subject to any standard document request procedures set forth by the University from time to time.
  7. If a hearing is an available recourse under the applicable procedures, and if an investigation of a Sexual Misconduct matter progresses to a hearing, then the Investigator will arrange, if requested, simultaneous virtual conferencing so that Complainant(s) and Respondent(s) may appear before the University hearing panel from separate locations during the hearing.
  8. The Investigator will provide written notice of the final outcome of the investigation to Complainant(s) and Respondent(s). Discipline or sanctions may be imposed if the final outcome notice reflects a violation of the Policy. Additional administrative or remedial measures, including environmental changes and educational programing, may be required where the University dean, vice president, unit head, or designee, in consultation with the Title IX Coordinator, determines that these measures will improve compliance with and understanding of the Policy.
- E. In addition to their reporting obligations as a Responsible Employee, any Employee or Faculty who is aware of an incident of Sexual Misconduct is expected to comply with this Policy before, during and after the investigative process. All Employees and Faculty are expected to:
1. Recognize that there is a presumption of innocence of the parties;
  2. Advise the Title IX Coordinator of any Interim Protective Measures taken, and consult in advance where practical;
  3. Support the prohibition against Retaliation, and report any potential Retaliation to the Investigator; and

4. Treat the matter in strict confidence for the protection of Complainant(s) and Respondent(s).

Employees and Faculty may be subject to discipline for interfering with an investigation, or for failing to cooperate with the Investigator's request for information, and such discipline may include, if circumstances warrant, separation from the University.

For further information or if you have any questions or concerns, please review the University's Title IX webpage at [www.miami.edu/titleix](http://www.miami.edu/titleix) or call the Title IX Coordinator at 305-284-8624.

## **VII. PROTECTIVE MEASURES AND ACCOMMODATIONS**

- A. Upon receipt of a complaint of Sexual Misconduct, the University may take and/or make available reasonable and appropriate measures to protect Complainant, and/or Complainant's continued participation in their University employment or educational programs and activities. Such protective measures and accommodations, which may be temporary or permanent, may include, but are not limited to, separation orders, residence modifications, academic accommodations, work schedule modifications, and other reasonable and appropriate measures.
- B. The University also may take and/or make available such measures and accommodations for Respondents where reasonable and appropriate under the circumstances.
- C. Reasonable and appropriate protective measures are available for Complainants or Respondents regardless of whether a formal disciplinary proceeding under the applicable procedures is pursued.
- D. All Employees and Faculty are expected to comply with an Investigator's request for, or implementation of, protective measures and accommodations under this Policy, and may be subject to discipline for failing to do so. Such discipline may include, if circumstances warrant, separation from the University.
- E. Interim Protective Measures, as defined in Section IV.D above, will be withdrawn at the conclusion of the formal disciplinary process if the disciplinary process is activated. The University may also withdraw Interim Protective Measures at the conclusion of a review or an investigation, or at any point thereafter, if the University concludes that the Interim Protective Measure is no longer necessary or appropriate.

## **VIII. PRIVACY AND CONFIDENTIALITY**

- A. The University is committed to protecting the privacy of Covered Persons involved in a report under this Policy. Privacy generally means that information related to a report of Sexual Misconduct will be shared with a limited circle of individuals who "need to know" in order to assist in the active review, investigation, resolution of the report, and related issues, and in compliance with applicable law. The University also is committed to providing assistance to help Covered Persons make informed choices. With any report under this Policy, the University will make reasonable efforts to protect the privacy interests of Covered Persons involved in a manner consistent with the need for a careful investigation and adjudication of the allegations. The privacy of student education records will be protected in accordance with the Family Educational Rights and Privacy Act (FERPA). The privacy of an individual's medical and related records is generally protected by the Health Insurance Portability and Accountability Act (HIPAA).
- B. The University recognizes that Sexual Misconduct and allegations thereof are a sensitive subject matter for all parties involved. However, persons should be aware that the University may need to disclose information in order to conduct an investigation, resolve a complaint, and comply with applicable law. The University shall share details about investigations with those who have a need to know.

- C. The Title IX Coordinator will work collaboratively with a reporting individual and the parties involved to establish the appropriate parameters of confidentiality in each case, always making every effort to operate with discretion and maintain the privacy of the individuals involved. Investigations of complaints of Sexual Misconduct often require that Complainant's identity to be known by the party or parties whose conduct is being reviewed.

A request for confidentiality may limit the University's ability to respond to the complaint. Where there is a need to preserve the health and safety of the victim and/or members of the University community, information may be shared on a need-to-know basis.

- D. If a Covered Person requests that the University keep the matter confidential, or not pursue action against Respondent(s), the Title IX Coordinator will carefully evaluate that request by balancing Complainant's wish for privacy against the safety and welfare of the UM community. The University will weigh such requests against the University's obligation to provide a safe, non-discriminatory environment. There will be times when the University may not be able to honor a Covered Person's request in order to comply with this obligation.

1. In determining whether the University can honor a Covered Person's request for confidentiality, the Title IX Coordinator will consider the following factors:

- a. The increased risk that the alleged perpetrator will commit additional acts of Sexual Misconduct, such as:
  - i. Whether there have been other Sexual Misconduct complaints about the same Respondent;
  - ii. Whether Respondent has a history of arrests or records from a prior school indicating a history of violence;
  - iii. Whether Respondent threatened future sexual violence or other violence against the Covered Person or others; or
  - iv. Whether the Sexual Misconduct was committed by multiple perpetrators.
- b. Whether the Sexual Misconduct was perpetrated with a weapon;
- c. Whether the Covered Person is a minor;
- d. Whether the University possesses other means by which to obtain relevant evidence of the Sexual Misconduct; and/or
- e. Whether the Covered Person's report reveals a pattern of Sexual Misconduct at a given location or by a particular group.

2. The presence of one or more of these factors could lead the University to investigate and, if appropriate, pursue disciplinary action, despite a Covered Person's request to the contrary.

- E. The Title IX Coordinator will make the ultimate decision as to whether the request will be honored. If the Title IX Coordinator determines that confidentiality cannot be maintained, that an investigation must occur, or that disciplinary measures must be taken, the Title IX Coordinator will inform the Covered Person prior to starting an investigation and will, to the extent possible, only share information with those individuals responsible for the investigative and disciplinary processes. In those instances where the Covered Person is an Employee, the [University's Equal Employment Opportunity Policy](#) will apply.

**IX. RESOURCES**

In addition to the individuals and offices mentioned above, the University offers other on-campus resources to provide support and guidance throughout the investigation and resolution of a complaint of Sexual Misconduct.

For additional information regarding emergency assistance, hospitals, as well as other support on-campus, in the surrounding community, and concerning academics, housing, and work, you may also contact the Sexual Assault Resource Team (SART) Hotline at 305-798-6666.

- SART is available to assist all members of the University community who want to know about resources for those who have experienced sexual violence.
- Any SART volunteer can facilitate contacting appropriate medical personnel as soon as possible following the incident to obtain attention and guidance in the preservation of evidence needed for proof of criminal assault, and the apprehension and prosecution of assailants.

**A. CONTACT UNIVERSITY PROTECTIVE SERVICES AND REPORT A CRIME**

To report a crime or emergency, call or go to the nearest UM police or security officer.

<b>Campus</b>	<b>Department</b>	<b>To Report Emergencies, Call:</b>	<b>For Non-Emergency, Security or Safety Related Matters, Call:</b>
Coral Gables	University of Miami Police Department	911 or 305-284-6666  (8-6666 from a campus phone)	305-284-6666  (8-6666 from a campus phone)
Miller School of Medicine Campus	Department of Public Safety	911	305-243-6000 or 305-243-SAFE  (6-6000 or 6-7233 from a campus phone)
Rosenstiel Marine Campus (RSMAS)	Campus Safety Department	911	305-710-7991 or 305-421-4766  (5-4766 from a campus phone)

Any person may contact the UM Police or Safety Department directly at any time. Some forms of discrimination on the basis of sex or gender, e.g., all forms of sexual violence, may constitute a crime. The University will assist any individual who wishes to report alleged criminal conduct under this Policy to appropriate enforcement authorities. Contact information for local law enforcement agencies is given below:

Coral Gables Police Department	2801 Salzedo Street Floor 1 Coral Gables, FL 33134	305-442-1600	<a href="http://www.coralgables.com/index.aspx?page=1015">http://www.coralgables.com/index.aspx?page=1015</a>
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City of Miami Police Department	400 NW 2nd Avenue Miami, Florida 33128	305-579-6111	<a href="http://www.miami-police.org/index.asp">http://www.miami-police.org/index.asp</a>
South Miami Police Department	6130 Sunset Drive South Miami, FL 33143	305-663-6301	<a href="http://southmiamifl.gov/184/Police-Department">http://southmiamifl.gov/184/Police-Department</a>
Miami-Dade Police Department	9105 NW 25 St. Doral, FL 33172	305-476-5423  Rape Hotline – 305-585-RAPE (7273)	<a href="http://www.miamidade.gov/Police/">http://www.miamidade.gov/Police/</a>
Palm Beach County Sheriff Office	3228 Gun Club Rd West Palm Beach, FL 33406	(561) 688-3000  Sexual Assault Hotline (24 hours) – 561-833-7273  Domestic Violence Unit - 561-688-3975 561-688-4195 561-688-3972	<a href="http://www.pbso.org/">http://www.pbso.org/</a>

**B. SEEK MEDICAL ATTENTION**

**In case of emergency, contact 911 for fastest access to services, or go to the nearest emergency room:**

Going to a rape treatment center within 72 hours of the incident can be key, especially if you are interested in having genetic material collected. If possible, do not take a shower before going and bring the clothes that you were wearing when the assault occurred.

**1. The Roxcy Bolton Rape Treatment Center**

at Jackson Memorial Hospital  
1611 NW 12th Avenue  
Miami, FL 33136  
Telephone: (305) 585-5186

Provides 24/7 specialized sexual violence treatment including forensic examinations to collect evidence, preemptive treatment for sexually transmitted diseases, and preemptive pregnancy treatment. In addition, they have information about community resources and options for individuals who have experienced sexual assault. All their services are free of charge and completely confidential.

You can bring a friend or a University of Miami SART advocate can go with you. You can contact SART at 305-798-6666.

**2. The Butterfly House**

at Wellington Regional Medical Center  
10101 Forest Hill Boulevard  
Wellington, FL 33414  
24/7 Helpline: (866) 891-7273

The Butterfly House is a freestanding forensic exam facility in Palm Beach County maintained by Palm Beach County Victim Services. Opened in 2011, it has been the go-to facility for many

of the forensic exams in Palm Beach County. The site features an exam room, an interview room, and supplies to make the evidence collection process more comfortable. Exams are performed by our SANE (Sexual Assault Nurse Examiner) nurses with a victim advocate present for support.

3. **Emergency Rooms** at any hospital can provide emergency treatment related to sexual violence; however ER training is not as specialized as a rape treatment center, and the ER may not be able to provide forensic examinations.

**Doctors Hospital**

Baptist Health South Florida  
5000 University Drive  
Coral Gables, FL 33146  
Telephone: (786) 308-3000

Website: <https://baptisthealth.net/en/facilities/doctors-hospital/pages/default.aspx>

**Baptist Hospital**

Baptist Health South Florida  
8900 North Kendall Drive  
Miami, FL 33176  
Telephone: (786) 596-1960

Website: <https://baptisthealth.net/en/facilities/baptist-hospital-miami/pages/default.aspx>

**University of Miami Hospital**

1400 NW 12th Avenue  
Miami, FL 33136  
Telephone: (305) 325-5511

Website: <http://uhealthsystem.com/>

**JFK Medical Center – Main Campus**

Emergency Room  
5301 South Congress Avenue  
Atlantis, FL 33462  
Telephone: (561) 548-3836

Website: <https://jfkmc.com/locations/>

**Wellington Regional Medical Center**

10101 Forest Hill Boulevard  
Wellington, FL 33414  
Telephone: (561) 798-8500

Website: <https://www.wellingtonregional.com/>

**In non-emergency cases, you can seek medical treatment from one of the following providers:**

4. **Student Health Service** (Confidential Resource)

Lennar Medical Foundation  
Coral Gables Campus  
5555 Ponce De Leon Blvd.  
Coral Gables, FL 33146  
Telephone: (305) 284-9100

Provides general support and referral for counseling and medical care for students who have been sexually assaulted.

The Student Health Service cannot perform a rape examination to collect evidence. If your initial intention is to forego rape examination at a rape treatment center, an examination at

Student Health Service will undermine evidence collected at a future date. Even if your initial intention is not to pursue action against you assailant, it is best to go to the **Rape Treatment Center** where proper examination and treatment can be initiated and evidence collected for possible use in the future.

The Student Health Service has the obligation to report sexual assault of minors (under 18) to the Department of Children and Family Services.

5. **Urgent Care** (Confidential Resource)  
UHealth Primary Care Family Medicine  
Sylvester Comprehensive Cancer Center  
Miller School of Medicine  
1475 NW 12th Avenue, 3rd Floor  
Miami, Florida 33136  
Telephone: (305) 243-1000 or (800)545-2292  
Website: <http://biomed.miami.edu/current-students/student-health>

Medical School Graduate Students may receive urgent care, without additional cost, at this location. Urgent care is available for issues that cannot wait to be addressed at the Student Health Service or by appointment at a physician's office. For example, influenza, upper respiratory infections and urinary tract infections could be treated through urgent care.

6. **Employee Health Services** (Confidential Resource)  
**Coral Gables Campus**  
McKnight Building  
5807 Ponce de Leon Boulevard, Suite 109  
Coral Gables, FL 33146  
Monday – Friday, 7:30 a.m. – 3:30 p.m.  
Telephone: (305) 284-WELL  
  
**Miller School of Medicine Campus**  
Professional Arts Center  
1150 N.W. 14th Street, Suite 708  
Miami, FL 33136  
Monday – Friday, 7:30 a.m. – 3:30 p.m.  
Telephone: (305) 243-WELL

### C. TALK TO SOMEONE CONFIDENTIALLY

The individuals or departments identified in this Section as a “Confidential Resource” are prohibited from breaching confidentiality unless:

- a. given permission to do so by the person who disclosed the information;
- b. there is an imminent threat of harm to self or others;
- c. the conduct involves suspected abuse of a person under the age of 18; or
- d. as required or permitted by law, court order, or this Policy.

Confidential Resources for **Students** include the Student Health Center, the Counseling Center, the licensed clinical social worker in the Dean of Students Office, the licensed psychologist in the Athletics Department, and members of the clergy in the different religious houses on campus.

Confidential Resources for **Employees and Faculty** include the Faculty Staff Assistance Program, and medical providers or licensed counselors at a University of Miami medical facility.

Sexual Assault Resource Team (SART) volunteers are considered Confidential Resources, and are available to assist **Students, Employees or Faculty**.



Confidential Resources are not required to report any personally identifiable information relating to reported instances of Sexual Misconduct to the Title IX Coordinator. However, under the Clery Act, all reported incidents of Sexual Misconduct must be included in the University's annual security report. Confidential Resources must report the incident to the Title IX Coordinator, but such report shall not contain the names of Complainant(s) or Respondent(s).

#### Additional Confidential Resources

1. **Counseling Center** (Confidential Resource)

5513 Merrick Drive  
Coral Gables, FL 33146  
Telephone: (305)284-5511  
Website: <http://counseling.studentaffairs.miami.edu/>

Regular appointments are available Monday through Friday from 9 am to 5 pm. Students can call the center directly at 305 284 5511 to request appointments.

The Counseling Center also provides emergency services during normal business hours. To be seen for an emergency appointment, call the office at 305-284-5511 or simply walk into the center. Be sure to inform the receptionist that you are requesting an emergency appointment and we will make every effort to respond to your situation as quickly as possible.

\*If a crisis occurs when the Center is closed, counselors can be reached by calling the University of Miami Police department at 305 284 6666.\*

Dr. Addys Karunaratne is available to meet with students on the medical campus in the Clinical Research Building.

2. **Department of Psychiatry and Behavioral Sciences** (Confidential Resource)

Clinical Research Building (CRB)  
Miller School of Medicine  
1120 NW 14th Street  
Suite 1463  
Miami, FL 33136  
Telephone: (305) 243-2774

In addition to Counseling Center services above, DPBS offers medical students in need up to five free visits with a qualified psychiatrist.

3. **Henderson Student Counseling Services** (Confidential Resource)

3199A Lake Worth Road  
Lake Worth, FL 33461  
Telephone: (954) 424-6868  
Website: <http://www.hendersonbh.org/services/student-counseling/university-of-miami/>

Counseling services for students at the University of Miami Miller School of Medicine Regional Medical Campus

4. **Licensed Clinical Social Worker in the Dean of Students Office** (Confidential Resource)

Nikki Abramson  
Associate Dean of Students & Social Worker  
Dean of Students Office  
1306 Stanford Drive  
Whitten University Center #2250  
Coral Gables, FL 33146-6922  
Telephone: (305) 284-5117  
Email: [nabramson@miami.edu](mailto:nabramson@miami.edu)

5. **Faculty and Staff Assistance Program** (Confidential Resource)

Telephone: (305)284-6604

Website: <http://fsap.miami.edu/>

FSAP office hours are Monday through Friday, 8:30 AM to 5:00 PM.

One-to-one consultations and other supportive services are available by appointment in one of two locations:

<b>Coral Gables Campus</b> Plumer Building, LC 2429 5915 Ponce de Leon Boulevard, Suite 48 Coral Gables, FL 33146	<b>Miller School of Medicine</b> Dominion Tower, LC: M831 1400 NW 10th Avenue, Suite 816 Miami, FL 33136
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6. **'CaneWatch** (Anonymous Reporting Option)

'CaneWatch is open to any individual who wishes to report a concern regarding irregularities at the University of Miami.

Individuals may make an anonymous report – via the web or by telephone – of concerns related to violations of policies and procedures, rules and regulations, or other irregularities or improprieties. 'CaneWatch is hosted by EthicsPoint, a third party hotline provider.

Website: [https://compliance.miami.edu/report\\_a\\_concern/canewatch](https://compliance.miami.edu/report_a_concern/canewatch)

D. **GET ADDITIONAL HELP**

1. **University Office of Student Financial Assistance and Employment**

1306 Stanford Drive  
Whitten University Center, Second Floor  
Coral Gables, FL 33146  
Telephone: (305) 284-6000  
Website: <https://finaid.miami.edu>

Walk-in Advising Hours: (effective September 1, 2016)  
Monday, Tuesday, Thursday, and Friday 9:00 a.m. to 5:00 p.m.  
Wednesday 10:30 a.m. to 5:00 p.m.

Phone Advising Hours: (effective September 1, 2016)  
Monday and Friday 9:00 a.m. to 5:00 p.m.  
Tuesday, Wednesday, and Thursday 9:00 a.m. to 6:00 p.m.

Email:

- Undergraduate students may e-mail the advising staff at [ofas@miami.edu](mailto:ofas@miami.edu).
- Graduate and Professional students may e-mail the advising staff at [gradprof.finaid@miami.edu](mailto:gradprof.finaid@miami.edu).

2. **University Human Resource Services**

Coral Gables/RSMAS	(305) 284-3798
Miller School of Medicine	(305) 243-6482

Current employees may contact their HR Partner for assistance, or visit the employee website for additional information: <http://www.hr.miami.edu>.

3. **Off-Campus Organizations and Hotlines** offering victim assistance and advocacy services, including legal assistance, emergency shelter and transitional housing:

a. **Coordinated Victims Assistance Center (CVAC) of Miami-Dade County**

2400 S. Dixie Highway  
Miami, Florida 33133  
Telephone: (305) 285-5900

Contacts: Ivon Mesa, Director of CVAC: (305) 285-5906  
Violet Felipe-Diaz (CAHSD): (305) 285-5907

Hours: Mon – Fri 8:00 a.m. - 5:00 p.m.

Website: <http://www.miamidade.gov/socialservices/care-violence-victims.asp>

Counties Served: Miami-Dade

Services Provided: Address confidentiality program; community education; criminal justice support/advocacy; crisis counseling; domestic violence relocation assistance; emergency financial assistance; follow up contact; information and referral; outreach services; personal advocacy; professional training; telephone contacts; and victims compensation claims.

b. **Jewish Community Services (JCS) Helpline Services**

735 NE 125th Street  
North Miami, Florida 33161  
JCS Access Helpline: (305) 576-6550  
Website: <https://jcsfl.org/services/switchboard-211/>

Services provided include veterans support; family counseling services; crisis center services; suicide prevention; trauma/violence prevention and intervention; and youth wellness programs.

c. **M.U.J.E.R., Inc.**

27112 South Dixie Highway  
Naranja, FL 33032  
Helpline/Hotline: (305) 763-2459

Contact: Maria Eslait  
Telephone: (305) 247-1388  
Website: [www.mujerfla.org](http://www.mujerfla.org)

Counties Served: Miami-Dade\*\*

Services Provided: 24-hour hotline, information and referral, crisis intervention, advocacy and accompaniment: general, medical, court legal, civil legal, therapy: individual, group and secondary victims, prevention education and training, medical referrals and follow-up to primary and secondary victim/survivor follow-up of sexual assault and domestic violence; case management prevention education; and immigration legal services.

\*\* For other counties, visit the **Florida Council Against Sexual Violence** website: <https://fcasv.org/find-your-local-center>

d. **Victim Response, Inc. – The Lodge**

Crisis Line: (305) 693-0232  
Administrative Line: (305) 693-1170  
E-mail: [info@thelodgemiami.org](mailto:info@thelodgemiami.org)  
Website: <http://www.thelodgemiami.org/home.html>

Services include: 24-hour hotline; emergency shelter, information and referral; counseling; child assessments; advocacy and case management; outreach services including individual counseling, legal resources, injunction assistance, victim's compensation via office of attorney general's office, community resource and referrals, and support groups; children's program; community education; and Financial Relief Economic Empowerment(F.R.E.E.) classes.

e. **Palm Beach County Victim Services & Certified Rape Crisis Center**

Five locations throughout Palm Beach County including:

4210 N. Australian Avenue

West Palm Beach, FL 33407

Telephone: (561) 833-7273

24/7 Helpline: (866) 891-7273

Website: <http://www.pbcgov.com/publicsafety/victimservices/>

Advocates provide emergency services 24 hours a day/7 days a week, every day of the year. Advocates respond to the Butterfly House, hospitals and to law enforcement offices to assist victims of sexual assault.

f. **Aid to Victims of Domestic Abuse (AVDA)**

24-Hour Crisis Hotline: 1 (800) 355-8547

AVDA provide adults and children 24-hour, 7 days a week emergency shelter, crisis counseling, food, clothing, individual and group counseling services. AVDA offers non-residential services to adult victims of domestic violence, including access to relocation assistance through the Victims of Crime Act, legal advocacy, and group domestic violence education for participants. Specific advocacy is offered to victims of stalking and domestic violence sexual assault.

## **X. MANDATORY REPORTING REQUIREMENTS**

- A. Any Responsible Employee who receives a complaint of Sexual Misconduct shall promptly report the complaint to the Title IX Coordinator. No University personnel is authorized to investigate or resolve complaints of Sexual Misconduct without the involvement of the Title IX Coordinator.
- B. Because Sexual Misconduct may constitute both a violation of University Policy and a crime, the University encourages Covered Persons to report incidents of Sexual Misconduct to the UM campus police or appropriate law enforcement agencies. The University will comply with its legal and policy obligations to report Sexual Misconduct that may constitute child abuse, abandonment, and neglect. (See [University Policy on Protection of Youth and Mandatory Reporting of Child Abuse, Neglect or Abandonment](#))
- C. The University will continue to report instances of Sexual Misconduct in accordance with the Clery Act. Pursuant to the Clery Act, the University includes statistics about certain offenses in the University's annual security report, and provides those statistics to the United States Department of Education, but does so in a manner that does not include any identifying information about persons involved in an incident.

## **XI. EXTERNAL REPORTING OPTIONS**

- A. For Students. For assistance related to civil rights in education, you may contact the **United States Department of Education Office for Civil Rights (OCR)** Enforcement Office serving your state or territory or the OCR headquarters office in Washington D.C.

<p>The <b>OCR Enforcement Office for Florida institutions</b> is:</p> <p>Atlanta Office  United States Department of Education  Office for Civil Rights  61 Forsyth St. S.W., Suite 19T10  Atlanta, GA 30303-8927</p> <p>Telephone: (404) 974-9406  Fax: (404) 974-9471  TDD: (800) 877-8339  Email: <a href="mailto:OCR.Atlanta@ed.gov">OCR.Atlanta@ed.gov</a></p> <p>Contact the OCR Enforcement Office if you wish to file a complaint, or if you need technical assistance on a problem or assistance to prevent civil rights problems.</p> <p>You can also file a complaint online:  <a href="http://www.ed.gov/about/offices/list/ocr/complaintintro.html">http://www.ed.gov/about/offices/list/ocr/complaintintro.html</a></p>	<p>The <b>OCR National Headquarters</b> is located at:</p> <p>U.S. Department of Education  Office for Civil Rights  LBJ Department of Education Bldg.  400 Maryland Avenue, SW  Washington, DC 20202-1100</p> <p>Telephone: (800) 421-3481  Fax: (202) 453-6012  TDD: (800) 877-8339  Email: <a href="mailto:OCR@ed.gov">OCR@ed.gov</a></p> <p>Contact the OCR headquarters office if you have a question on national policy, to make a Freedom of Information request for information that is national in scope, or to request publications or other assistance that is not available online.</p>
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**B. For Employees**

**1. US Equal Employment Opportunity Commission (EEOC)**

Miami District Office, Miami Tower  
100 SE 2nd Street, Suite 1500  
Miami, FL 33131  
Phone: (800) 669-4000  
Fax: (305) 808-1855  
Website: <https://www.eeoc.gov/field/miami/index.cfm>

**2. Florida Commission on Human Relations (FCHR)**

4075 Esplanade Way, Room No. 110  
Tallahassee, FL 32399-7020  
Phone: (850) 488-7082  
Toll-Free: 1-800-342-8170  
Fax: (850) 487-1007  
Website: <http://fchr.state.fl.us>  
Email: [fchrinfo@fchr.myflorida.com](mailto:fchrinfo@fchr.myflorida.com)

For Those with Communication Impairments:  
The Florida Relay Service Voice (statewide) 711  
TDD ASCII (800) 955-1339  
TDD Baudot (800) 955 - 8771

**3. Miami-Dade County Office of Human Rights and Fair Employment**

Stephen P. Clark Center  
111 NW 1<sup>st</sup> Street, 22<sup>nd</sup> Floor  
Miami, FL 33128  
Phone: (305) 375-2784  
Fax: (305) 375-2114  
Email: [OFEP@miamidade.gov](mailto:OFEP@miamidade.gov)

## **XII. REQUIRED EDUCATION AND PREVENTION PROGRAMS**

Educational courses addressing Title IX and Sexual Misconduct are required for all Responsible Employees. Title IX education is required for all UM Students. All personnel are encouraged to complete the Title IX training courses.

Specialized training by the Title IX Coordinator, or their designee, is required for any individual assigned to investigate, resolve, or adjudicate, a Sexual Misconduct complaint. Detailed information regarding required educational programs can be found at the Title IX website at [www.miami.edu/titleix](http://www.miami.edu/titleix) under *Training*.