



FLORIDA INTERNATIONAL UNIVERSITY

STUDENT HANDBOOK

FIU.EDU

FIU

Student Life and Development

Student Life and Development would like to welcome new and returning students to Florida International University. It is here, in Student Life and Development, that you will find all of the engagement opportunities you could think of. We offer so many opportunities, such as concerts, movies, lectures and professional workshops, to guidance on leadership and working together as one community with community services opportunities. We hope you get a chance to meet with us and see what we have to offer and that you have a great experience here as a fellow Panther!

Campus Life

Campus Life aspires to engage students in holistic learning by instilling diversity, leadership and personal development through its programs and services. By educating and mentoring students, Campus Life seeks to provide all FIU students an opportunity to make meaningful connections and become leaders in a global community. In addition to the Life Skills Series, FIU in DC Fly-Ins, and other programs developed by Campus Life, the department also oversees and advises a number of Councils and Committees, including: Black Student Union (BSU), Council for Student Organizations at MMC (CSO)/Student Organization Council at BBC (SOC), Homecoming (HC), Panther Power(PP), and Student Programming Councils (SPC) at MMC and BBC.

Center for Student Engagement

The Center for Student Engagement supports the success of students by fostering academic, career, and campus engagement opportunities via collaborative partnerships with the FIU community. In other words, we're all about helping YOU be successful at FIU! From engagement meetings and peer mentors to fairs, workshops, and panels our department provides students with opportunities to thrive. Please visit cse.fiu.edu for the engagement database and much more!

Student Government

FIU's Student Government Association was established in 1973 and since its inception has continued to strive for excellence on behalf of all Panthers. SGA is the voice of the student body at FIU. SGA exists to represent students and act in their best interests on academic, extracurricular, and social issues. Throughout the year, our advocacy efforts extend further than the perimeter of our campus, engaging local, state, and federal officials to help us accomplish our goals.

Center for Leadership

The mission of FIU's Center for Leadership and Service is to provide students with developmental and experiential opportunities that foster leadership, action, and community engagement. Through leadership education, service, and social innovation, students will become active citizens on-campus, in their respective communities, and globally. Our goal is to develop students for engagement in life long leading, serving, and learning.

Fraternity and Sorority Life

With over 30 fraternities and sororities, our affiliated men and women have the opportunity to enhance their collegiate experience through leadership and professional opportunities in a well rounded environment. Our community values of Scholarship, Leadership, Philanthropy, and Brother/Sisterhood guide our chapters to engage in cross council and FIU community relations to truly give back to a University that gives us so much! Our affiliated students are involved in all aspects of campus including research assistants, campus ambassadors, orientation leaders, resident hall assistants, community service coordinators, and so much more. They pride themselves in their level of school spirit and commitment to FIU and understand that being #FIUGreeks is not just "a collegiate experience, but a life time experience!"

Sincerely,
Jose Toscano
Senior Director
Student Life and Development



FLORIDA INTERNATIONAL UNIVERSITY STUDENT HANDBOOK

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A History of Florida International University

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Changes in policies, regulations and requirements may be made at any time without advanced notice. The ultimate responsibility for knowing University requirements and regulations rests with the student. For the latest, up-to-date information please refer to the FIU website. (<http://www.fiu.edu>).

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FIU VALUES

Vision:

Florida International University will be a leading urban public research university focused on student learning, innovation, and collaboration.

Mission:

Florida International University is an urban, multi-campus, public research university serving its students and the diverse population of South Florida. We are committed to high-quality teaching, state-of-the-art research and creative activity, and collaborative engagement with our local and global communities.

Values:

Florida International University is committed to the following core values:

- **Truth** – in the pursuit, generation, dissemination, and application of knowledge
- **Freedom** – of thought and expression
- **Respect** – for diversity and the dignity of the individual
- **Responsibility** – as stewards of the environment and citizens of the world
- **Excellence** – in intellectual, personal, and operational endeavors

LETTER FROM STUDENT LIFE & DEVELOPMENT

Welcome new students and welcome back returning Panthers! Florida International University is an incredible institution filled with a diverse and richly talented student body with Worlds Ahead faculty and staff, who are here to guide you along to make this time special and fulfilling. In order to help you get the most of your College experience, we, here in Student Life & Development, strongly encourage you to get involved on campus; from volunteering opportunities, planning university events, traveling the globe, to personal and professional development, there are so many exciting things waiting for you to explore!

There are many reasons for you to get involved at FIU. First and foremost, it is FUN. You should want to connect with other like-minded students who not only want to socialize, but who also have goals to be successful in life. You will find opportunities here to obtain leadership skills and experiences that will be crucial in landing that perfect job when you graduate. You will be able to network with new friends and future professional colleagues. Finally, research clearly shows that students who are involved on campus are more likely to succeed in college. Since the average college graduate will earn \$2-3 million more over their career than those without a college degree, it seems that getting involved is not just fun, but also a wise investment.

So again, welcome! We hope that you will take advantage of all the great resources FIU has to offer, and that you have the great college experience you deserve.

Thank you for your investment in FIU and GO PANTHERS!!!

Jose Toscano

Senior Director of Student Life & Development

LETTER FROM THE SENIOR VICE PRESIDENT FOR ACADEMIC & STUDENT AFFAIRS

On behalf of the Division of Academic & Student Affairs, I want to welcome you to the 2020-2021 academic year. At FIU, we offer an exceptional educational experience by providing state-of-the-art degree programs, a variety of co-curricular and experiential activities, and a strong commitment to our role as a solutions center for South Florida. We are excited about the year ahead and encourage you to take advantage of the many opportunities you will be presented with over the next few months.

This handbook's purpose is to help you understand the university and its many elements. It outlines the various services, programs, and activities available at our institution, which are designed to enhance the quality of your educational skill set.

As you progress and succeed through the semester, keep in mind that learning occurs both inside and outside the classroom. Campus clubs and organizations provide stimulating and interesting venues for acquiring knowledge. Research opportunities with faculty, campus employment, and co-op positions with local business and industrial firms provide excellent sources for professional development and personal growth.

FIU has a strong commitment to diversity. As part of FIU's unique student body, I invite you to appreciate, respect, and celebrate the differences of the FIU community. I also encourage you to take advantage of the many programs and activities that occur on campus throughout the year. You may choose to be a spectator or be an active participant and significantly enhance your educational experience through participation.

Once again, we welcome you to the 2020-2021 academic year at FIU and hope you will use this student handbook to learn more about all the university has to offer!

Sincerely,

Elizabeth M. Bejar, Ph.D.

Senior Vice President for Academic & Student Affairs

LETTER FROM DEAN OF STUDENTS

Welcome to Florida International University. The Division of Academic & Student Affairs provides a wide array of programs and services intended to support the personal and academic success of our students. We want all of you to have a positive FIU experience.

As the Dean of Students, my goal is to help create a culture of care for students, their families, faculty and staff by providing proactive education, consultation, resources, and response to students in distress or crisis.

We know that some students will face obstacles along the path toward their academic goals, such as personal distress, anxiety, depression, family emergencies, health issues and more. There are excellent support services on campus to assist students, with the purpose of getting them back on track toward their goals. Our office can assist students individually, by identifying the appropriate campus recourses to best help them. Please stop by or visit our website for more information, and to let us know if you or a fellow student can use our support:

<https://PanthersCare.fiu.edu/>

Best wishes for a successful year.

Bronwen Bares Pelaez, Ph.D.

Dean of Students

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FIU

CALENDAR



ACADEMIC CALENDAR

FALL 2020 SEMESTER - MAIN SESSION

EVENT	DATE
Classes Start	Monday, August 24, 2020
Last Day to Add/Drop	Monday, August 31, 2020
Labor Day Holiday (No Classes)	Monday, September 7, 2020
Last Day to Drop with a DR Grade	Monday, November 2, 2020
Veterans Day Holiday (No Classes)	Wednesday, November 11, 2020
Thanksgiving Holiday (No Classes)	Thursday, November 26, 2020
Thanksgiving break (No Classes)	Friday–Saturday, November 27–28, 2020
Last Regular Class Day	Saturday, December 5, 2020
Finals Week (Required Class Meetings)*	Monday-Saturday, December 7-12, 2020
Last Day of Classes and Exams	Saturday, December 12, 2020
Degree Conferral Date	Saturday, December 12, 2020
Commencement	TBA
Deadline for Faculty to Submit Grades	Wednesday, December 16, 2020
Grades Available for Students	Thursday, December 17, 2020
Winter Break 1 (No Classes)	Thursday, December 24, 2020
Christmas Day (No Classes)	Friday, December 25, 2020
Winter Break 2 (No Classes)	Thursday, December 31, 2020
New Year's Day (No Classes)	Friday, January 1, 2021
*If a final exam is not required, classes are expected to be held during finals week	

FALL 2020 SEMESTER - SESSION A

EVENT	DATE
Classes Start	Monday, August 24, 2020
Last Day to Add/Drop	Monday, August 31, 2020
Labor Day Holiday (No Classes)	Monday, September 7, 2020
Last Day to Drop with a DR Grade	Monday, September 21, 2020

Last Regular Class Day	Saturday, October 10, 2020
Deadline for Faculty to Submit Grades	Wednesday, October 14, 2020
Grades Available for Students	Thursday, October 15, 2020

FALL 2020 SEMESTER - SESSION B

EVENT	DATE
Classes Start	Monday, October 19, 2020
Last Day to Add/Drop	Monday, October 26, 2020
Veterans Day (No Classes)	Wednesday, November 11, 2020
Last Day to Drop with a DR Grade	Monday, November 16, 2020
Thanksgiving Day (No Classes)	Thursday, November 26, 2020
Thanksgiving Break (No Classes)	Friday–Saturday, November 27–28, 2020
Last Regular Class Day	Saturday, December 5, 2020
Deadline for Faculty to Submit Grades	Wednesday, December 16, 2020
Grades Available for Students	Thursday, December 17, 2020

FALL 2020 SEMESTER - SESSION D

EVENT	DATE
Classes Start	Monday, December 14, 2020
Winter Break 1 (No Classes)	Thursday, December 24, 2020
Christmas Day (No Classes)	Friday, December 25, 2020
Last Day to Drop with a DR Grade	Monday, December 28, 2020
Winter Break 2 (No Classes)	Thursday, December 31, 2020
New Year's Day (No Classes)	Friday, January 1, 2021
Last Regular Class Day	Wednesday, January 6, 2021
Deadline for Faculty to Submit Grades	Thursday, January 7, 2021
Grades Available for Students	Friday, January 8, 2021

SPRING 2021 SEMESTER - MAIN SESSION

EVENT	DATE
Classes Start	Monday, January 11, 2021
Martin Luther King Jr. Day Holiday	Monday, January 18, 2021
Last Day to Add/Drop	Tuesday, January 19, 2021
Spring Break (No Classes)	Monday-Saturday, March 1-6, 2021
Last Day to Drop with a DR Grade	Monday, March 22, 2021
Last Regular Class Day	Saturday, April 24, 2021
Finals Week (Required Class Meetings)*	Monday-Saturday, April 26-May 1, 2021
Last Day of Classes and Exams	Saturday May 1, 2021
Degree Conferral Date	Saturday May 1, 2021
Commencement	TBA
Deadline for Faculty to Submit Grades	Wednesday, May 5, 2021
Grades Available for Students	Thursday, May 6, 2021
*If a final exam is not required, classes are expected to be held during finals week	

SPRING 2021 SEMESTER - SESSION A

EVENT	DATE
Classes Start	Monday, January 11, 2021
Martin Luther King Jr. Day Holiday	Monday, January 18, 2021
Last Day to Add/Drop	Tuesday, January 19, 2021
Last Day to Drop with a DR Grade	Monday, February 8, 2021
Last Regular Class Day	Saturday, February 27, 2021
Deadline for Faculty to Submit Grades	Wednesday, March 3, 2021
Grades Available for Students	Thursday, March 4, 2021

SPRING 2021 SEMESTER - SESSION B

EVENT	DATE
Classes Start	Monday, March 8, 2021
Last Day to Add/Drop	Monday, March 15, 2021

Last Day to Drop with a DR Grade	Monday, April 5, 2021
Last Regular Class Day	Saturday, April 24, 2021
Deadline for Faculty to Submit Grades	Wednesday, May 5, 2021
Grades Available for Students	Thursday, May 6, 2021

SUMMER 2021 SEMESTER - SESSION A

EVENT	DATE
Classes Start	Monday, May 10, 2021
Last Day to Add/Drop	Monday, May 17, 2021
Memorial Day (No Classes)	Monday, May 31, 2021
Last Day to Drop with a DR Grade	Monday, June 7, 2021
Last Regular Class Day	Friday, June 18, 2021
Deadline for Faculty to Submit Grades	Wednesday, June 23, 2021
Grades Available for Students	Thursday, June 24, 2021

SUMMER 2021 SEMESTER - SESSION B

EVENT	DATE
Classes Start	Monday, June 21, 2021
Last Day to Add/Drop	Monday, June 28, 2021
Independence Day (No Classes)	Monday, July 5, 2021
Last Day to Drop with a DR Grade	Monday, July 19, 2021
Last Regular Class Day	Friday, July 30, 2021
Deadline for Faculty to Submit Grades	Wednesday, August 4, 2021
Grades Available for Students	Thursday, August 5, 2021
*Fall 2021 Begins Monday, August 23, 2021	

SUMMER 2021 SEMESTER - PART C

EVENT	DATE
Classes Start	Monday, May 10, 2021
Last Day to Add/Drop	Monday, May 17, 2021
Memorial Day (No Classes)	Monday, May 31, 2021
Last Day to Drop with a DR Grade	Monday, June 28, 2021
Independence Day (No Classes)	Monday, July 5, 2021
Last Regular Class Day	Friday, July 30, 2021
Last Day of Classes and Exams	Friday, July 30, 2021
Degree Conferral Date	Friday, July 30, 2021
Commencement	TBA
Deadline for Faculty to Submit Grades	Wednesday, August 4, 2021
Grades Available for Students	Thursday, August 5, 2021
*Fall 2021 Begins Monday, August 23, 2021	

FIU

GRADUATE SCHOOL



GRADUATE SCHOOL

MESSAGE FROM ANDRÉS G. GIL

I welcome you to the University Graduate School and encourage you to be an active participant in our dynamic learning environment. The supportive partnership between experienced faculty and curious graduate students generates excitement, creativity and innovation. Your academic and research experience will provide opportunities for your intellectual and career growth and to be actively engaged in strengthening the economic and social welfare of Florida, the nation and the world.

Along with the Graduate Catalog, this handbook will assist you by providing helpful information and reference materials. Please take time to familiarize yourself with the topics.

I hope you have an enjoyable and successful year at FIU.

Andrés G. Gil, Ph.D.

Vice President for Research and Economic Development
Dean, University Graduate School

MISSION

The mission of the University Graduate School (UGS) is to advance graduate education as a critical component in the university's generation and transmission of new knowledge, new research, new ideas, and new scholarship that contributes to the resolution of complex national and global problems. The University Graduate School is committed to providing a rich learning environment that attracts and retains outstanding graduate students to work closely with outstanding faculty to advance knowledge, scholarship and innovation. The Graduate School leads and supports the University's graduate programs and ensures adherence to quality standards and graduate policies. It strives to create a learning environment that will ensure the development of graduate students and postdoctoral scholars to prepare them to be future scholars, scientists and leaders in their respective fields.

To fulfill its mission, the University Graduate School:

- Advocates for graduate education
- Assumes responsibility for matters related to graduate education
- Establishes, enforces and reviews graduate policies, procedures and educational best practices to provide ongoing quality assurance in graduate education and maintain the integrity of master's and doctoral programs
- Partners with academic units and graduate students to enhance the effectiveness of graduate education
- Works with academic units to enhance and enrich the interdisciplinary learning and research environments and the graduate culture at the University
- Promotes the professional, scholarly and leadership development of all graduate students
- Provides essential administrative and support services to the University community

GRADUATE SCHOOL ADMINISTRATION

Andrés G. Gil, Vice President for Research and Economic Development, Dean

Lidia Kos, Associate Vice President for Research, Associate Dean

Susan Webster, Assistant Vice President for Research, Assistant Dean

Karla Ortega, Associate Director, Academic Support Services

Claudia Balzán, Assistant Director, Academic Support Services

Betty Sigler, Assistant Director, Administrative Services

Irene Abad, Coordinator, Academic Support Services

Brandie Thomas, ETD Coordinator, Academic Support Services

Ashley Mendez, Manager, Academic Support Services

Milton de Maria, Office Specialist, Academic Support Services

UNIVERSITY GRADUATE SCHOOL POLICIES & PROCEDURES

STUDENT CONDUCT AND HONOR CODE

[Click here](#) to view the code.

PLEDGE

As a student of this university:

- I will be honest in my academic endeavors
- I will not represent someone else's work as my own
- I will not cheat, nor will I aid in another's cheating

All students are deemed by the university to understand that if they are found responsible for academic misconduct, they will be subject to the Academic Misconduct procedures and sanctions, as outlined in the Student Conduct and Honor Code section of this Student Handbook.

ADD OR CHANGE OF DEGREE PROGRAM

A fully admitted, enrolled graduate student may apply to change graduate degree programs without paying an additional application fee. In all other respects, a change of a graduate degree program is handled as a new application and is evaluated as such by the department into which the student wishes to transfer. A "Change of Graduate Degree Program" form and instructions are available in the "Student Forms" section of the University Graduate School website at <http://gradschool.fiu.edu/students/#studentforms>, under Current Student Forms.

Final approval of a change of graduate program is granted by the Dean of the University Graduate School. It is then submitted to the Office of the Registrar for processing only. International students should contact International Student & Scholar Services at <https://globalaffairs.fiu.edu/iss/> before changing degrees.

ATTENDANCE POLICIES

Individual faculty may establish attendance criteria in classes where they deem it necessary. Academic units may establish their own attendance policies with the approval of the Provost. Students who wish to take a leave of absence for one or more semesters, must follow the leave

of absence procedures outlined below. Lapses in enrollment for three or more consecutive semesters including summer require that the student apply for readmission subject to the admission procedures, criteria, and policies in effect at the time the reapplication is made. Doctoral students who have achieved candidacy and master's students with an approved thesis proposal on file at UGS are required to be continually enrolled in three dissertation or one thesis credit. Students receiving graduate assistantships, however, must be registered for nine credits during the fall and spring semesters and six credits in the summer semester. Doctoral candidates who hold graduate assistantships and have approved candidacy with the University Graduate School, must be registered for three dissertation credits.

LEAVES OF ABSENCE

Leaves of absence are requested using the Petition for Exception to Graduate Requirements. Leaves of absence must be clearly justified and are approved on a case-by-case basis. The Petition for Exception must be initiated by the student's academic program. The form is available electronically. Please see your academic program regarding this process.

Any student wishing to file a leave of absence must do so prior to the start of the semester in which they are seeking a leave of absence. International students must seek the guidance of the International Scholars and Student Services (ISSS) before submitting a request.

DEGREE COMPLETION TIME LIMITS

All requirements at the doctoral level, including the successful defense of a dissertation, must be completed within nine years of the start of coursework in the doctoral program. For the M.F.A. degree, all requirements including the successful defense of a thesis must be completed within eight years of the start of coursework in the master's program. For all other master's degree programs, all requirements, including the successful defense of a thesis, where required, must be completed within six years of the start of coursework in the master's program.

FULL-TIME GRADUATE STUDENT STATUS

Full-time status requires that students be enrolled for a minimum of nine credit hours during the fall and spring semesters and six credits during the summer. Doctoral students who have reached candidacy, which has been approved by the University Graduate School, are considered full-time when registered for at least three dissertation credits per semester. Master's students who have reached candidacy with an approved thesis proposal on file with the University Graduate School, and have completed all requirements except for the thesis are considered to be full-time when registered for one thesis credit per term. Students receiving graduate assistantships who have not reached doctoral candidacy, however, must be registered for nine credits during the fall and spring semesters and six credits in the summer semester. Doctoral candidates who hold graduate assistantships and have approved candidacy with the University Graduate School, must be registered for three dissertation credits. Financial aid packages very often require that the recipient be a full-time student. Please reach out to the Financial Aid Office to ensure your enrollment requirements are appropriate. All graduate students are required to be registered every semester in graduate-level credit (s) throughout their graduate academic career. All graduate students must take a minimum of one graduate credit hour per term to maintain active status in the program. Please refer to the University's Graduate Active and Full-time Status Policy.

GOOD ACADEMIC STANDING

Graduate students are required by the University to maintain a cumulative grade point average

(GPA) of 3.0 or higher. In addition, programs may have additional requirements that limit the number of B- or lower grades, which may be earned either in their required courses generally or in specified courses. Students should check with their program directors concerning this.

A graduate student whose cumulative graduate GPA falls below a 3.0 will be placed on warning, indicating academic difficulty. A graduate student on warning whose cumulative graduate GPA remains below 3.0 in the following semester will be placed on probation, indicating serious academic difficulty. The college or school of the student on probation may indicate the conditions which must be met in order to continue enrollment. A graduate student on probation whose cumulative and semester GPA's fall below a 3.0 will be automatically dismissed from his or her program and the University. The student has ten working days to appeal the dismissal decision. This appeal must be made in writing to the Dean of the University Graduate School. To appeal, the student must submit a Petition for Exception, which must be initiated by the student's academic program. The form is available electronically. Please see your academic program regarding this process. The dismissal from the university is for a minimum of one year and prohibits students from registering for any courses. After one year, the student may apply for readmission to the University in the same or a different program.

GRADUATION & COMMENCEMENT

GRADUATION

The student can apply for graduation on PantherSoft under Academic Records. Students must be enrolled in at least one graduate credit the semester they apply to graduate. Please note that doctoral candidates must be enrolled in at least three dissertation credits and thesis option master's students in at least one thesis credit. Before applying for graduation, the graduate student should consult with their academic advisor. For thesis option master's and doctoral degree programs, it is of great importance that all the appropriate forms be completed and handed in to UGS, and that the thesis and dissertation Request for Oral Defense be approved by the UGS, by their respective due dates. For more information regarding deadlines, please visit: <http://gradschool.fiu.edu/calendar-deadlines/>.

For general graduation information, please visit the following: <https://onestop.fiu.edu/>.

COMMENCEMENT

For complete details, procedures, and deadlines, please visit the Commencement website at: <https://commencement.fiu.edu/index.html>.

Note: Doctoral (PhD and EdD) students receive their commencement pass from the University Graduate School. Only doctoral candidates who successfully defend and submit the final copies of the dissertation to the University Graduate School by the established deadline are eligible to participate in the ceremony. For doctoral candidates (PhD and EdD), please see information at: <http://gradschool.fiu.edu/commencement/>.

READMISSION

Fully admitted students who fail for any reason to register for three consecutive semesters including summer will be discontinued from their graduate programs. These students may not register for courses during any future term without being readmitted into a degree-seeking program. To apply for readmission, the student must complete a new online graduate application. Prior to completion of the readmission application, it is advisable for master's students to contact

their program's academic advisor. Doctoral students must contact their academic department prior to applying for readmission. For doctoral students, academic units must follow the Doctoral Readmissions Procedures.

Specific information regarding the readmission process for doctoral students can be accessed at <http://gradschool.fiu.edu/facultystaff/#toggle-id-3>. Select the Policies & Procedures tab, then the Admissions tab and click on Doctoral Readmissions Procedures.

RESPONSIBLE CONDUCT OF RESEARCH AND SCHOLARSHIP

ETHICAL SCHOLARSHIP

FIU is committed to achieving the highest standards of integrity in scientific research and scholarship. This policy includes the conduct of research involving animals and human subjects but extends beyond these important areas. Ethical conduct of research also includes appropriate acknowledgement of contributions to scholarship and research through appropriate inclusion of collaborators on research papers and patents, careful citation of the research of others, and the honest and unbiased presentation of research results to the research community and the public.

There are notable challenges in the conduct of research on university campuses throughout the U.S. today. These are the result of inadequate preparation of graduate students and others involved in research and scholarship to recognize the accepted standards of scientific and scholarly research or the policies and regulations that govern such research in the U.S. The University Graduate School together with the FIU Office of Research and Economic Development provides workshops and training to researchers and scholars in the FIU community to assist them in recognizing, avoiding, and responding to the various types of ethical conflicts they may encounter such as:

- Plagiarism—the unauthorized use or close imitation of the language and thoughts of another author and the representation that they are one's own original work.
- Intellectual Cheating—involves a deception (including any academic work or scholarship conducted in one's academic or professional career) for self-profit. Intellectual cheating may or may not appear to harm others but always advances the perpetrator unjustly.
- Intentional Misconduct—produces scientific results or scholarship with the objective of advancing one's own standing or career with or without economic gain. It is unethical and violates university policy.

The University Graduate School believes it is essential for the university and the intellectual community at large that our graduate students be fully informed and know how to respond appropriately when they encounter what they perceive to be unethical conduct.

RESPONSIBLE CONDUCT OF RESEARCH (RCR) TRAINING COURSE AND EXAM

FIU graduate students who file thesis and dissertation proposals with the University Graduate School (UGS) must provide a training certificate documenting completion of an appropriate, discipline-specific RCR training course exam.

Instructions regarding how to access the training course can be found on the FIU Division of

Research webpage at: <http://gradschool.fiu.edu/rcr/>.

FINANCIAL SUPPORT FOR GRADUATE STUDY

There are several types of financial support available to graduate students. Academic departments offer paid assistantships to their graduate students to perform research, teaching or administrative duties for the department. There are also a limited number of competitive University-wide fellowships, which include Presidential Fellowships, Doctoral Evidence Acquisition Fellowships and Dissertation Year Fellowships. These are overseen by the University Graduate School. Students are nominated for these awards by their programs. In addition, many graduate programs have fellowships directly available. Finally, there are a few need-based federally supported fellowships available to students. Students should visit the Financial Aid Office website to obtain information on eligibility criteria, deadlines, and required forms <https://onestop.fiu.edu/finances/>.

ASSISTANTSHIPS

GRADUATE ASSISTANTS

Many graduate programs have assistantships available to support graduate students. These generally provide full or partial tuition support and salary and are available on a competitive basis. A full assistantship requires 20 hours of work per week. The assistantships generally fall into three categories, either teaching (TA), research (RA) or administrative (GA). The awards vary per program, and summer awards have a different rate structure than regular academic year awards. Students interested in applying for an assistantship should contact their graduate program director as soon as possible.

GRADUATE ASSISTANT HEALTH INSURANCE

Florida International University provides subsidized health insurance to all graduate assistants holding a full-term appointment of 20 hours per week. All Graduate Assistants are required to participate in this health insurance plan unless their insurance company will certify equivalent coverage. Gallagher Koster will administer the health insurance provided to Graduate Assistants. For information, visit the Gallagher Koster site at <https://www.gallagherstudent.com/students/student-home.php?idField=1248&KosterWebSID=vlds92k80j21j7err0nfekc4u7>.

WORK HOURS AND OUTSIDE EMPLOYMENT RESTRICTIONS

GA/TA/RA's may not be assigned to work more than 20 hours per week or take on outside employment without the written approval of the Dean of the University Graduate School.

REQUIRED COURSE LOADS FOR GA/TA/RA'S

All GA/TA/RA's must enroll for a minimum of nine graduate credit hours in the fall and spring terms, and six graduate credit hours in summer. Please note that those doctoral students who have reached candidacy and have approved candidacy with the University Graduate School, must be registered in three dissertation credits as the tuition waiver will cover those three dissertation credits.

TERMINATION OR CURTAILMENT OF AN APPOINTMENT

All students holding an award receive a letter of appointment, which sets forth the conditions under which the award is valid. An appointment may be terminated for a number of reasons. These may include, but are not limited to, failure of the appointee to perform duties specified in the letter of appointment; failure of the appointee to maintain a satisfactory student status; failure of the appointee to make satisfactory progress towards his/her degree; or due to incompetence or misconduct on the part of the appointee.

For additional information regarding Graduate Assistantships, please visit <http://gradschool.fiu.edu/students/funding/assistantships/#top> or contact beatriz.sigler@fiu.edu or (305) 348-0394.

FELLOWSHIPS

Website: <http://gradschool.fiu.edu/students/funding/fellowships/>

UGS FELLOWSHIPS

Presidential Fellowships are intended to recruit exceptional graduate students to enroll full-time in a doctoral degree program at Florida International University. A recipient of a Presidential Fellowship receives a stipend of \$30,000 per twelve months for three years (one year is supported by the fellows department via a graduate assistantship contract), provided that the student makes excellent progress in his/her degree program. Presidential fellows receive tuition waivers, and health insurance along with their stipend.

Doctoral Evidence Acquisition Fellowships support doctoral students who have no financial support for evidence acquisition activities or those students for whom their current means of financial support would significantly interfere with or preclude their ability to collect the evidence needed for their doctoral research.

Dissertation Year Fellowships provide support to highly-qualified FIU doctoral students during the data analysis and writing phase of their dissertation. It is intended to facilitate the timely completion of high-quality manuscripts and dissertations. Students who are conducting outstanding research in their discipline and have established a notable record of publication during their doctoral studies (in comparison to others in their discipline) are favored in the application process. Dissertation Fellows are expected to graduate within one year after receiving the award.

Veteran's Fellowship provides support to student veterans to pursue their doctoral education at Florida International University. The UGS awards the Veteran's Fellowship once a year in the Fall semester. The Fellowship includes one year of support with a \$24,000 annual stipend plus a tuition waiver and individual health insurance provided that the student veteran does not have leftover tuition funds on the GI Bill. If the student veteran has tuition funds on the GI Bill and health insurance is covered by the Armed forces, UGS will cover the stipend.

Inclusion Fellowship was created to encourage promising underrepresented minority undergraduate students to pursue their doctoral education at Florida International University. The UGS will award a limited number of FIU Inclusion Fellowships based on a nomination from their

graduate program. To be considered for the fellowship a student must be fully admitted to a doctoral degree program at FIU for the semester the student is applying for the FIU Inclusion Fellowships for doctoral students provide four years of support with a \$24,000 annual stipend plus a tuition waiver and individual health insurance. The academic department will continue to provide the same level of support during the 3rd and 4th years through a (0.5 FTE) teaching or research assistantship. Students may not receive other FIU fellowships or fellowships from outside agencies during the first two years of the award.

For information regarding Fellowship opportunities, please visit <http://gradschool.fiu.edu/students/funding/fellowships/> or contact ugsfellows@fiu.edu or (305) 348-2604.

ADDITIONAL FUNDING OPPORTUNITIES:

Graduate Funding: <http://gradschool.fiu.edu/students/funding/>

University-wide Scholarships: <https://onestop.fiu.edu/finances/types-of-aid/scholarships/find-scholarships/>

GRADUATE STUDENT OPPORTUNITIES

GRADUATE ADVISORY BOARD (GAB)

The GAB is charged with conveying graduate student needs - personal, professional and academic - programming ideas and policy concerns to the UGS. While the Graduate & Professional Student Committee (GPSC) is the recognized advocacy group for graduate students at FIU, the GPSC works with the GAB to gather input from an array of students and disciplines. The structure for the GAB includes student representation from GPSC, various GSOs, SGA and diverse academic disciplines. For more information on the GAB, please contact Irene Baquero in the University Graduate School: iabad@fiu.edu or (305) 348-3342.

GRADUATE & PROFESSIONAL STUDENT COMMITTEE (GPSC)

This Committee helps facilitate and enhance the overall graduate student experience, by advancing the University's academic goals, assisting in the expansion of graduate programs, and promoting quality teaching and research efforts. They also work in conjunction with other organizations and departments in order to present educational workshops, coordinate symposiums and scholarly forums, and facilitate funding workshops to assist students with securing funding for professional development and conference travel. Location: MMC, GC 2202. Phone: (305) 348-3023. E-mail: gpsc@fiu.edu. For more information about the GPSC, visit <http://gradschool.fiu.edu/gpsc/>

STUDENT GOVERNMENT ASSOCIATION (SGA)

The SGA is the governing student body at FIU and advocates for all students at the university. Graduate students can hold senator and other positions within the SGA. For more information on how to get involved with the SGA, contact (305) 348-2121.

UM/FIU EXCHANGE PROGRAM

FIU Doctoral students and master's students in the LACC programs have the opportunity to complete up to six credits at the University of Miami as members of an exchange program between FIU and the University of Miami. The program gives students a larger selection of courses to choose from and allows students at UM and FIU to take advantage of the educational and research opportunities at both institutions. All students who are fully admitted into a doctoral program or LACC Master's program may participate in this program. Students can choose from any course at the University of Miami provided the course is not already offered at FIU, and is not a limited access course.

FIU students participating in the program continue to pay FIU tuition and fees for the courses they take at the University of Miami (i.e. they will only be assessed regular FIU tuition and fees). However, some UM fees may apply, if applicable. Students are limited to taking a maximum of six graduate credits within the program. Interested students can find more information and the program application by contacting Karla Ortega in the University Graduate School at ortegak@fiu.edu or (305) 348-2455.

GRADUATE STUDENT RESOURCES

UGS PROFESSIONAL DEVELOPMENT PROGRAM (PDP)

The graduate student Professional Development Program seeks to assist students in their career development by serving as a gateway to campus resources and providing direct services. The PDP supplements research skills provided by graduate programs with four competencies – academic writing and communication, professoriate training, leadership, and well-being. The PDP complements the efforts of established University resources, such as the Center for Excellence in Writing, the Career and Talent Development Department, and the Center for the Advancement of Teaching. To learn more about the UGS professional development program, please visit <http://gradschool.fiu.edu/professional-development/>

CENTER FOR THE ADVANCEMENT OF TEACHING (CAT)

The Center for the Advancement of Teaching is dedicated to providing FIU's teaching community-full-time faculty, adjuncts, and graduate teaching assistants-with resources and support needed to encourage the highest quality of teaching and learning throughout the University. Through individual, group, and campus-wide programming, the Center keeps the teaching community abreast of pedagogical developments, maintains and provides a wide array of resources on teaching and learning, and supports teachers in enhancing their teaching. Please visit the Center's website for more information: <https://cat.fiu.edu/>

CENTER FOR EXCELLENCE IN WRITING (CEW)

The CEW offers individual student consultations. Whether brainstorming, drafting, revising or polishing, writing consultants can assist students with most written projects. The CEW also programs several workshops throughout the year specific to graduate students. For more information, please visit their website: <https://writingcenter.fiu.edu/> or call MMC at (305) 348-6634 or BBC (305) 919-4036.

INTERNATIONAL STUDENTS

INTERNATIONAL STUDENT & SCHOLAR SERVICES (ISSS)

The University maintains an Office of International Student and Scholar Services <https://globalaffairs.fiu.edu/iss/>. The ISSS office provides advisors to help international students with problems concerning visa status, employment, as well as cultural and social concerns, and similar matters. The ISSS office may be reached at (305)-348-2421 SASC Room 230 (Student Academic Success Center) or at (305)-919-5813 WUC 363 (Biscayne Bay Campus - Wolfe University Center).

The ISSS office maintains the Student Exchange Visitor Information System (SEVIS) of the Department of Homeland Security tracking system for the university. All new and/or transfer international students MUST attend a MANDATORY orientation program before the start of their first semester, and MUST report to the ISSS office within the first week of the start of classes.

EMPLOYMENT

The legal regulations governing employment for students with F-1 visas are complex and subject to change. An F-1 student should contact an advisor at the ISSS office to determine under what conditions he/she may seek employment. All forms of employment require the F-1 student to obtain a social security number. Students cannot receive salary money before this number is obtained. The student should contact the ISSS office to obtain application information and materials.

DIVERSITY

The University Graduate School fosters inclusiveness and engagement in a global dialogue that anchors our role as leaders in graduate education. We value respect for the complexities of our global society as it relates to gender, socioeconomic class, race, ethnicity, age, disability, nationality, sexual orientation, religion and cultural identity.

The University Graduate School is committed to recruiting and supporting a diverse and dynamic graduate student community. Through meaningful and strategic programming and services, the UGS provides underrepresented graduate students with the opportunity to reach their full potential in their scholarly and professional endeavors.

In keeping with our commitment to foster an environment of inclusiveness, we offer an array of university-wide services that provide support for our diverse community of students, faculty, and staff:

ADDITIONAL RESOURCES

GRADUATE FELLOWSHIPS

<http://gradschool.fiu.edu/students/funding/fellowships/>

OFFICE OF MULTICULTURAL PROGRAMS AND SERVICES

<https://studentaffairs.fiu.edu/get-involved/multicultural-programs-and-services/>

LGBTQA INITIATIVES

<https://studentaffairs.fiu.edu/get-involved/lgbtqa/>

VETERAN AND MILITARY AFFAIRS OFFICE

<https://studentaffairs.fiu.edu/campus-services/veteran-and-military-affairs/index.php>

DISABILITY RESOURCE CENTER

<https://studentaffairs.fiu.edu/get-support/disability-resource-center/>

OFFICE OF STUDY ABROAD

<https://abroad.fiu.edu/>

EQUAL OPPORTUNITY PROGRAMS AND DIVERSITY OFFICE

<https://diversity.fiu.edu/>

UNIVERSITY GRADUATE SCHOOL

<http://gradschool.fiu.edu/>

STATISTICAL CONSULTING SERVICES

<http://gradschool.fiu.edu/statistical-consulting/>

Contact: Statistical Consultant (305) 348-7914

COUNCIL FOR STUDENT ORGANIZATIONS

<https://studentaffairs.fiu.edu/get-involved/clubs-and-organizations/cso/>

COUNSELING AND PSYCHOLOGICAL SERVICES

<https://studentaffairs.fiu.edu/health-and-fitness/counseling-and-psychological-services/>

DIVISION OF ACADEMIC & STUDENT AFFAIRS

<https://studentaffairs.fiu.edu/>

OFFICE OF RESEARCH AND ECONOMIC DEVELOPMENT

<http://research.fiu.edu/>

FIU

HOUSING & RES LIFE



HOUSING & RESIDENTIAL LIFE

WELCOME TO FIU HOUSING & RESIDENTIAL LIFE!

Dear FIU Resident,

Welcome home! Live. Learn. Excel. This is our motto which captures the essence of the residential experience here at FIU. Living on campus is an important step toward achieving success. It will provide you with opportunities to learn from people of different cultural backgrounds, to develop new interests and skills, and to prepare for active participation in our vibrant learning community.

Our residence halls promote an environment that is conducive to learning. We offer a variety of educational and social programs to enhance your student experience, and provide opportunities to interact with faculty, academic advisors, and residential tutors to help you maximize your academic success.

We encourage you to seek out leadership experiences both in the residence halls (RHA, NRHH, RA and Hall Council positions) and throughout the FIU community. Get involved in intramurals, clubs, and organizations – there are endless possibilities!

With more than 3,300 FIU students living in our residence halls, we are **Worlds Ahead** at transforming lives and inspiring residents to make a difference in the community. Keeping in mind that each student is responsible for our community, all students are accountable for treating fellow residents with respect, dignity, and care.

I am pleased to welcome you to our residential community, and hope that you will actively pursue the many opportunities available for an exciting and rewarding residential student experience at FIU!

Sincerely,

Christina Montville

Associate Director of Residential Life

RHA WELCOMES YOU HOME!

The Residence Hall Association (RHA) Executive Board would like to welcome you to an amazing year in your new home at Florida International University.

One of the many important decisions you must make while at the university is where you will live. By choosing to live in the residence halls, you have taken the first step in opening new doors to the many exciting opportunities that come with your on-campus experience! We encourage you to seek out and take advantage of every resource that is made available to you. Attend a faculty program in housing or get extra tutoring help in the Lakeview South Academic Resource Center (ARC). Academic, social and recreational programs take place every day in the residence halls. The diversity of programs provide useful and insightful information that is endless and as wide as you can envision. The skills, closeness, and lifetime friendships that you develop as a result will ease your transition into the university and the FIU residence hall community.

In addition, we would like to encourage you to take advantage of the other resources and organizations that are offered at FIU. Join your hall council, help plan events with RHA, frequent the on-campus comedy shows, attend an FIU athletic event, volunteer in the local community, or play on your hall intramural team. No matter what your interests, the opportunities are plentiful and all provide a worthwhile and unique experience.

The Residence Hall Association provides an array of programs, events, and most importantly, a voice for you. RHA not only acts as the liaison for you within our housing community, but also within the university community via the Student Government Association. Attend our General Assembly meetings where representatives from each Hall Council meet to discuss important issues related to on-campus living. These meetings are open to all residents. We invite you to provide suggestions as to how we can make residential life a better experience during your academic endeavors. For more information or if you have any questions, please contact us at rha@fiu.edu.

Sincerely,

The RHA Executive Board

GENERAL INFORMATION

Florida International University Department of Housing and Residential Life

MISSION STATEMENT

Florida International University Housing and Residential Life supports the mission of the university and the Division of Student Affairs by providing a living environment which fosters the educational pursuits of a diverse student population. The campus residential community provides unique opportunities for personal growth and development, leadership experiences through student participation in programming and activities, and developing an appreciation for and sensitivity to differences. The facilities and services are designed to provide a supportive environment, accommodating to the needs of students.

DIVERSITY STATEMENT

The diversity of our residential community takes many forms. It includes differences related to race, ethnicity, national origin, gender, socioeconomic status, sexual orientation, religion, age and ability. We believe that any form of discrimination against any individual or group is a threat to the welfare of the entire community. We are guided by the principle that celebrating diversity enriches and empowers the lives of all people.

Therefore, everyone who chooses to live in or visit our residential communities must understand that we will not accept any form of bigotry, harassment, intimidation, threat, or abuse, whether verbal or written, physical or psychological, direct or implied.

Our residential communities are rich, alive and dynamic environments, designed to enable all individuals to develop and grow to their full potential. All members of the community are encouraged to live by these principles, so that we can foster a successful living and learning environment.

HOUSING AND RESIDENTIAL LIFE RIGHTS & RESPONSIBILITIES

INDIVIDUAL / ROOMMATE / COMMUNITY

Our priority for students living on-campus is to provide opportunities to become leaders serving the local and global communities. The rights and responsibilities are for individual accountability and for peer-to-peer interactions through roommate agreements and within the hall community. FIU believes that while living on-campus students have rights afforded to them. With these rights, residents have reciprocal responsibilities to ensure the same rights for other residents. Staff and personnel will work to educate students regarding these rights and responsibilities and will use them in making decisions regarding student welfare and behavior. It should be understood that FIU Housing and Residential Life (HRL) believes that the primary purpose and intention of a student's room is for studying and for sleep which will take priority over social activities and privileges. Each person living in any space within housing is expected to cultivate this type of environment for themselves as well as the other members of the HRL community.

While living in the residence halls at FIU, residents have the right to:

- Access facilities and programs that support the pursuit of academic success.
- Live in a clean and secure environment (i.e. common spaces, lounges, hallways).
- Be free from unreasonable noise, intimidation and/or harassment.
- Express themselves freely within established guidelines set by HRL staff or designee.
- Have reasonable access to their living accommodations based on published schedule of occupancy.
- Have direct access to staff who provide assistance, guidance, and support to students.
- Enjoy individual freedom regardless of race, ethnicity, gender identity, national origin, disability, age, religion, sexual orientation, or political affiliation.

While living in the residence halls at FIU, residents have the responsibility to:

- Continuously pursue their academics and intellectual growth.
- Adhere to rules and regulations outlined and published by Housing and Residential life as well as the University.
- Keep their assigned unit and associated common area clean and orderly. Clean and orderly is defined as: Free of excess mess, trash, clutter, or anything not deemed acceptable by Housing & Residential Life Staff or designee.
- Contribute positively to the community by participating in educational and developmental activities.
- Respect staff, and rights of students and others within the FIU Community.
- Respect the diverse backgrounds and interests of others who are different from them.
- Comply with reasonable requests made by staff, university officials, and/or fellow students.
- Participate actively in self-governance.

*Adapted and modified from ACUHO-I Statement of Resident's Rights and Responsibilities, Approved 1987, Revised 2002

Students who have roommate(s) must adhere to the outlined individual student's rights and responsibilities. Roommate disputes and/or disagreements will need to be mediated as a first-step approach to resolving the conflict and/or issues.

Students who have roommate(s) should begin by communicating with one other. Topics for discussion should include:

- Class schedules
- Sleep times and preferences
- Study location, times, and preferences
- Sharing belongings and space
- Standard of cleanliness and how cleaning will be managed
- Guests, visitors, and their use of space
- Temperature
- Noise

In order to mitigate conflicts between roommates, roommate agreements will be facilitated with all individuals in the unit or apartment.

- Your RA will initiate the roommate agreement process early in the semester by communicating with all students in the room to determine a time that all roommates are available to complete this process.
- It should be noted that the completion of and participation in roommate agreements are required by all students living within any housing assigned space at Florida International University other than a studio/single-occupancy space.
 - Students failing to correspond with an RA regarding setting up a roommate agreement meeting between all students living in the assigned space will be held accountable for such through the student conduct process.
- It is important to take this process seriously, even if it feels like you will not have any issues with your roommate.
- Once set, you should follow the agreement just like any other policies or expectations.
- As you move through the year, you can work with your RA to address concerns and revise this agreement.
- Housing and Residential Life staff or designees at Florida International University reserve the right to request a modification of a roommate agreement should it be determined that such an action is appropriate.
- Roommate Agreements will be conducted with Housing and Residential Life policies and State, local and Federal laws in mind so as to not arbitrarily condone violations of these.

If there are concerns that come up, take the following steps to address concerns:

- First, communicate with your roommate(s):
 - Respectfully, in person, openly
 - Reference your roommate agreement
- Secondly, if the above does not get resolved, notify your RA of unresolved concerns.
- Participate in a mediated meeting with your roommate(s) and RA.
- Amend your agreement and set guidelines for moving forward.
- Utilize area professional staff, such as your ARLC or RLC, as needed.

IMPORTANT CONTACT INFORMATION

HOUSING OFFICE

This office oversees housing operations for all seven complexes. General information, housing agreements, billings, accounting, room assignments, and all other agreement-related business can be handled through this office.

HOUSING PACKAGE CENTER (HPC)

This center is located in Lakeview South next to the Academic Resource Center. Residents may pick up packages during regularly scheduled hours. Please visit the website: housing.fiu.edu for additional information or email hpc@fiu.edu for additional information.

RESIDENTIAL LIFE OFFICE

This office coordinates all Residential Life operations and Residential conduct. Several professional staff members are located in this office and they are responsible for overseeing the staff programs and services provided to students living on campus.

HOUSING OFFICE, UT 121

11200 SW 8th Street, Miami, FL 33199
(305) 348-4190

OFFICE OF RESIDENTIAL LIFE, PH 126

1595 SW 112 Avenue, Miami, FL 33174
(305) 348-3661

HOUSING FACILITIES OFFICE, LVS 140

11040 SW 14th Street, Miami, FL 33174
(305) 348-1162

ACADEMIC RESOURCE CENTER (ARC), LVS 133

11040 SW 14th Street, Miami, FL 33174
(305) 348-1161

PARKVIEW HALL DESKS

1599 SW 113 Avenue, FL 33174
East: (305) 348-7635 West: (305) 348-4229

EVERGLADES HALL DESK

1590 SW 111th Avenue, Miami, FL 33174
(305) 348-1328

LAKEVIEW SOUTH DESK

11040 SW 14th Avenue, Miami, FL 33174
(305) 348-1171

PANTHER HALL DESK

1595 SW 112th Avenue, Miami, FL 33174
(305) 348-3982

UNIVERSITY APARTMENTS DESK, BUILDING A

10750 SW 11th Street, Miami, FL 33174
(305) 348-1050

UNIVERSITY TOWERS DESK

11150 SW 14th Street, Miami, FL 33174
(305) 348-3836

RA ON DUTY

A Resident Assistant is on duty whenever the Administrative Offices are closed - evenings, weekends and holidays. The contact information of the RA on duty is posted at the Front Desk.

HOUSING ONLINE

The Department of Housing and Residential Life provides online access to most of your housing needs at my.fiu.edu in order to better meet the needs of our residents.

When you login online, you will be able to:

- Signup online for future housing
- See your Housing financial account and print out balance and payment receipts
- Update addresses, release of personal information/contact information

Please go to my.fiu.edu and select "Student Housing" under "Campus Resources". If you experience difficulty using the Housing Online Services, please e-mail us at housing@fiu.edu or call (305) 348-4190.

SAFE LIVING ON CAMPUS

IT'S A COMMUNITY RESPONSIBILITY

EMERGENCY NUMBERS AT-A-GLANCE

AREA FRONT DESK

Everglades Hall	(305) 348-1328
Lakeview Hall North	(305) 348-1176
Lakeview Hall South	(305) 348-1171
Panther Hall	(305) 348-3982
Parkview Hall East	(305) 348-7635
Parkview Hall West	(305) 346-4229
University Apartments	(305) 348-1050
University Towers	(305) 348-3836

IMPORTANT CONTACT NUMBERS

University Police Emergency	(305) 348-5911
University Police Non-Emergency	(305) 348-2626
Student Health Care	(305) 348-2401
Counseling/Psychological Services.	(305) 348-2277
Victim Empowerment Program VEP 24-hour hotline	(305) 348-3000
FIU's Anonymous Reporting Website: go.fiu.edu/report	

CRIME PREVENTION

Crime can happen on campus just as it can happen in the community. Don't take chances and don't take your safety for granted. You can protect yourself against crime by taking these simple precautions:

- Keep your door locked at all times.
- Always find out who is knocking before opening the door. Look through the peephole or ask who it is before you open the door.
- Never leave your apartment/room door propped open.
- Always close your apartment/room windows when you vacate the apartment/room.
- Do not leave any valuables within reach of an open window.
- Keep your keys safe. Don't lend your key to anyone and don't leave keys lying around.
- If your key is lost or stolen, report it to your Residence Hall/Area Front Desk immediately so that the lock can be changed.
- Have your keys ready before you get to your car door, especially after dark.
- Always report any suspicious activity to the FIUPD.
- Don't walk alone, especially at night.
- Avoid dark paths or shortcuts. Always use public walkways.
- Carry identification at all times.

- Let your roommate(s) know where you are going and when you will return.
- If you are the victim of a crime, report the incident to FIUPD immediately.

“STAY IN PLACE” POLICY

This policy is implemented in the event the university declares an emergency (severe weather warning, threat to air quality, etc.) which requires all resident students to remain in the Residence Halls. During such an event the Residential Life staff and the University Police will advise students to remain within their assigned living unit. Once the order is given to “stay in place” students will not be permitted to exit the building until university officials determine the threat to health and safety to be under control.

ESCORTED TRANSPORTATION SERVICES

Parking Service Aides (PSA) provide golf cart transportation service for students and staff Monday-Friday 7:00 PM – 11:00 PM during the regular academic year (Public Safety will provide an escort outside these hours if one is requested). The escort service is staffed by FIU students and staff. If you need assistance, please call (305) 348-3615 and give your name and location. Depending on the volume, at times this service is not available. Priority is given to students who are using the service for their safety versus a means of transportation.

FIRE PROCEDURES

How to prepare for a fire emergency: Pre-plan your evacuation route; locate the nearest alarm pull station; locate the nearest fire extinguisher; and become familiar with how to use it appropriately.

Fire drills are conducted regularly. In case of smoke or fire, pull the nearest alarm. Report the location of the fire to University Police at MMC (305) 348-5911. All residents must evacuate the building at the sound of an alarm. Residents are required to follow the direction of university officials during an evacuation. Residents are to assemble at least fifty yards (150 ft.) away from the building. Failure to do so will result in disciplinary action.

FIRE EVACUATION

All residents must evacuate the building at the sound of an alarm. Residents are to assemble at least 150 feet away from the building. Staff will further instruct students.

FIRE ALARMS/FIRE EQUIPMENT

Each residence hall/area is equipped with a fire alarm system that is regularly inspected and approved by the state. Smoke detectors are located in every unit. Emergency lights are located in the hallways and stairwells of each complex. Fire extinguishers are located in the hallways of each residence hall. Residence Hall rooms/suites are equipped with an emergency call box and fire stops in kitchens.

Removing or interfering with the use of fire safety equipment, such as fire extinguishers and smoke detectors, is a third-degree felony under Florida Statute 806.10 and is prohibited in housing. Setting off fire alarms is prohibited by Florida Statute, Section 806.101, and is a misdemeanor. If a resident disconnects or tampers with smoke detectors, fire sprinklers or fire alarms, a fee of \$150.00 will be charged for damages, property loss and or clean-up costs. Items may not be hung from or block fire sprinklers or smoke detectors. Recovery costs associated with

damage resulting from activating a sprinkler may be assessed to the responsible individuals.

SEVERE WEATHER WARNINGS

In the case of a severe weather warning, residents should close all blinds and curtains, and stay clear of window openings or doors with glass panels. All electrical appliances should be unplugged. Residents must adhere to the instructions of Residential Life staff members and university officials.

HURRICANE PROCEDURES

In the event a hurricane warning is declared by the university, all resident students will be directed to shelter-in-place or evacuate the residence halls and report to the shelter. All students must abide by shelter policies and remain until the university withdraws the emergency order. Failure to comply with university officials during an emergency event will result in disciplinary action.

Once an emergency is declared, the FIU-HELP (305) 348-4357 line is activated and information is provided to update the community on the status of the university. In addition, information can also be obtained online at dem.fiu.edu.

All resident students are strongly encouraged to establish an evacuation plan in the event the university or Dade County issues an evacuation order. Upon the issuance of an evacuation order, all residents will be directed to seek shelter. Students from the immediate Miami-Dade and Broward areas will be instructed to return home for the duration of the hurricane event. Those resident students from outside the immediate local area (100 miles) will be sheltered in a designated Hurricane Evacuation Center (HEC) along with select personnel. Students staying in the shelter should bring a minimum of a three-day supply of water and food. Once students establish their evacuation plan, the students need to inform their Resident Assistant.

SAMPLE HURRICANE KIT

Each student living in Housing should prepare a Hurricane Kit which can be easily accessed in the event of an emergency. Here is a sample of items which should be included in your kit:

Water – at least 1 gallon per person per day for 3 to 5 days

Food – at least enough for 3 to 5 days. Suggested items: non-perishable packaged or canned food, juices, snack foods, non-electric can opener, paper plates, plastic utensils

Clothing – seasonal, rain gear, sturdy shoes. Be sure to include a blanket and pillows, etc.

First Aid Kit, Medicines, Prescription Drugs

Toiletries, Hygiene items – Flashlight, Batteries

Cash – Banks and ATMs may not be open or available for extended periods.

Books and Games

Important Documents – Insurance, medical records, etc. in a waterproof container.

LIABILITY RENTER'S INSURANCE

For the protection of personal belongings, students are encouraged to maintain insurance on items they bring to campus. The university is not liable for damage to or loss of personal property, or failure or interruption of facilities. Students are encouraged to have their own health and personal property loss insurance.

SURVEILLANCE CAMERAS

Housing and Residential Life has surveillance cameras throughout the residence halls and apartments. Cameras are not monitored by the staff.

SECURITY PHONES

Phones, identified by a blue light, are located in various locations throughout campus. If you have concerns for your safety, are in danger or would like to have a security escort, simply open the box and follow the instructions posted. The phones are connected directly to University Police.

STUDENT CONDUCT PROCEDURES

PURPOSE

The University Student Conduct System serves an important role in protecting the individual rights and interests of university students, developing citizenship, and providing procedural fairness to students accused of violations of the established Student Conduct and Honor Code.

HEARING OFFICERS

Administrative staff in Residential Life are designated as hearing officers and are authorized to administer student conduct hearings and issue sanctions.

PROCEDURES

All student conduct hearings will follow due process requirements and established procedures as stated in the policies and regulations section of this handbook.

SANCTIONS

The following sanctions may be imposed upon any individual student or student organization found to have violated the Student Conduct and Honor Code.

An explanation of each sanction may be found in the Student Conduct and Honor Code. available at conduct.fiu.edu.

- Written Reprimand
- Educational Activities
- Counseling Consultation/Screening
- Restitution
- Administrative Fines
- Restrictions/No Contact Order
- Conduct Probation
- Housing Probation
- Residence Hall Reassignment
- Deferred Housing Contract Termination
- On-Campus Housing Exclusion
- Deferred Suspension
- Suspension
- Expulsion

HOUSING POLICIES & STANDARDS OF CONDUCT

OVERVIEW

University housing residents are responsible for abiding by all University and Housing policies, regulations and standards of conduct. Housing policies should be read broadly and are not designed to define misconduct in exhaustive terms. Students are responsible for being familiar with and abiding by all policies contained within the **Student Conduct and Honor Code**. The policies listed in this section are provided as a partial summary for Housing residents. Refer to the policies and regulation section of the **Student Conduct and Honor Code** for further explanation. Violation of any Housing policy and standard of conduct, or the violation of the Housing Agreement shall be considered a violation of the **Student Conduct and Honor Code** and may result in disciplinary action, including, but not limited to termination of the Housing Agreement. Items found to be in violation of Housing regulations and/or University policies may be confiscated and/or discarded at the discretion of Residential Life staff. Fines may also be imposed for violation of Housing policies. **Housing Policies are subject to change. For the most up-to-date Housing Policies please refer to Housing.fiu.edu. Residents are responsible for knowing and abiding by all of the Housing policies.**

SECTION 1. COMMUNITY STANDARD

[Click Here](#) for more information

ALCOHOL

- Possession, use, or consumption of alcohol when under the legal drinking age as outlined by Florida Law is prohibited. Students of legal drinking age are permitted to have alcoholic beverages in their residence hall units, if all resident(s) of the unit are of legal age. If under-age individuals reside in the unit with a legal age individual, the legal age individual must store all alcoholic beverage(s) in his/her assigned bedroom and not in the common kitchen/fridge.
- Use or possession of kegs, beer balls, beer taps, alcohol vaporizers and/or any large amount of alcohol are not permitted in any room or area of University-owned housing. In addition, any device designed to consume large amounts of alcohol (funnels, beer/alcohol pong tables, bongs, etc.) are prohibited.
- Dispensing, selling or supplying alcoholic beverages to an individual who is under the legal drinking age as outlined by Florida Law is prohibited.
- Alcohol and/or consumption of alcoholic beverages in public areas, such as lobbies, lounges, stairwells, courtyards and hallways is prohibited.
- If all of the residents in the unit are under the legal drinking age, no one (including of-age guests) may possess or consume alcohol in the unit.
- Violating any other University policy while under the influence of alcohol is prohibited. Members of the FIU community who choose to drink will be held fully responsible for their behavior while under the influence of alcohol. Loss of control due to intoxication does not excuse or justify violation of the state law, University regulations, or the rights of others.

- Misrepresenting or misstating one's age or using altered identification in order to obtain alcohol is prohibited.
- Hosting or attending a gathering where underage individuals and alcohol is present is prohibited.
- Consumption, possession or use of alcohol in a housing room/unit where all assigned residents of that on campus housing unit are under legal drinking age is prohibited (dry rooms/units). If no one assigned to live in the building/area is 21 years of age or older, alcohol is prohibited in the building/area (dry building/area). Panther Hall and Lakeview North are dry buildings; regardless of age, no alcohol is allowed.
- Alcohol bottles, alcohol cans, and alcohol packaging are not permitted as decorations. These items may also be considered as evidence of consumption.
- Consumption of alcohol, legal or otherwise, neither removes nor absolves a resident from their responsibility to observe University regulations. A resident may be immediately removed from Housing if they violate the alcohol policy or if they pose a danger to self, others, or cause damage while under the influence of alcohol.

CLEANLINESS

- Rooms, apartments and suites must be kept clean and sanitary at all times, including proper disposal of empty food and beverage containers. Students will be charged a cleaning fee starting at \$100 for rooms that are deemed unsanitary.
- Disposal of trash in a place other than designated bins or dumpsters is prohibited. Violators are subject to a \$50 charge per bag.

COHABITATION

- Cohabitation is not permitted. For the purpose of on-campus housing, cohabitation is defined as: the housing of unauthorized individual(s) in a residential unit for more than three (3) consecutive days, or the sharing of a housing space, including storage of another's belongings in one's assigned space/unit.

COOKING APPLIANCES

- All cooking appliances must be stored and used only in the kitchen-area of residential units.
- Possession of oil-based deep fryers, additional burners, or gas grills in student living units is prohibited.
- Coffee makers are only permitted if they have an auto shut-off safety feature.
- Residents are permitted to reserve for use the outdoor grills that are provided in the Housing areas.

DISRUPTIVE CONDUCT (Refer to Student Conduct and Honor Code Section 5(f).)

DRUGS (Refer to Student Conduct and Honor Code Section 5(g).)

ENDANGERMENT (Refer to Student Conduct and Honor Code Section 5(h).)

FAILURE TO COMPLY (Refer to Student Conduct and Honor Code Section 5(i).)

FALSIFICATION / FRAUD / TESTIMONY (Refer to Student Conduct and Honor Code Section 5(j).)

FIRE & SAFETY (Refer to Student Conduct and Honor Code Section 5(k).)

GAMBLING (Refer to Student Conduct and Honor Code Section 5(l).)

GUESTS

- Guest(s) must sign-in with their host at the Front Desk upon arrival. Allowing a guest access into the residence hall through an unauthorized or locked entrance is prohibited.
- Guest(s) must show identification and provide requested information to the Desk Assistant upon arrival to the residence hall.
- Only individuals 18 years of age and older (with proper photo identification) will be approved to visit the residence halls. Limited exceptions include Parent and Family Day, escorted tours, residents who are under the age of 18 and individuals who are part of an approved visit program with a signed waiver.
- Guest(s) may not be given a key to the unit, a resident's Panther ID card or a resident's mobile access for the purpose of accessing the unit. The resident of the unit will be held accountable if this occurs.
- Guests **MUST** be escorted by their host, a current housing resident of the building of which they are present. Unescorted guests will be required to leave the Residential area.
- Students hosting guests, both University-affiliated and non-university affiliated, are responsible for their guests while the guest(s) visit the residential community. The resident host will be held accountable for the actions of their guest(s). Resident hosts must accompany their guest(s) within the residential areas at all times.
- The Roommate Agreement serves as a guideline for visitors and guest privileges. Failure to adhere to the roommate agreement may result in an administrative relocation (to a different room and/or residential area).
- Each resident may host only one overnight guest at a time. Overnight guests are not permitted during final exams week.
- An approved guest may stay on campus up to three consecutive nights within a seven-day period and no more than 10 cumulative nights per semester regardless of his/her host. During Summer A and Summer B guest(s) may stay no more than five cumulative nights regardless of his/her host.

- Overnight guest is defined as a guest(s) in a housing unit between the hours of midnight and 8:00am.
- All individuals who visit the FIU residential areas must respect students' rights to privacy and security.
- Violations of the consecutive or cumulative policy may result in a monetary charge and/or disciplinary action for the responsible resident and/or guest.
- Residence Life staff reserve the right to request a guest to leave the residential community at any time.
- Knowingly hosting person(s) who have been trespassed from on-campus housing facilities is prohibited.
- Anyone who has been removed from housing or has cancelled their housing agreement must abide by the guest policies, if permitted in the residence hall.
- Violation(s) of the guest policies may result in loss of visitation privileges, immediate room change, and/or termination of the Housing Agreement.

HARASSMENT

- Conduct, not of a sexual nature, (including, but not limited to, physical contact, verbal, graphic, written, or electronic communication) that creates an intimidating, hostile, or offensive environment for another person or group is prohibited.

HOVER BOARDS AND SIMILAR DEVICES

- The use or possession of hover boards and/or similar devices is prohibited. These items may not be carried, used, stored, and/or charged in any University housing residence hall or apartment. These items will be confiscated.

LITTERING

- Dispersing litter in any form on University premises or facilities is prohibited. This includes, but is not limited to cigarette butts, flyers, cans, bottles, etc.

MAIL

- Tampering with mailbox locks is prohibited.
- Removal of mail addressed to another person is prohibited. Mail addressed to anyone other than the current occupant(s) should be returned to the Front Desk or the Housing Package Center.
- Letters and packages must be properly addressed and include the resident's official first and last name; mail that is addressed to anything other than official first and last names will be returned to sender.
- Only authorized staff are permitted to enter mailrooms and/or sorting and distribution areas.

MOTORCYCLES/ BICYCLES/ IN-LINE SKATES/ SKATEBOARDS

- Riding motorcycles, bicycles, skateboards or use of skates in hallways, courtyards, lounges, and lobbies is prohibited.
- Storing motorcycles, motorbikes or bicycles in any on-campus housing hallway, entry area, stairwell, balcony, light pole, or railing is prohibited. Motorcycles must be parked in parking lots.
- Pocket bikes are not permitted on sidewalks or roadways.
- Bicycles must be stored in bicycle racks or the student unit, provided that they do not impede movement within the unit. They may not be stored in hallways, entry areas, or stairwells, or attached to railings, or light poles. Improperly stored bicycles and/or motorcycles will be removed at the owner's expense. (Refer to Student Conduct and Honor Code Section 5(n).)

OPEN FLAMES/ CANDLES/ INCENSE / FLAMMABLES

- Possession of candles, candle warmers, wickless candles, incense, or other heating unit with an open flame is prohibited.
- Flammable liquids and solvents (gasoline, kerosene, lighter fluid, propane, etc.) are not permitted in any of the student housing areas (including student units, common areas, and courtyards/quad). Residents are permitted to store charcoal (non-pres soaked) in units.

PETS/ANIMALS

- Possession of pets other than fish in appropriate containers is prohibited. The maximum fish tank size is 10 gallons.
- Feeding of stray or wild animals is prohibited.
- Residents having any pet(s) in their unit may be immediately relocated to a different housing unit and/or different housing area. If found in violation of the pet policy, the resident's Housing Agreement may be terminated and/or the resident may be excluded from returning to campus housing/ signing up to live on campus for future semesters/terms.
- Any cost associated with the pet will be charged to the responsible party, including administrative charges ranging from \$100 to \$500 as well as charges for damages, cleaning and pest control.

POSTINGS

- Unauthorized posting of notices, flyers, ads or other information in on-campus housing facilities is prohibited.
- Any posting for an FIU event must be pre-approved by the Office of Housing and Residential Life.
- Posting of events with alcohol is prohibited.

PROJECTILES

- Throwing any object from a window, ledge, roof, or balcony, or within the courtyards is prohibited.
- The use of slingshots or other related items is prohibited.

PROPERTY AND FACILITIES OFFENSES

- Students may not engage in theft, malicious destruction, defacement, damage, or misuse of University or private property or common area facilities.
- Replacement and repair costs will be charged to the responsible party(ies). Usage policies for specific common area facilities are available at each residence hall.

RAILINGS AND ROOFS

- Sitting on, standing on, climbing on, or hanging from a railing, or roof is prohibited. Residents may not crawl out of a window unless directed to do so by emergency personnel.
- Hanging or securing unauthorized items from roofs or windows, including bikes, banners, signs, clothing, plants or other items is prohibited.

QUIET/COURTESY HOURS

- Loud talking or music, or other disruptive noise in rooms, courtyards, stairwells, or lobby areas during designated quiet hours (Sunday -Thursday 10 p.m. - 8 a.m.; Friday & Saturday Midnight - 10 a.m.; 24-hours during the week of final exams) is prohibited. Loud talking, music, or other disruptive noise in rooms, courtyards, stairwells, or lobby areas during 24-hour courtesy hours is prohibited.
- Speakers may not be placed in windows. Residents are responsible for turning down sound systems, discontinuing noisy activity, and turning off subwoofers if requested to do so by another resident or staff member at any time. Quiet hours are enforced regardless of holidays or semester breaks.

SALES, SOLICITATION AND CANVASSING

- Door-to-door solicitation, sales, and canvassing in the residence halls are not permitted.
- Distribution of flyers or leaflets or the placement of these items on cars is prohibited.
- Unauthorized placement of flyers and other forms of publicity in student mailboxes is prohibited.
- Engaging in sales or business activities within one's unit or community area within on campus housing is prohibited.

SMOKING

- In accordance with Florida State Law, smoking is prohibited in all University buildings and sections thereof, owned, leased, or operated by the University. This includes but is not

limited to, classrooms, stairwells, bathrooms, offices, hallways, labs, libraries, and on-campus housing facilities/units. (Refer to Student Conduct and Honor Code Section 5(t).)

- FIU is a tobacco and smoke-free campus. Under the regulation, smoking and use of tobacco products (including electronic cigarettes) are prohibited in all areas of FIU's campuses.
- Smoking, Tobacco, and all devices used for smoking (i.e., e- cigarettes, hookahs, pipes, etc.) are not permitted in any of the residence hall rooms, apartments and facilities, including courtyards, elevators, stairwells, balconies, lounges, patios, etc. Throwing cigarettes on the ground is considered littering.
- Ashes and buds will be considered evidence of smoking in a unit.

SOCIAL GATHERINGS

- Social gatherings, parties, and meetings in individual units are subject to all Municipal, State and Federal Laws, as well as University policies. The number of people in a unit at any time, including residents of the unit, must be limited as follows:

Unit Type	Maximum Occupancy allowed
4 bed units:	8 people
3 bed units:	6 people
2 bed units:	4 people
1 bed unit:	2 people

Residential Life staff reserve the right to disperse gatherings when residents or guests are in violation of any University or Housing policy.

SPORTS IN RESIDENCE HALLS

- Participating in sporting activities in units, hallways, courtyards, lounges, breezeways and lobbies is prohibited.

TRESPASSING/UNAUTHORIZED USE

- Unauthorized presence in, or unauthorized use of University property, facilities, or restricted areas is prohibited.

WEAPONS, FIREARMS, EXPLOSIVES

- Weapons, firearms and explosives of any form are not allowed in the Residence Halls. (Refer to Student Conduct and Honor Code Section 5(z).)

FIU

POLICIES & REGULATIONS



POLICIES & REGULATIONS

FIU-2501 STUDENT CONDUCT AND HONOR CODE

As an academic community, Florida International University (FIU) fosters the intellectual exchange of ideas, knowledge, and experience. It is the responsibility of the University to provide a safe and stimulating environment in which scholarship and personal growth may occur. The desired effect is that Students will take advantage of this environment to develop intellectually as well as to participate as responsible, contributing citizens of our community. Being a contributing Student also comes with responsibility to adhere to the Student Conduct and Honor Code (Code). The ultimate responsibility for knowing University requirements and regulations rests with the Student, regardless of institutional or program affiliation. Nothing in this Regulation should be interpreted to abridge the right of any member of the University community of rights granted under the United States or Florida Constitution and/or any other applicable law including, but not limited to, the freedom of expression protected by the First Amendment. Those charged with and found Responsible for violations of the Code will be subject to appropriate action as outlined herein. For the most Code, please refer to the website of the Office of Student Conduct & Academic Integrity (SCAI) at conduct.fiu.edu.

Undergraduate, Graduate, and Professional Students at FIU are expected to adhere to the highest standards of integrity in every aspect of their lives. Honesty in academic matters is part of this obligation. Academic integrity is the adherence to those special values regarding life and work in an academic community. Code violations may lead to suspension or expulsion from the University if a determination of responsibility has been made. These sanctions will be determined based on severity of incident and prior violations of the Code.

The safety and well-being of our community is the University's foremost concern. FIU has zero tolerance for acts that compromise the safety and well-being of members of the University community. It is the policy of the University that acts of harassment and violence will not be tolerated. Any act of intimidation, threat of violence, or act of violence committed against other members of the University when committed within the jurisdiction of the Code is prohibited. Any Student or Student Organization found responsible for a violation of this standard will be subject to discipline up to and including expulsion pursuant to the Code. Code violations in the following list may lead to suspension or expulsion from the University if a determination of responsibility has been made:

Drug distribution and/or sales (Section 5(g)(2))

Endangerment (Section 5(h))

Hazing (Section 5(m))

Sexual misconduct (Section 5(s))

Stalking (Section 5(u))

Weapons (Section 5(z))

1. DEFINITIONS

- a. **Academic Misconduct:** Any act or omission by a Student, which violates the concept of academic integrity and undermines the academic mission of the University in violation of the Code.
- b. **Advisor:** Any person chosen by the Charged Student, Charged Student Organization, or the Complainant to assist throughout the Student Conduct and/or Academic Misconduct processes (e.g., faculty, staff, parent/guardian, attorney, friend, alumni, or any other person who is not a Witness in the process).
- c. **Business Day:** A day when the University is open for regular business operations from 8:00 am up to 5:00 pm Eastern Time. For emailed correspondence, the day of delivery is not included in a designated time period.
- d. **Character Witness Statement:** A statement relating to the general character and reputation of the person.
- e. **Charge:** The written statement of the alleged violations of the Code.
- f. **Charged Student:** Any Student who has been charged with an alleged violation of the Code.
- g. **Coercion:** Conduct, intimidation, and/or expressed or implied threats of physical, emotional, financial, or any other type of harm that would reasonably place an individual in fear of immediate or future harm and that is employed to force or compel someone to engage in sexual contact or any other type of involuntary conduct, especially conduct which would endanger or be detrimental to the Complainant. Examples of Coercion include:
 - Causing the deliberate Incapacitation (see below for definition) of another person;
 - Conditioning an academic benefit or employment advantage;
 - Threatening to harm oneself if the other party does not engage in sexual contact.
 - Threatening to disclose an individual's sexual orientation, gender identity, gender expression, or other personal or sensitive information if the other party does not engage in the sexual contact or takes actions involuntarily.
- h. **Complainant:** Any individual who may have been the subject of any Sexual Misconduct, Dating or Domestic Partner Violence, and/or Stalking by the Charged Student regardless of whether the individual makes a report.
- i. **Consent:** A clear, knowing, and voluntary agreement to engage in specific sexual activity at the time of the activity. Consent can be communicated by words or actions as long as those words or actions create mutually understandable permission regarding willingness to engage in (and the conditions of) sexual activity. Consent must be ongoing throughout the sexual activity and can be withdrawn at any time. Sexual contact must cease immediately once withdrawal of consent is clearly communicated.
 - Consent must be active, not passive.
 - Lack of protest or resistance does not mean consent has been granted, nor does silence mean consent has been granted.
 - Within each sexual encounter, there may be separate individual sexual acts involved, and consent to one act and/or person(s) by itself does not constitute consent to another act and/or person(s).
 - The existence of a dating relationship between the persons involved, or the fact of past sexual relations, should never, by itself, be assumed to be an indicator of consent for any current or future sexual encounter even in the context of a relationship, there must be mutual consent.

- If coercion or force is used, there is no consent.
 - If a person is incapacitated so that the person cannot understand the fact, nature or extent of the sexual situation, there is no consent. This may be affected by conditions due to age, alcohol or drug consumption, unconsciousness, being asleep, physical or developmental disabilities.
 - Whether one has taken advantage of a position of influence over another can be a factor in determining whether there was consent.
 - In order to give consent, one must be of legal age.
 - The question of what the Charged Student should have known as to whether the Complainant was Incapacitated is objectively based on what a reasonable person, sober and/or exercising good judgment, would have known about the condition of the Complainant.
- j. **Dating or Domestic Partner Violence:** Any instance of violence or abuse (verbal, physical, or psychological) that occurs between those who are in, or have been in, an intimate relationship with each other.
- k. **Final Agency Action:** The written decision resulting from the Student Conduct and/or Academic Misconduct processes which finally determines the rights or obligations of the Charged Student or Student Organization.
- l. **Hazing:** Any action or situation that recklessly or intentionally endangers the mental or physical health or safety of a Student for purposes including, but not limited to, initiation or admission into, affiliation with, or the perpetuation or furtherance of a tradition or ritual of any Student Organization operating under the sanction of the University.

Although hazing is typically related to a person's initiation or admission into, or affiliation with a Student Organization, athletic team (intramural, club or intercollegiate), extracurricular activity or any other University group or organization, it is not necessary to have direct proof that a person's initiation or continued membership is contingent upon participation in the activity for a charge of hazing to be upheld.

The actions of active, prospective, former, or associate members (pledges) of a Student Organization may be considered hazing. Organizational leaders who plan a hazing event will be held responsible even if not in attendance at an event where the hazing occurs.

- m. **Hearing Body:** Student Conduct hearings consist of a Hearing Officer or, a Student Conduct Committee, two (2) Students, a faculty/staff member, and a non-voting Hearing Officer. Academic Misconduct hearings consist of a Hearing Officer or, a Student Conduct Committee, three (3) Students, and two (2) full-time faculty members, and a non-voting Hearing Officer. Title IX hearings shall be conducted by a University official or panel of University officials, except a committee or panel where students comprise at least one-half of the membership may be provided if requested by the Charged Student and no objection is raised by the Complainant.
- n. **Hearing Officer:** The SCAI Director, the Director of Housing and Residential Life, or respective designee(s).
- o. **Immediate Medical Assistance:** Aid that includes, but is not be limited to, rendering cardiopulmonary resuscitation (CPR) to a victim, clearing an airway for the victim to breathe, using a defibrillator (AED) to assist the victim, or rendering any other assistance to the victim which the Student intended in good faith to stabilize or improve the victim's condition while waiting for medical assistance or law enforcement to arrive.

- p. **Impact Statement:** A statement (oral or in writing) that describes how the Complainant or Charged Student, or Student Organization has been impacted by the incident that is the basis for the Charge.
- q. **Incapacitation:** Incapacitation is the inability, temporarily or permanently, to give Consent because the individual is mentally and/or physically helpless, or the individual is unconscious, asleep, or otherwise unaware that the sexual activity is occurring.
- r. **Instructor:** The Instructor of record for a course in which a violation(s) of Academic Misconduct is alleged.
- s. **Interim Suspension:** An immediate temporary (i.e., a limited period of time) separation from the University.
- t. **Member of the University Community:** Any person who is a Student, faculty or staff, any other person currently employed by the University, or third party working on University Premises or within On-Campus Housing (i.e. contractor, vendor), or any participant in a University-sponsored program or activity regardless of the location of the program or activity.
- u. **On-Campus Housing:** Such housing owned, controlled, and operated by the University to include, but not limited to, the following: Everglades Hall, Lakeview Halls (North & South), Panther Hall, Parkview Hall, University Apartments, and University Towers. On-Campus Housing also includes Bayview Student Living (BBC), or any fraternity or sorority houses located on University Premises.
- v. **Policy:** The written procedures, policies, or regulations of the University (as they may be amended from time to time) as found in, but not limited to, the Florida International University Board of Trustees regulations, the Code, the Undergraduate/Graduate/Professional Catalogs, the Student Handbook, the University Housing Resident Handbook, and/or Campus Life/Wellness & Recreation Center policies.
- w. **Preponderance of the Evidence:** When the information that is presented supports a finding that it is more likely than not that a violation occurred.
- x. **Receipt of Written Notice:** When Written Notice (see below for definition) has been sent electronically to the official University email address.
- y. **Reporting Party:** Any person (including the Complainant) who reports an alleged violation of the Code by a Student.
- z. **Revenge Porn:** To publish a sexually explicit image of a person, including any depiction that contains or conveys the personal identification or information of the depicted person by any electronic, digital or other means, including to an internet website, by text, by email, and/or by or through social media without the depicted person's Consent.
- aa. **SCAI Director:** The Assistant Dean of Students/Director of the Office of Student Conduct and Academic Integrity (SCAI) or designee.
- bb. **Student:** Any person who participates in any course or program of the University, either full-time or part-time, in-person or online, and whether degree-seeking or non-degree seeking. Persons who withdraw after allegedly violating the Code, persons who are not officially enrolled at the University for a particular term but who have a continuing relationship with the University, persons who have been notified of being accepted for admission, and persons who are living in the residence halls but are not enrolled at the University are also considered Students.
- cc. **Student Organization:** A Student group that is officially registered or recognized by the University, including, but not limited to, political groups, social groups, honor & professional societies, fraternities & sororities, and sport clubs.

- dd. **Title IX Coordinator:** The individual University official with the primary responsibility for coordinating the University's compliance with Title IX. The Deputy Title IX Coordinator is an individual(s) designated by the Title IX Coordinator to support the Title IX Coordinator with respect to the University's efforts to comply with Title IX.
- ee. **University:** Florida International University.
- ff. **University Official:** Any person employed by the University to perform assigned teaching, research, administrative, professional or other responsibilities (e.g., faculty, staff, administrators, residence hall staff, FIU Police).
- gg. **University Premises:** Any building or property owned or controlled by the University within the same reasonably contiguous geographic area and used by the University in direct support of, or in a manner related to, the University's educational purposes, including residence halls; and any building or property that is within or reasonably contiguous to that previously described in this paragraph that is owned by the University, but that is controlled by another person, is frequently used by students, and supports University purposes (e.g., a food or other retail vendor). This definition is designed to conform to the Clery Act definition which can be amended from time to time.
- hh. **Witness:** A person(s) who has factual knowledge about the incident which forms the basis of the Charge.
- ii. **Written Notice:** A notification of the charges against the Charged Student sent via email to the Charged Student's official University email address. A notification to a Student Organization sent via email to the official University email address of the Student Organization's President.

2. JURISDICTION

- a. Each Student shall be responsible for their conduct from the time that he/she has been notified of admission through the actual awarding of a degree, including the academic year and during periods between terms of actual enrollment. The Code shall apply to a Student's conduct even if the Student withdraws from the University, while a conduct matter is pending, or if the conduct is not discovered until after a Student has withdrawn or a degree has been awarded.
- b. Jurisdiction under the Code applies to the conduct of any Student or Student Organization that occurs on University Premises or On-Campus Housing, at University-related activities/events, on all locations where a University course, program, or activity is being conducted, including foreign locations, such as study abroad programs.
- c. The University reserves the right to impose discipline based on off-campus conduct, including Academic Misconduct. Discipline for off-campus conduct may be pursued under the Code if:
 - The off-campus conduct is specifically prohibited by law or the Code;
 - The off-campus conduct demonstrates that the continued presence of the Student on campus presents a danger to the health, safety, or welfare of the University community, is disruptive to the orderly conduct, processes and functions of the University, is contrary to the University's mission, or is intimidating or threatening to the University community or member of the University community; or
 - The off-campus conduct has continuing adverse effects on the campus.
- d. A conduct proceeding is not a criminal or judicial proceeding. It is designed to address the Charged Student's behavior, whether on or off-campus; therefore, alleged violations of the Code will be addressed independently of any criminal or

judicial proceeding and regardless of whether the criminal charges have been dismissed or reduced to a lesser offense.

- e. The Code does not address:
 - Issues related to research misconduct. Resolutions of issues related to research misconduct must be addressed using the University Research Misconduct policy; or,
 - Issues related to professional misconduct. Resolutions of issues related to professional misconduct must be addressed at the school or college level.

3. AUTHORITY

- a. The Board of Trustees of Florida International University has been charged with the responsibility of, and authority for, providing a Student conduct system. Authority for Student discipline and the Student conduct system rests with the University President. Although the University President holds the ultimate authority for Student discipline, this authority is delegated to the Senior Vice President for Academic & Student Affairs, who is responsible for implementing the Student disciplinary system. The Senior Vice President for Academic & Student Affairs delegates authority for the execution and implementation of the Student Conduct and Honor Code to the SCAI Director.
- b. The requirements and procedures in the Student Conduct and Honor Code may be revised. Those revisions may occur in order to serve the needs of the University Students, faculty and/or staff where safety and security issues so demand. In addition, those revisions may occur in circumstances where, in the University's sole discretion, the requirements and procedures described herein are deemed insufficient to meet the objectives of educating and protecting the members of the University community and/or to respond to changes in the law. Nothing in this Code shall be construed as preventing the University President from taking any action which may be deemed necessary to meet the goals of this Code. In matters involving charges for drug distribution and/or sales (Section 5(g) (2)), endangerment (Section 5(h)), hazing (Section 5(m)), sexual misconduct (Section 5(s)), stalking (Section 5(v)), and weapons (Section 5(z)) the President may change the outcome and/or sanctions to fulfill requirements of the Code as outlined in Section 18.
- c. The Hearing Body is authorized by the Senior Vice President for Academic & Student Affairs or designee to conduct Student Conduct hearings as set forth in this Code.
- d. Decisions of the Hearing Body constitute Final Agency Action unless there is a timely appeal. If a decision is timely appealed, the decision of the appellate body constitutes Final Agency Action.
- e. The Hearing Body is authorized to conduct Student Conduct hearings as follows:
 - The Office of SCAI may conduct Summary Resolutions, Administrative Hearings and Student Conduct Committee Hearings as set forth in this Code.
 - The Department of Housing and Residential Life (HRL) may conduct both Summary Resolutions and Administrative Hearings regarding cases involving Conduct violations arising in On-Campus Housing. HRL is not authorized to conduct Summary Resolutions and Administrative Hearings regarding cases involving Academic Misconduct violations or Student Conduct Committee hearings. HRL cases may be referred to the SCAI.
 - In cases where conduct involves both potential Conduct and Academic Misconduct violations, the SCAI Director (or designee) has the authority to

handle both matters simultaneously through a joint hearing. If a Student is found Responsible for simultaneous Conduct and Academic Misconduct violations, sanctions from both processes may be imposed.

4. AMNESTY

The University encourages Students to seek medical assistance and/or report sexual misconduct and hazing, but it recognizes that they may be hesitant to make a call or report when they:

- a. Need Immediate Medical Assistance due to their own use of alcohol/drugs,
 - b. Witness another Student who needs Immediate Medical Assistance due to alcohol/drugs and they may have used alcohol/drugs themselves,
 - c. Want to report sexual misconduct, but they themselves (or Witnesses they identify) may have used alcohol/drugs, or
 - d. Were present at an event where, as a result of hazing, a person appeared to be in need of Immediate Medical Assistance.
- a. Alcohol/Drugs
 1. Students involved in an incident involving alcohol/drugs may not be charged under the Code with possession or consumption if:
 - i. Acting in good faith, they call for Immediate Medical Assistance for themselves and/or others who have participated in or witnessed the incident, and
 - ii. The Student calling for Immediate Medical Assistance remains at the scene with the person in need of Immediate Medical Assistance until such assistance or law enforcement arrives, and then cooperates with such personnel on the scene.
 2. Amnesty for alcohol/drugs will be granted only one (1) time for a Student.
 3. Other charges related to the incident (e.g., alcohol distribution, drug distribution, or other non-alcohol/drug charges) may be determined at the discretion of the SCAI Director.
 4. Amnesty is not granted to Student Organizations.
 - b. Hazing

A Student may not be charged under the Code if the Student establishes that, before medical assistance or law enforcement arrived on the scene of a hazing event, the Student rendered aid to the hazing victim and establishes all of the following:

 1. The Student was present at an event where, as a result of hazing, a person appeared to be in need of Immediate Medical Assistance, and
 2. The Student was the first person to call 911 or FIU Police to report the need for Immediate Medical Assistance, and
 3. The Student provided their own name, the address where Immediate Medical Assistance was needed, and a description of the medical issue to the 911 operator or FIU Police at the time of the call, and
 4. The Student remained at the scene with the person in need of Immediate Medical Assistance until such medical assistance or law enforcement arrived and that the Student cooperated with such personnel on the scene.

5. CONDUCT VIOLATIONS

The following conduct is prohibited by this Code. It is a violation of this Code for any Student or Student Organization to engage in behavior that aids, attempts, assists, promotes, condones, encourages, induces, requires, conceals, or facilitates any act

prohibited by this Code. Allowing, permitting, or providing an opportunity for a guest to violate University policy is also prohibited. These violations are included in each section below and need not be cited separately. Lack of familiarity with University policy is not a defense to a violation of this Code. Unless specifically noted, intent is not a required element to establish a policy violation. Additionally, intoxication or impairment caused by use or consumption of alcohol, drugs, or other substances is not a defense to a violation of this Code.

The following conduct violations or any attempt to violate the Code will be used in charging all Students or Student Organizations.

a. Alcohol

Students who choose to drink will be held fully responsible for their behavior while under the influence of alcohol. Loss of control due to intoxication does not excuse or justify a violation of the state law, University Policy, or the rights of others.

1. Possession, use and/or consumption of alcohol when under the legal drinking age as provided by Florida Law.
2. Dispensing, selling or supplying alcoholic beverages to an individual who is under the legal drinking age as provided by Florida Law.
3. Any violations of FIU Policy governing alcohol usage. See, FIU-Regulation 2505 Alcoholic Beverages.
4. Use and/or possession of beer kegs and party balls or other common sources of alcohol.
5. Possession of open containers of alcohol or consumption of alcoholic beverages in public areas, such as balconies, courtyards or hallways.
6. Public intoxication (e.g., appearing in a state of intoxication) and/or excessive drinking.
7. Use and/or possession of devices designed for the rapid or excessive consumption of alcohol, including, but not limited to, funnels, ice luges, and beer bong.
8. Hosting or sponsoring a gathering where underage individuals are drinking alcohol.
9. Unlawful manufacture, trade, and/or intent to sell alcohol.
10. Reporting to classes, work, or related assignments “under the influence” of alcohol.
11. Violating any other University Policy while under the influence of alcohol.

b. Animals

The University allows individuals to bring animals on University Premises in accordance with federal laws. A service animal is permitted on campus grounds and within University buildings, including the University housing assignment provided to an individual with a disability. An emotional support animal is permitted on campus to accompany an individual into his or her University assigned residence in accordance with the U.S. Department of Housing and Urban Development.

1. Failing to obtain approval from Housing and the Disability Resource Center (DRC) for the Student’s emotional support animal (as defined by federal law) in a residence hall.
2. Having an approved emotional support animal beyond authorized areas (i.e., within the residence halls and immediate access to outdoor areas).

3. Failing to register the Student's service animal (as defined by federal law) with the DRC if the Student resides on campus.
 4. Failing to properly control the service animal and/or emotional support animal such that the animal is disruptive, is not housebroken, or poses a safety or health concern.
 5. Bringing pet dogs, cats, or other animals (except non-dangerous fish) to campus or being in possession of stray animals.
- c. Bribery**
Knowingly making an offer, gift, receipt, or solicitation of money, materials, goods, services or anything of value for the Student or others for the purpose of procuring or providing an advantage to which they are not otherwise legally entitled.
- d. Computer Misuse**
1. Unauthorized access, entry or use of a computer, computer system, network, software, password, account or data.
 2. Unauthorized alteration or degradation of computer equipment, software, network, data or system performance.
 3. Unauthorized copying or distribution of computer software or data.
 4. Unauthorized use, taking, or theft of University computer resources for commercial purposes or personal financial or other gain. This includes, but is not limited to, advertising a product or service on personal web pages, fund-raising or advertising on behalf of unsanctioned non-University organizations, publicizing of unsanctioned non-University activities, resale of University resources to any non-University individuals or organizations, and the unauthorized use of the University's name or logos. Use of the University's network for any of these purposes, even if the user is using their own personal computer, constitutes an offense.
 5. Allowing another person to use one's FIU username and password.
 6. Any other violation of the University computer use and web page policies. The complete policies are available at <http://security.fiu.edu/policies>. The website also contains the civil and criminal penalties for distributing, without authority, copyrighted materials (including unauthorized peer-to-peer file sharing) and the penalties for violating federal copyright law.
 7. Unauthorized distribution or downloading of copyrighted materials, including but not limited to, unauthorized peer-to-peer file sharing. This is a violation whether the user is using their own personal computer or the University's information technology system for the unauthorized distributions.
- e. Dating or Domestic Partner Violence**
1. **Physical Violence or Abuse:**
 - i. Occurs when one intentionally or recklessly (1) causes bodily harm to another person; (2) attempts to cause bodily harm to another person; or (3) puts another person in fear of imminent bodily harm. No Student may knowingly or recklessly touch any other person without that person's consent. Punching, slapping, scratching, or otherwise striking any person, including a Dating or Domestic Partner, with any part of one's body or with any object constitutes physical violence.
 - ii. Occurs when there is a pattern of engaging in physical violence or abuse as described above.
 2. **Psychological Abuse:**
 - i. Occurs when one intimidates, dominates, terrorizes, humiliates, or isolates any other person, especially a Dating or Domestic Partner.

- ii. Occurs when there is a pattern of engaging in psychological abuse as described above.

3. Verbal Abuse:

- i. Occurs when one uses extreme or excessive language that is in the form of insults, name-calling, or criticism, designed to mock, shame, or humiliate another person, especially a Dating or Domestic Partner. Verbal behavior must be: (1) objectively endangering and (2) sufficiently severe, persistent, or pervasive to constitute verbal abuse. Singular statements and isolated incidents may fall short of this sufficiency standard.
- ii. Occurs when there is a pattern of engaging in verbal abuse as described above.

f. Disruptive Conduct

1. Behavior that substantially and materially disrupts, disturbs, impairs, interferes with or obstructs the orderly conduct, processes and functions of the University or the rights of other Members of the University community.
2. Behavior that substantially and materially disrupts, disturbs, impairs, interferes with or obstructs the orderly conduct, processes, and functions of the classroom, or laboratory and/or immediate surrounding areas. This includes interfering with the academic mission of the University or individual classroom or interfering with a faculty member or instructor's role to carry out the normal academic or educational functions of their classroom laboratory and/or immediate surrounding areas.
3. Behavior that substantially and materially disrupts, disturbs, impairs, interferes with or obstructs the Student Conduct process, including, but not limited to, harassment and/or intimidation of any member of the Student Conduct Committee, Witness or University personnel before, during or after a proceeding, or attempting to coerce or influence any person(s) in order to discourage their participation in any Student Conduct proceeding.
4. Any behavior that substantially and materially disturbs the peace.

g. Drugs

Students who choose to use illegal drugs or use prescription drugs without a prescription will be held fully responsible for their behavior while under the influence. Loss of control due to being under the influence does not excuse or justify a violation of the state law, University Policy, or the rights of others.

1. Possession, use, the manufacture, creation and/or the cultivation of illegal drugs or prescription drugs without a prescription. Inhalable or ingestible substances (e.g., nitrous oxide, glue, paint) that will alter a Student's mental state.
2. Distribute, dispense, deliver, trade, sell and/or attempt to sell drugs or prescription drugs.
3. In possession and/or use of drug paraphernalia (including, but not limited, to bongos, pipes, "hookahs," spoofs, rolling papers, blunts, small plastic baggies).
4. Misuse and/or abuse of prescription drugs.

h. Endangerment

1. Occurs when one intentionally or recklessly (1) causes bodily harm to another person; (2) attempts to cause bodily harm to another person; or (3) puts another in fear of imminent bodily harm. No Student may knowingly or recklessly touch any other person without that person's consent. Punching, slapping, scratching, or otherwise striking any person with any part of one's body or with any object constitutes physical violence.
2. Engage in any action(s) that endangers the health, safety or welfare of others.

i. Failure to Comply

1. Failure to comply with a request or directive of a University Official or non-University law enforcement official in the performance of their duty.
2. Taking action, individually or working with others, which the Student(s) knew or should have known would impede an investigation by the University into possible violations of the Code committed by a Student and/or Student Organization.
3. Failure to comply with the final decision and sanctions rendered by a Student Conduct hearing or appellate body.
4. Failure to comply when a University Official requests to identify oneself and/or produce FIU identification.

j. Falsification/Fraudulent Activity/False Testimony

1. Withholding relevant information from any Hearing Body, University Officials, non-University law enforcement officers, faculty and/or staff.
2. Providing false or misleading information (whether oral or written) to any Hearing Body, University Officials, non-University law enforcement officers, faculty and/or staff. A good-faith report of prohibited conduct does not constitute a Code violation.
3. Misuse, reproduction, alteration or forgery of any identification, documents, keys or property.
4. Permitting another person to use one's identification information.
5. Misuse or possession of false identification information
6. Purporting to act on behalf of another person, group or the University without authorization or prior consent.
7. Providing a worthless check, money order or using a fraudulent credit card or a credit card without authorization.
8. Any other acts of falsification/fraud/false testimony or misrepresentation.

k. Fire and Safety

1. Inappropriate activation of any emergency warning equipment or the false reporting of any emergency.
2. Removing, damaging, interfering and/or tampering with fire safety or other emergency warning equipment, including smoke detectors, sprinklers and/or fire alarms. Items may not be hung from or block sprinklers or smoke detectors.
3. Failure to evacuate University Premises or On-Campus Housing facility/unit when a fire alarm is activated.
4. Engaging in action(s) which cause or attempts to cause the release of chemicals or substances that can cause harm to another person's health or would start a fire or explosion.

l. Gambling

1. Soliciting, placing or accepting a bet on any high school, intercollegiate or professional athletic contest on University Premises, On-Campus Housing, or at a University or Student Organization-sponsored activity or event.
2. Soliciting, facilitating or participating in any illegal gambling, bookmaking or illegal betting whether through a bookmaker, a parlay card, a pool or any other method of organized gambling on University Premises, On-Campus Housing, or at a University or Student Organization-sponsored activity or event.

m. Hazing

1. Any group or individual action or activity that inflicts or intends to inflict physical or mental harm or otherwise endanger or discomfort which may demean, disgrace and/or degrade any person, regardless of location, intent or consent of participant(s).
Taking into consideration the aforementioned description, hazing includes, but is not limited to:
 - i. Interference with a Student's academic performance;

- ii. Forced consumption of any food, alcohol, controlled substances, drugs or any other substance;
- iii. Forced physical activity (e.g., calisthenics, line-ups, walking or marching in formation);
- iv. Deprivation of food, water or sleep;
- v. Not permitting individuals to speak for extended periods of time and/or forced exclusion from social contact;
- vi. Engaging in activities which involve compelling an individual or group of individuals to remain at a certain location or transporting anyone anywhere within or outside the University (e.g., road trips, kidnaps, drops);
- vii. Physical or mental abuse of any nature, including physical discomfort;
- viii. Sexual misconduct of any nature;
- ix. Theft, defacement or destruction of private or public property;
- x. Compelling the performance of personal chores or errands;
- xi. Verbal abuse or degradation, including yelling or demands;
- xii. Assigning or endorsing pranks (e.g., stealing, harassing other organizations);
- xiii. Conducting activities designed to deceive or convince a member that they will not be initiated or that they will be hurt;
- xiv. Compelling scavenger hunts, treasure hunts, quests, road trips, big brother/little brother hunts, big sister/little sister hunts;
- xv. Any action or threatened action that would subject the individual to embarrassment, humiliation or mental distress, including the use of demeaning names; or
- xvi. Any other acts or attempted acts which would constitute hazing pursuant to Section 1006.63 of the Florida Statutes.

n. Motorcycles, Bicycles, Pocket Bikes, Rollerblades, or Skateboards

- 1. Failure to comply with FIU Regulation 115 Skateboards, Skates, Scooters, Ripstiks, Hoverboards and other similar devices and high-risk activities on University Premises or in On-Campus Housing.

o. On-Campus Housing Violations

- 1. Violation(s) of any HRL policies published in hard copy or available electronically via the HRL website (<https://studentaffairs.fiu.edu/campus-services/housing-and-residential-life/explore-housing/housing-policies/index.php>).

p. Personal Abuse

- 1. Verbal or written abuse, threats, intimidation, and/or Coercion that objectively endangers the health, safety or well-being of others. Using fighting words or statements which reasonably endanger the health and safety of any person that are not protected speech may result in University action. Conduct directed at any person, including a Member of the University community, which is intended to, or would reasonably, cause fear, distress, injury or intimidation to a person, or would place a reasonable person in fear of injury or death.
- 2. Conduct that is based on race, color, religion, ethnicity, national origin, disability, age, marital status, gender, gender identity, gender expression, pregnancy, genetic information, veteran status or any group/class protected by federal or Florida law sufficiently severe, pervasive or persistent (when viewed both from a reasonable person in similar circumstances and the person in question) that a person would be adversely affected to a degree that interferes with or limits their ability to participate in or benefit from the services, activities or opportunities offered by the University.
- 3. Interference with the freedom of another person or group to move about in a lawful manner.

q. Promotions/Posting

1. Solicitation of commercial speech on campus, including On-Campus Housing facilities, without prior approval from the appropriate University Officials. This includes, but is not limited to, the distribution of any forms of promotional/informational commercial speech material on University Premises or On-Campus Housing or objects (e.g., motor vehicles).
2. Posting of flyers, posters, banners, cards or any promotional/informational material on University Premises or On-Campus Housing, including, but not limited to, the exterior and interior of On-Campus Housing facilities, buildings, trees, walls, sidewalks, vehicles, windows, stairwells, stairs, display cases, vending machines, doors, classrooms, departmental and unauthorized bulletin boards, railings, elevators, bathrooms, art and/or sculptures without prior approval from the appropriate University Officials.

r. Retaliation

1. Acts or words taken against an individual because of the individual's participation in a protected activity that would discourage a reasonable person from engaging in protected activity. Protected activity includes an individual's good faith
 - Participation in the reporting, investigation, and/or resolution of an alleged violation of this Code; and/or
 - Opposition to policies, practices and/or actions that the individual reasonably believes are in violation of the Code. Retaliation may include intimidation, threats, coercion, physical harm and/or adverse employment or educational actions. Retaliation may be found even when an underlying report made in good faith was not substantiated. Retaliation may be committed by the Charged Student, the Complainant, the Reporting Party or any other individual or group of individuals.

s. Sexual Misconduct

Sexual misconduct involves failure to comply with FIU Regulation 105 Sexual Misconduct (Title IX) and includes:

1. **Non-Consensual Sexual Touching** – any sexual touching without Consent. Sexual touching is any intentional touching of a person's body, including the breasts, buttocks, groin, genitals or other intimate parts. Touching may be over or under clothing and may include the Charged Student touching the Complainant, the Charged Student making the Complainant touch the Charged Student or another person, or the Charged Student making the Complainant touch the Complainant's own body.
2. **Obscene or Indecent Behavior**
 - i. Exposure of one's sexual organs or the display of sexual behavior that would reasonably be obscene or indecent to others. Other forms of obscene or indecent behavior include sexual exhibitionism, engaging in prostitution or the facilitation or solicitation of a prostitute.
 - ii. Observing another individual's nudity or sexual activity or allowing another to observe consensual sexual activity without the knowledge and consent of all parties involved.
 - iii. Recording, photographing, transmitting, showing, viewing, streaming or distributing intimate or sexual images, audio recordings or sexual information of another person in any form without the knowledge and Consent of all parties involved.
 - iv. Publishing a sexually explicit image of a person that contains or conveys the personal identification or information of the depicted person to an internet

website, text, email and/or social media without the depicted person's Consent.

3. **Sexual Harassment** – any unwelcome sexual advance, request for sexual favors and/or other verbal or physical conduct of a sexual nature:
 - i. Submission to, or rejection of, such conduct is made implicitly or explicitly a term or condition of a person's instruction, academic standing or participation in any University program, activity or benefit;
 - ii. Submission to, or rejection of, such conduct by an individual is used as a basis for academic or work evaluation;
 - iii. Such conduct creates a hostile environment. A hostile environment exists when the conduct is sufficiently severe, persistent or pervasive that it unreasonably interferes with, limits or deprives an individual from participating in or benefiting from the University's educational and/or campus-residential experience when viewed both from a reasonable person in similar circumstances and the person in question.
 4. **Gender-based Harassment** – any harassment based on gender, sexual orientation, gender identity or gender expression, including acts of aggression, intimidation or hostility, whether verbal or non-verbal, graphic, physical or otherwise, even if the acts do not involve contact of a sexual nature.
 5. **Sexual Coercion** – the act of using pressure or force to have sexual contact with someone who has already refused.
 6. **Sexual Assault** – the threat to commit sexual battery with the immediate capacity to do so.
 7. **Sexual Battery** – any sexual intercourse by any person upon another without Consent. Sexual intercourse includes vaginal or anal penetration, however slight, by a person's penis, finger, other body part or an object, or any oral-genital contact (regardless of whether it involves penetration).
- t. Smoking and Use of Tobacco-Related Products**
1. Failure to comply with FIU Regulation 113 Smoke and Tobacco-Free Campus by smoking in or on any University Premises or On-Campus Housing. Smoking means possession of a lighted cigarette, cigar, pipe, water pipe or hookah, or the use of an electronic cigarette, cigar, pipe, vape or any other device intended to simulate smoked tobacco.
 2. Use of smokeless tobacco, snuff, chewing tobacco, smokeless pouches and any other form of loose-leaf or smokeless tobacco.
- u. Stalking**
1. 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. For the purposes of this conduct violation, (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 Complainant.
- v. Student Organization Policies**
1. Members of the Student Organization acting together to violate University Policy.
 2. More than one Student working together to impede an investigation by the University into possible violations of the Code committed by a Student Organization.
 3. Acting to protect from official action one or more alleged individual offenders who are members, former members or guests of the Student Organization.

4. Leaders of the Student Organization who fail to report and/or take reasonable action against guests and/or members responsible for alleged violations.
5. Violation(s) of any Campus Life/Fraternity and Sorority Life/Sports Club Policies published in hard copy or available electronically via the appropriate website. See <https://studentaffairs.fiu.edu/get-involved/campus-life/index.php>, <https://studentaffairs.fiu.edu/get-involved/sorority-and-fraternity-life/index.php>, or <https://studentaffairs.fiu.edu/health-and-fitness/recreation/index.php>.

w. Theft and Theft-Related Conduct

1. Taking, or use of, the property or services of another person or of the University without prior written consent or authorization of the person or of the appropriate authority.
2. Possession and/or sale of property or services of another person or of the University without prior written consent or authorization.

x. Trespassing/Unauthorized Use

1. Unauthorized presence in or unauthorized use of University Premises or On-Campus Housing, facility or restricted area.

y. Vandalism/Damage/Littering

1. Damage, destruction or defacing property of another person, group or the University.
2. Dispersing litter in any form on University grounds or facilities, including, but not limited to, cigarette butts, flyers, cans, and bottles.

z. Weapons, Firearms, Explosives

1. Possession, storage or use of firearms, except as provided in below, explosives, ammunition or other weapons or dangerous articles or substances, including, but not limited to tasers, switchblade knives and non-lethal weapons such as fireworks, paintball guns, air guns, BB guns, any dangerous chemical or biological agents, corrosive agents, compressed gas, sling shots, brass knuckles, Chinese stars, or any other item used as a weapon.
 - In accordance with Florida Statutes section 790.115, possession of firearms on University Premises or On-Campus Housing (except as provided by Florida Statutes section 790.25(5)).
 - Possession of a concealed weapon or firearm on University Premises or On-Campus Housing even if the Student possesses a concealed weapon license.
2. Notwithstanding the foregoing, weapons, including non-functioning antique display weapons, may be used for classroom instructional purposes or other University sanctioned activities (e.g., firearms under the direct supervision of ROTC, a diver's knife for a scuba divers' class) but only with prior approval by the appropriate University Official.
3. Threat of the use of a weapon or weapons that could, or would, cause distress or injury to a member or members of the University community or damage to University Premises or On-Campus Housing.

aa. Other Violations

1. Attempt or intent to commit any violation outlined in the Code .
2. Involvement in any violation outlined in the Code. This includes prompting, facilitating, or encouraging others to commit acts prohibited by this Code and/or the failure to remove oneself from the area/incident where the offense is being committed or attempted.
3. Aids or abets another in any violation of federal law, state law, local ordinance, and/or Policy.
4. Violations of federal and/or state laws, local ordinance, and/or Policy.

6. ACADEMIC MISCONDUCT VIOLATIONS

a. Academic Dishonesty

1. In general, by any act or omission not specifically mentioned in the Code and which is outside the customary scope of preparing and completing academic assignments and/or contrary to the above stated policies concerning academic integrity.

b. Bribery

1. The offering of money or any item or service to a member of the faculty, staff, administration, Student or any other person in order to commit academic misconduct.

c. Cheating

1. The unauthorized use of any materials, information, study aids or assistance from another person on any academic assignment or exercise, unless explicitly authorized by the course Instructor.
2. Assisting another Student in the unauthorized use of any materials, information, study aids, unless explicitly authorized by the Instructor.
3. Having a substitute complete any academic assignment or completing an academic assignment for someone else, either paid or unpaid.

d. Commercial Use

1. The selling of course material to another person, Student, and/or uploading course material to a third-party vendor without authorization or without the express written permission of the University and the Instructor. Course materials include but are not limited to class notes, Instructor's PowerPoints, tests, quizzes, labs, instruction sheets, homework, study guides and handouts.

e. Complicity

1. The planning or acting with one or more fellow Students, any member of the faculty, staff or administration, or any other person to commit any form of academic misconduct together.

f. Falsification of Records

1. The tampering with or altering in any way of any academic record used or maintained by the University.

g. Plagiarism

1. The deliberate use and appropriation of another's work without any indication of the source and the representation of such work as the Student's own.
2. Assisting another Student in the deliberate use and appropriation of another's work without any indication of the source and the representation of such work as the student's own.

7. PRE-HEARING PROCEDURES

- a. **Initiating Charges for Conduct Violations:** Any person or entity (including University departments, offices, officials, community members) may report an alleged violation(s) of the Code for review by the SCAI by:

1. Submitting a police report that has been filed with any police department;
2. Providing a SCAI incident report (see <http://conduct.fiu.edu> for report) along with accompanying documentation; or
3. Making an oral report to SCAI.

- b. **Initiating Charges for Academic Misconduct Violations:** Any person or entity (including University departments, offices, officials, community members) may report an alleged violation(s) of the Code for review by the SCAI by:

1. Submitting the alleged violation(s) through the Academic Misconduct Report Form (AMR) along with any accompanying documentation (see <http://conduct.fiu.edu> for

- report). Instructors are encouraged to discuss the allegations with the Student prior to referral to SCAI.
2. If a Student, staff member, or a person not affiliated with the University observes a Student committing an Academic Misconduct violation, they may report the alleged violation to SCAI via the standard incident reporting form (see <http://conduct.fiu.edu> for report). SCAI will then communicate with the appropriate faculty member, chair, or College/School Dean.
 3. All matters relating to Academic Misconduct among undergraduate, graduate, and professional Students are referred to the SCAI Director or designee. In matters where there is a conflict of interest with the SCAI Director, the case will be referred to the Senior Vice President for Academic & Student Affairs or designee.
- c. **Preliminary Review:** The SCAI Director will determine, at their discretion, whether further fact-finding is needed and whether there is sufficient information to file charges regardless of the participation of any party in the proceedings.
1. Upon receiving an alleged violation of Academic Misconduct, the SCAI Director or designee may review relevant information and consult with relevant parties regarding the incident in question. In addition, Instructors can request an intake meeting with SCAI staff to review allegations, the Charges, possible Sanctions, and to be explained the Student conduct process, and any available forms of resolution. Reasonable efforts will be made to hold this intake meeting at least ten (10) Business Days before any scheduled hearing.
- d. **Filing Time:** Anyone may report an alleged Code violation within ninety (90) calendar days of the incident or obtaining knowledge about the incident, whichever is later. For conduct under Section 5.e (Dating or Domestic Partner Violence), 5.s (Sexual Misconduct) and 5.u (Stalking), there is no time limit for reporting. In addition, the SCAI Director may extend the filing time where the delay may be related to issues of victimization or beyond the control of the University.
- e. **Investigations:** The SCAI Director retains the discretion to determine whether an investigation should be conducted, and the scope of such investigation based on the alleged violations. The investigation will be a neutral fact-finding process used to determine if there is sufficient information to warrant action by the University.
- f. **Charge Letter:** The Charged Student or Student Organization will be given a written notice of the Charges. The Charge Letter will include the following:
1. Notice of the charge(s), including specific code section(s) which constitutes the alleged violation(s) of the Code, an allegations statement and any other detail in order to prepare for a Student Conduct proceeding; and
 2. An appointment to attend an information session.
- g. **Consolidation:** When two or more Charged Students are charged in the same incident, the Hearing Body, in their discretion, may hold a separate hearing for each Charged Student or may hold a joint hearing if all Charged Students agree.
- h. **Information Session:** An information session is designed to provide the Charged Student or Student Organization with information about the hearing process as well as giving access to the information supporting the charge(s) available at that time.
1. The Charged Student or Student Organization will have an opportunity to review all information in the Student Conduct file at the information session with their Advisor, including the names of Witnesses to be called and the information to be used in the matter.
 - i. Subsequent to the information session, the Hearing Officer may conduct further fact-finding regarding the incident that is subject to the charge. This information will be communicated to the Charged Student/Student Organization prior to the hearing.

2. If a Charged Student or Student Organization fails to attend a scheduled information session, the Charged Student or Student Organization will be deemed to have waived their right to an information session. Under those circumstances, a hearing will be scheduled. Failure to attend an information session will result in the Hearing Officer determining the type of hearing. The hearing type will be determined based on the severity of the possible sanctions (e.g., suspension/expulsion cases may be referred to the Student Conduct Committee).
 3. If the Charged Student fails to attend the information session, the Hearing Officer may place a hold/service indicator on the Charged Student's record until the conclusion of the hearing. If sanctions are imposed as a result of the hearing, the hold/service indicator will be retained until the Charged Student fulfills all of the sanctions.
- i. **Student Academic Status Pending the Code Process:** The Student's academic status will remain unchanged pending the outcome of the Code process, except where the Senior Vice President for Academic & Student Affairs or designee determines that the safety, health, or welfare of the University community is involved. When a final grade for a course may be involved, a grade of IN should be assigned, pending the University's final decision in the matter. A Charged Student's ability to register for future semesters may be temporarily placed on hold.

8. RESOLUTION OPTIONS

A Charged Student is entitled to a resolution of any alleged violation of the Code through a disciplinary proceeding unless waived as set forth below. Two (2) types of resolution options are provided by the Code.

a. Summary Resolution

1. A summary resolution is available when the Charged Student or Student Organization waives the right to a hearing and requests that the Hearing Officer conducting the information session determine the findings and sanctions if applicable. The Hearing Officer reserves the right to conduct fact-finding to make an informed decision.
 2. The following apply to a summary resolution:
 - i. The meeting(s) will not be recorded.
 - ii. The written decision will serve as the official record of the Summary Resolution.
 - iii. The written decision will be sent to the Charged Student or Student Organization within fourteen (14) Business Days from the date of the Summary Resolution. For Academic Misconduct violations, the written decision will also be sent to the Instructor.
 3. If the Charged Student or Student Organization does not choose the Summary Resolution (or the option is unavailable), the Charged Student or Student Organization may indicate their preference for one of the two (2) types of hearings.
- b. **Hearings:** Hearings include: 1) an administrative hearing, or 2) a Student Conduct Committee (SCC) hearing. All procedures described in the Hearing Procedures section apply to these types of hearings.
1. Administrative hearing - conducted by a Hearing Officer who serves as the Hearing Body.
 2. SCC hearing - conducted by a committee which serves as the Hearing Body. SCC committees for Conduct violations consist of two (2) Students, one (1) faculty or staff member, and a non-voting Hearing Officer. SCC committees for Academic

Misconduct violations consist of three (3) Students, two (2) full-time faculty members, and a non-voting Hearing Officer. The non-voting Hearing Officer will moderate the hearing.

3. For SCC Hearings, members of any particular committee will vary, but will come from a pool of qualified faculty, staff and Students. Faculty members can be recommended annually by the Faculty Senate. Undergraduate, graduate, and professional Student members will be recruited and selected through SCAI's formal SCC recruitment and selection process. All members of the SCC will be trained by SCAI. In cases where the Charged Student is an undergraduate, every effort will be made to select undergraduate Student representatives for the SCC. In cases where the Charged Student is a graduate or professional Student, every effort will be made to select graduate or professional student representatives for the SCC. For Academic Misconduct violations, the committee must include two full-time faculty members, and if the Charged Student is a graduate or professional Student faculty representatives must have at least Graduate Faculty status.
- c. The SCAI Director retains the discretion to ultimately determine which hearing forum is appropriate.
- d. All hearing(s) will be conducted in private or in accordance with applicable law.

9. HEARING NOTIFICATION

- a. **Scheduling:** Hearings may be scheduled during class periods. Every effort will be made to avoid a class conflict; however, due to availability of persons involved in the hearing and meeting room, it may not be possible.
- b. **Hearing Notice:** The notice of a hearing, including date, time and location will be sent to the official University email address of the Charged Student, or to the official University email address of the President of the Student Organization, at least five (5) Business Days prior to the hearing. The Instructor will also be notified in Academic Misconduct cases. The Hearing Officer has the discretion to provide notice through additional means (e.g., overnight or hand delivery). The delivery notification of the hearing notice through the official University email will constitute full and adequate notice under the Code. The Charged Student or Student Organization may waive the notice period by indicating the waiver in writing.
 1. The notice will include the names of Witnesses to be called by the University and a list of information to be used in the Hearing.
 2. The notice will also indicate the name(s) of the Hearing Body member(s).
 3. The notice may include information related to additional evidence, witnesses, or change of charge(s) different from what was presented in the information session.
- c. **Witnesses and Evidence**
 1. In addition to Witnesses to be called by the University, the Charged Student or Student Organization may request the presence of additional Witnesses to voluntarily present relevant information on their behalf.
 - i. The Charged Student or Student Organization must provide the Hearing Officer with the names of all additional Witnesses in writing at least three (3) Business Days prior to the hearing.
 - ii. The Hearing Officer will determine the admissibility of testimony from additional Witnesses. Character Witnesses or Witnesses to other incidents outside the specific incident in question will not be allowed to testify at a hearing. The Charged Student or Student Organization may provide the Hearing Body with Character Witness Statements (which will only be considered during the sanctioning phase, if any).

- iii. The Charged Student or Student Organization is responsible for contacting and notifying the additional Witnesses they wish to call for the hearing.
 - iv. The proceedings shall not be delayed due to scheduling conflicts of Witnesses. Failure of any Witness to appear shall not require a delay or affect the validity of the proceedings. If called Witnesses do not appear, their written statements, if they exist, will be considered by the Hearing Body. Witnesses can appear in person or by contemporaneous alternative means (e.g., Skype, phone).
 - v. The Hearing Officer has the discretion to limit the number of Witnesses whose testimony may be duplicative, redundant or not in dispute.
 - vi. The Hearing Officer may place limits on the length of testimony and also may advise to the scope, direction or tone of questioning.
2. The Instructor of the course in which the alleged Academic Misconduct violation(s) have occurred will always be requested to attend the hearing. The Instructor is strongly encouraged to participate in the hearing procedure.
 - i. The Charged Student or Student Organization may inspect all of the information that will be presented at the Hearing at least three (3) Business Days before the hearing.
 3. The Charged Student or Student Organization must submit any information they intend to use at a hearing at least three (3) Business Days before the hearing. Relevant records, exhibits and statements may be accepted at the discretion of the Hearing Officer. The University will not consider polygraph reports.
 4. Acceptance or denial of witnesses and/or evidence is within the discretion of the Hearing Officer.
 5. Evidence and/or the names of Witnesses will be provided to the Hearing Body prior to the Hearing.
- d. **Challenging a Member of the Hearing Body/Change of a Hearing Body Member**
1. The Charged Student or Student Organization may challenge the inclusion of any member at least three (3) Business Days prior to the scheduled hearing. The challenge must be in writing and must show actual bias (such as a conflict of interest, animosity, pressure or influence) that would preclude a fair and impartial hearing. The Hearing Officer will determine whether to grant such challenge in their discretion, and such decision is final and not appealable.
 2. If a Hearing Body member is unable to serve due to an emergency or unforeseeable occurrence, the Hearing Officer will appoint a new Hearing Body member prior to the scheduled hearing and notify the Charged Student as soon as possible. The Charged Student or Student Organization may challenge the inclusion of this member at the time of the hearing. The challenge must be on the bases outlined above.
- e. **Request for a Postponement:** Any request to postpone a hearing must be submitted in writing or by email and must be received by the SCAI Director at least two (2) Business Days prior to the hearing. The request must state the reason(s) for the postponement. The granting of such requests shall be at the discretion of the SCAI Director. The University is not required to postpone a Student Conduct proceeding pending the outcome of a criminal prosecution.

10. ADVISOR FOR THE CHARGED STUDENT OR STUDENT ORGANIZATION

- a. The Charged Student or Student Organization may be accompanied by an Advisor of their choosing and at their expense at any time during the Code process.
 1. It is the responsibility of the Charged Student or Student Organization to make appropriate arrangements for the Advisor to attend the proceeding. The

proceedings shall not be delayed due to scheduling conflicts of the chosen Advisor. If the Advisor is an attorney, the attorney must comply with the same restrictions imposed on any other Advisor.

2. The Charged Student or Student Organization is responsible for presenting their own information, and therefore, Advisors are not permitted to speak or to participate directly in any Student Conduct process.
3. Although the Charged Student or Student Organization may consult with the Advisor during the hearing, this consultation must take place in a manner that does not disrupt the proceedings.
4. The Advisor chosen by the Charged Student or Student Organization cannot be a Witness in the matter.
5. The SCAI can provide the Charged Student or Student Organization with a list of Advisors who can provide assistance in preparing a response to the reported Code violation.

11. DUE PROCESS RIGHTS OF THE CHARGED STUDENT OR STUDENT ORGANIZATION

The Charged Student or Student Organization has the following rights:

- a. Reasonable, written notice of the Code charge(s) and the allegations upon which the charge(s) is/are based.
- b. A fair and impartial hearing.
- c. Accompanied by an Advisor of their choice and expense at any time during the Code process.
- d. The opportunity to review all relevant information or evidence to be used in the hearing prior to the hearing.
- e. The ability to participate in the Student Conduct hearing either physically or by contemporaneous alternative means (e.g., Skype, phone).
- f. The opportunity to present relevant Witnesses and information at the hearing.
- g. The opportunity to question Witnesses in accordance with the Hearing Procedures.
- h. Not to provide self-incriminating testimony. (This right does not apply to Student Organizations.) Invoking the right against self-incrimination will not be considered as a negative factor in the decision of the Hearing Officer or Hearing Body.
- i. Receive notification of the decision of the Hearing Body in writing within fourteen (14) Business Days of the hearing.
- j. Appeal the decision via the process established by the University.

12. PRINCIPLES OF GROUP RESPONSIBILITY

- a. Any Student Organization can be held responsible under the Code for its actions or those of its members acting together. Misconduct on the part of the organization will be addressed when one or more of the following circumstances occur:
 1. An alleged violation arises out of a Student Organization-sponsored, financed or otherwise supported activity.
 2. An alleged violation occurs on University Premises or On-Campus Housing and/or transportation owned, operated or rented exclusively by the Student Organization.
 3. A pattern of individual alleged violations has occurred and/or continues to occur without adequate control, response or sanction on the part of the Student Organization or its leaders.
 4. The Student Organization or its related activities provided the context for the alleged violation.

5. The action resulting in the alleged violation has received either the implied or overt consent of the Student Organization and/or its leaders.
 6. The Student Organization overtly places or implicitly allows active members of the Student Organization to be in a position to act on behalf or with the authority of the Student Organization.
- b. The actions of active, prospective, or associate members (pledges) of a Student Organization may be considered hazing. Refer to Section 5.m for full details on Hazing.
 - c. It is the responsibility of the Student Organization's President or Student-member designee to represent the organization through the conduct process.

13. HEARING PROCEDURES

- a. During the hearing, the Hearing Officer presides over the Code hearing and makes all procedural decisions.
- b. The burden of proof in a hearing rests with the University. The standard of proof is a Preponderance of the Evidence. The determination of "Responsible" or "Not Responsible" will be based solely on the information and/or testimony presented.
- c. Formal rules of process, procedure and/or technical rules of evidence (including hearsay rules) applicable in the criminal or civil court process are not used in Code proceedings.
- d. Witnesses only participate in the hearing to the degree that a question is posed to them. They may not speak or otherwise participate in the Hearing.
- e. In Code hearings involving Academic Misconduct violations, the Instructor can choose to be present in the hearing in its entirety and to ask questions of the Charged Student and Witnesses when prompted. The Hearing Officer has the discretion to require the Instructor to step out of a hearing if non-academic Student Conduct issues are being discussed.
- f. The hearing will be recorded. The recording will serve as the only official record of the proceedings. No other recordings are permitted.
- g. If the Charged Student, Student Organization, or Instructor fails to appear at the scheduled hearing, the hearing will be held, and a decision will be rendered in their absence.
- h. Upon request by the Charged Student, the Complainant or Witnesses, the Hearing Officer may permit the individual to provide relevant information during the hearing in a manner that avoids direct contact with the Charged Student, the Complainant or Witnesses.
- i. For Code hearings involving Conduct Violations, the Hearing Officer has the discretion to determine the order of the hearings which may involve, but is not limited to, the following:
 1. Introductory statement by Hearing Officer including a reading of the allegations and charge(s), introduction of information that is the basis for the charges and identification of the hearing participants.
 2. Statement by the Charged Student or Student Organization and submission of any previously submitted relevant written information (e.g., records, exhibits, written statements) except for Witness statements (see below) for consideration by the Hearing Body.
 3. Questions directed to the Charged Student or Student Organization by the Hearing Body.
 4. Presentation of Witnesses and any results of fact-finding conducted prior to the hearing.
 5. The Charged Student or Student Organization may pose questions directly to the Witness. In certain circumstances to be determined by the Hearing Officer,

questions may be presented in writing to the Hearing Officer who will then ask the Witness the question(s).

6. Submission by the Charged Student or Student Organization of written statements (if any) of Witnesses who are not present.
 7. Follow-up questions (if any) directed to the Charged Student or Student Organization by the Hearing Body.
 8. Final statement by the Charged Student or Student Organization.
 9. Hearing Officer brings hearing to closure.
- j. For Code hearings involving Academic Misconduct Violations, the Hearing Officer has the discretion to determine the order of the hearings which may involve, but is not limited to, the following:
1. Introductory statement by Hearing Officer including a reading of the allegations and charge(s), introduction of information that is the basis for the charges and identification of the hearing participants.
 2. Statement by the Instructor and submission of any previously submitted relevant written information (e.g., records, exhibits, written statements) except for Witness statements (see below) for consideration by the Hearing Body.
 3. Statement by the Charged Student and submission of any previously submitted relevant written information (e.g., records, exhibits, written statements) except for Witness statements (see below) for consideration by the Hearing Body.
 4. Questions directed to the Instructor by the Hearing Body and the Charged Student.
 5. Questions directed to the Charged Student by the Hearing Body and the Instructor.
 6. Presentation of Witnesses and any results of fact-finding conducted prior to the hearing.
 7. The Charged Student may pose questions directly to the Witness(es).
 8. The Instructor may pose questions directly to the Witness(es).
 9. Submission by the Charged Student written statements (if any) of Witnesses who are not present.
 10. Submission by the Instructor of written statements (if any) of Witnesses who are not present.
 11. Follow-up questions (if any) directed to the Instructor by the Hearing Body and Charged Student.
 12. Follow-up questions (if any) directed to the Charged Student by the Hearing Body and the Instructor.
 13. Final statement by the Instructor.
 14. Final statement by the Charged Student.
 15. Hearing Officer brings hearing to closure.
- k. Deliberation by the Hearing Body is held outside the presence of the Charged Student for all hearing, and Instructor, for hearings involving Academic Misconduct violations.
- l. Prior Student Conduct and Academic Misconduct records, Character Witness Statements and/or Impact Statements are considered only in determining the appropriate sanction(s).
- m. In Code hearings, the SCC will make a recommendation of the decision and sanctions to the Hearing Officer. The Hearing Officer may take one of these actions with respect to the recommendation:
- Adopt
 - Modify
 - Reject the findings and sanctions, or
 - Remand for a rehearing.

If the Committee decision is not adopted, the Hearing Officer will include the reasons for any differences between the recommendations of the Committee and the Hearing Officer's final decision as part of the decision letter.

- n. A decision letter will be sent to the Charged Student or Student Organization within fourteen (14) Business Days from the conclusion of the Hearing Body's deliberation. The hearing decision will include the decision, sanctions imposed (if applicable) and the explanation of the right to appeal. For Academic Misconduct violations, the written decision will also be sent to the Instructor.
- o. This Regulation acknowledges the Instructor authority to award Student grades. If the Student is found "Not Responsible" for alleged violations of Academic Misconduct, the faculty member should reinstate the grade the Student would have received if the misconduct charges were not submitted and any reduction in grade should be based on the Student's quality of work and not an allegation of Academic Misconduct.

14. TITLE IX PROCEDURES

The University's Title IX Coordinator has designated the SCAI Director to serve as Deputy Title IX Coordinator. It is the responsibility of the Title IX Coordinator and Deputy Title IX Coordinator to ensure that the process relating to alleged Title IX/ Violence Against Women Act (VAWA) violations is reliable, impartial, thorough, prompt and conducted in an equitable manner. The general Code procedures are tailored for the investigation and resolution of reported violations of the University prohibitions against Sexual Misconduct, Dating or Domestic Partner Violence, Stalking and/or Retaliation. These tailored procedures require equitable access for both a Complainant and Charged Student as well as notice requirements and other considerations.

- a. **Prohibited Conduct:** Title IX cases include prohibited conduct listed in Section 5. e (Dating or Domestic Partner Violence), 5.r (Retaliation), 5.s (Sexual Misconduct), and 5.u (Stalking).
- b. **Pre-Hearing Procedures**
 - 1. **Investigations:** If the SCAI Director determines that an investigation is necessary into the alleged violations, the procedures below will be followed. All fact finding will occur during the investigation stage prior to the hearing. There will be no additional documents or testimony presented at the hearing.
 - i. The SCAI Director will select a trained investigator(s) to gather sufficient evidence to reach a fair, impartial determination as to whether there is enough information to move forward with charging a student with a violation of the Code based on the preponderance of the evidence. The investigator(s) will be trained to gather and document the available evidence to support reliable decisions, synthesize all available evidence (including both supportive and non-supportive evidence) and take into account the unique and complex circumstances of each case.
 - ii. The SCAI Director will select investigator(s) who are free of actual or reasonably perceived conflicts of interest and biases for or against any party. The Charged Student or Complainant may raise any concerns about bias or conflict of interests within three (3) business days to the SCAI Director.
 - 2. **The Notice of Investigation:** Prior to the initial investigation meeting, the SCAI Director will send to the Charged Student and Complainant written notice about the allegations constituting a potential violation of the Code in order for the parties to prepare for meaningful participation in the investigation.
 - 3. **Investigative Procedures:** During an investigation, the investigator(s) will seek to meet separately with the Complainant, the Charged Student, and any Witnesses.

Witnesses are individuals who may have information relevant to the incident, including individuals who may have observed the acts in question, may be able to provide contextual information or may have other information related to the incident, the disclosure, or related matters. Character witness statements will not be considered by the investigator(s). The investigator(s) will also gather other relevant information or evidence, including documents, photographs, communications between the parties, medical records (subject to the consent of the applicable person) and other electronic records as appropriate. The investigator(s), not the parties, are responsible for gathering relevant evidence to the extent reasonably possible. Both the Complainant and Charged Student are encouraged to promptly submit any relevant information, including Witnesses' names. If a party declines to provide relevant information, the University's ability to conduct a prompt, thorough and equitable investigation may be impaired.

4. **Prior Sexual History:** The sexual history of the Complainant and/or the Charged Student will never be used to prove character or reputation. Evidence related to the prior sexual history of the parties is generally not used in determining whether a violation of this Code has occurred and will only be considered under limited circumstances. For example, prior sexual history may be relevant to explain injury, to provide proof of a pattern or to address another specific issue raised in the investigation. The investigator(s) will determine the relevance of this information, and both parties will be informed if evidence of prior or subsequent conduct is deemed relevant.
 5. **Written Investigation Report:** Upon conclusion of the investigation, the investigator(s) will prepare a written report summarizing the relevant information which will include any evidence and/or a list of Witnesses that are supportive or not supportive of a violation. The Charged Student, the Complainant and/or any Witnesses will have the opportunity to review the report before it becomes final. Upon notice of the availability of the investigation report, the Charged Student and the Complainant will have five (5) Business Days to:
 - i. Meet again with the investigator,
 - ii. Provide written comment or feedback on the facts as gathered,
 - iii. Submit additional information, and/or
 - iv. Identify additional Witnesses and/or request the collection of other information by the investigator.
 - v. If any party provides a written response or makes a request for additional information, the content will be shared as appropriate and incorporated in the final investigation report. Participation in this iterative process is important given that the investigation report will be the only evidence submitted at the Hearing. Once the investigation report is final, a redacted copy will be provided to the Charged Student and Complainant at the same time. This report will be used in the hearing. Unless there are extenuating circumstances, information not provided by any party during the investigation or not included in the report will not be permitted to be introduced at the hearing.
 6. **Charge Letter:** At the time of the issuing the charge letter to the Charged Student, the Complainant will also be notified of the charges and be offered an Information Session.
- c. Due Process Rights of The Complainant:**
1. Reasonable, written notice of the Code charge and the allegations upon which the charge is based.
 2. A fair and impartial hearing.
 3. Accompaniment by an Advisor of their choosing and expense at any time during the Student Conduct process.

4. The opportunity to review all relevant information to be used in their Student Conduct process prior to the hearing.
 5. The ability to participate in the Student Conduct hearing either physically or by contemporaneous alternative means (e.g., Skype, phone).
 6. Not to provide self-incriminating testimony. (This right does not apply to Student Organizations.)
 7. Receive notification of the decision of the Hearing Body in writing within fourteen (14) Business Days of the hearing.
 8. Appeal the decision via the process established by the University.
 9. In addition to these due process rights, the Complainant has the same responsibilities as those provided by the Code to the Charged Student.
- d. Due Process Rights of the Charged Student:** See Section 10
1. **Additional Due Process Rights for Charged Students and Complainants:** Both parties have the additional right to submit an Impact Statement for use solely in the sanctioning phase if the Charged Student is found responsible for the Charge(s).
- e. Hearing Notifications:** At the time of issuing the hearing notice to the Charged Student, the Complainant will also be notified of the hearing.
- f. Hearing Procedures:**
1. **Hearing:** To avoid re-victimizing the Charged Student and/or Complainant by having to retell their version of the events, the University determined that the traditional hearing should not be used for Title IX cases.
 2. The Hearing Body, the Charged Student, and the Complainant will be given the final redacted investigation report at least three (3) Business Days prior to the hearing. During the hearing, the investigator(s) will provide a summary statement of the final investigation report. The Hearing Body, the Charged Student and the Complainant may ask questions about the report.
 3. During the hearing, the Hearing Officer presides over the Student Conduct hearing and makes all procedural decisions.
 4. The burden of proof in a hearing rests with the University. The standard of proof is a Preponderance of the Evidence. The determination of “Responsible” or “Not Responsible” will be based solely on the investigation report.
 5. Formal rules of process, procedure and/or technical rules of evidence (including rules regarding hearsay) applicable in the criminal or civil court process are not used in this hearing.
 6. The hearing will be recorded. The recording will serve as the only official record of the proceedings. No other recordings are permitted.
 7. If the Charged Student or Complainant fail to appear at the scheduled hearing, the hearing will be held and a decision will be rendered in their absence.
 8. The Hearing Officer has the discretion to determine the order of the hearing which may involve the following:
 - i. Introductory statement by Hearing Officer including a reading of the allegations and charge(s), introduction of information that is the basis for the charges and identification of the hearing participants.
 - ii. Statement, if any, by the Charged Student. This is intended to be a concise statement to identify key facts and questions for the Hearing Body; it is not intended to be a full recounting of the incident.
 - iii. Statement, if any, by the Complainant. This is intended to be a concise statement to identify key facts and questions for the Hearing Body; it is not intended to be a full recounting of the incident.
 - iv. Summary of the relevant portions of the final investigation report by the investigator.

- v. Relevant questions directed to the Charged Student, Complainant and/or investigator(s) by the Hearing Body. The purpose of these questions is to clarify information in the final investigation report. Any party may also request that the Hearing Body pose relevant questions of the other party concerning clarifications about information in the final investigation report. The Hearing Officer makes the determination whether any question is relevant and will be asked.
 - vi. Final statement by the Charged Student.
 - vii. Final statement by the Complainant.
 - viii. Hearing Officer brings hearing to closure.
9. Deliberation by the Hearing Body is not part of the hearing.
 10. Prior Student Conduct records, Character Witness Statements and/or Impact Statements are considered only in determining the appropriate sanction(s).
 11. In SCC hearings, the Committee will make a recommendation of the decision and sanctions to the Hearing Officer. The Hearing Officer may take one of these actions with respect to the recommendation:
 - Adopt
 - Modify
 - Reject the findings and sanctions, or
 - Remand for a rehearing.

If the Committee decision is not adopted, the Hearing Officer will include the reasons for any differences between the recommendations of the Committee and the Hearing Officer's final decision as part of the decision letter.

12. A decision letter will be sent to the Charged Student and the Complainant on the same day but no later than fourteen (14) Business Days from the conclusion of the Hearing Body's deliberation. The decision will include outcome, the rationale for the outcome, the sanctions and the rationale for the sanctions.
- g. **Interim Suspension:** A Complainant will be notified of the Interim Suspension of the Charged Student and will have the same rights as the Charged Student to participate in the subsequent hearing.
 - h. **Appeals:**
 1. The Complainant wishing to appeal must complete the appeal form in full, indicating the basis for the appeal, explain in detail the reasons for the appeal, and attach supporting relevant documentation.
 2. The SCAI will notify the Complainant if the Charged Student appeals, and vice versa. Both parties may submit a written statement within seven (7) Business Days.
 3. The appellate decision is issued in writing to the Charged Student and Complainant within twenty-one (21) Business Days of receipt of the written request for appeal unless notification is given that additional time is necessary for consideration of the record on appeal.

15. SANCTIONS

- a. In light of the facts and circumstances of each case, the following sanctions or combination of sanctions (with or without appropriate modifications) will be imposed upon any Charged Student or Student Organization found to have violated the Code. Sanctions will be commensurate with the prohibited conduct with consideration given to any aggravating and mitigating circumstances, including, but not limited to, the Charged Student's or Student Organization's Conduct and Academic Misconduct record. Fees may be associated with certain sanctions (e.g., counseling consultation, online programs) and are the Student's or Student Organization's responsibility.

- b. When an undergraduate Student is found Responsible for Academic Misconduct violations, SCAI will determine any University Sanctions which are not related to a grade or the course in general. The Instructor and Chair (or designee) will recommend Course Sanctions and communicate their recommendation to SCAI. SCAI will then communicate the final outcome to the Student. Should the Instructor fail to provide SCAI with recommended course sanctions within seven (7) Business Days, SCAI may assign Course Sanctions. If the undergraduate Student is a member of the Honors College, SCAI will notify the Dean of the Honors College that a Student was found in violation and ask if the College wishes to invoke any Honors College-level academic action(s). The Dean of the Honors College will determine if Honors College action is necessary. SCAI will be notified within seven (7) Business Days if the Dean recommends additional program action.
- c. When a graduate or professional Student is found Responsible for Academic Misconduct violations, SCAI notifies the Instructor, Dean or designee of the University Graduate or Professional School, and the Dean or designee of the Academic College in which the graduate or professional Student resides. SCAI will determine any University Sanctions, which are not related to a grade or the course. The Instructor and Dean (or designee) will recommend Course Sanctions and communicate their recommendation to SCAI. Should the Instructor fail to provide SCAI with recommended course sanctions within seven (7) Business Days, SCAI may assign Course Sanctions. The College Dean or designee will in turn notify the graduate or professional program that a Student was found in violation and ask if the program wishes to invoke any program-level academic action(s). The Student's graduate or professional program will determine if program action is necessary. SCAI will be notified within seven (7) business days if the graduate or professional program recommends additional program action. SCAI will then communicate the final outcome to the Student.
- d. In the event the course Instructor is no longer at the University, the Department Chair (or designee) will determine the recommended Course Sanctions.
- e. Sanctions may only be imposed when a Student has been found in violation of the Code. In cases where a Student has been found "Not Responsible" for the alleged violation(s), no sanctions will be assigned.
- f. University Sanctions
 1. **Written Reprimand:** the University takes official notice that such actions are inappropriate and not in accordance with our community standards.
 2. **Educational Activities:** attendance at in-person and/or online educational program(s)/workshop(s); interview(s) with appropriate officials; written research assignments; behavior reflection papers; planning and implementing educational program(s); or other educational activities.
 3. **No Contact Order:** the requirement that the Charged Student and/or friends have no contact with the Complainant. This restriction can be imposed at any time during the Student Conduct process.
 4. **Counseling Screening/Consultation:** referral for screening and/or consultation with the University Counseling and Psychological Services (CAPS) (or a licensed psychologist/psychiatrist if the Charged Student is no longer enrolled when sanctioned or is seeking readmission) for alcohol/drug dependence, anger management, general mental health or other counseling issues. Charged Student must follow through with recommendations made by CAPS or the licensed psychologist/psychiatrist, as applicable. The Charged Student must permit the consulting professional to provide official documentation on letterhead verifying attendance and to share the recommendations with the SCAI.
 5. **Psychological Evaluation:** referral for an evaluation and recommendation by a licensed psychologist or psychiatrist which may include CAPS. The Charged Student

must follow through with any recommendations made by the psychologist or psychiatrist. The Charged Student must permit the professional to provide official documentation on letterhead verifying attendance and share the recommendations with the SCAI.

6. **Restitution:** requirement to reimburse the University or person for damage to or misappropriation of property owned or in possession of the University or other persons. Any such payment on restitution will be limited to actual cost of repair or replacement.
7. **Restrictions/Loss of Privileges:** restrictions or loss of privileges which may be imposed upon a Charged Student for a specified amount of time, including but not limited to, participation in Student activities, University or Student events, representation of the University on athletic teams or in leadership positions, presence at University residence halls or other buildings/areas of campus, participation as a peer advisor, resident assistant or elected/appointed Student leader in Student Government or other Student Organizations, and/or participation in study abroad or alternative break programs. Additional restrictions on University privileges and/or activities may be imposed on the Charged Student based on their current or potential future activities.
8. **Conduct Probation:** a temporary interruption of the Student's status with the University. A Charged Student who is on conduct probation is considered not in good standing with the University, resulting in applicable restrictions on privileges and/or activities which may include, but are not limited to, being prohibited from participating in study abroad or alternative break, or serving as a peer advisor, resident assistant or elected/appointed Student leader in Student Government or other Student Organizations. Additional restrictions on University privileges and/or activities may be imposed on the Charged Student based on their current or potential future activities. The conduct probation period is a time for the Charged Student to reflect on their behavior and demonstrate that he/she can once again be a responsible Member of the University community. While on conduct probation, further violations of the Code or other University Policies may result in suspension or expulsion.
9. **Deferred Suspension:** period of time in which suspension is temporarily withheld or withheld pending completion of other sanctions by a specified deadline date. A Charged Student who is on deferred suspension is considered not in good standing with the University, resulting in applicable restrictions on privileges and/or activities which may include, but are not limited to, being prohibited from participating in study abroad or alternative break, or serving as a peer advisor, resident assistant or elected/appointed Student leader in Student Government or other Student Organizations. Additional restrictions on University privileges and/or activities may be imposed on the Charged Student based on their current or potential future activities. If the Charged Student fails to fulfill the sanctions described in the decision letter (including failure to timely fulfill the sanction), the Charged Student will no longer be considered on deferred suspension but will be automatically suspended with no further appeal. While on deferred suspension, further violations of the Code or other University Policies may result in suspension or expulsion.
10. **Suspension:** separation from the University for a specified period of time. A Charged Student is considered not in good standing with the University while suspended. The Charged Student may not attend classes (either in person or online) and is banned from being on or in any University Premises or On-Campus Housing. The suspended Charged Student is also banned from participation in any University-sponsored/related event or activity and their FIU OneCard will be deactivated. This sanction is recorded on the Charged Student's academic transcript during the

period of suspension. A Charged Student who is suspended from the University is not eligible for tuition and/or registration fee reimbursement except as provided by University Policies. The Charged Student will be administratively withdrawn from courses and will lose respective credit hours.

11. **Expulsion:** permanent separation from the University with no possibility of readmission. This sanction is recorded on the Charged Student's academic transcript permanently. A Charged Student is considered not in good standing with the University after being expelled. The Charged Student may not attend classes (either in person or online) and is banned from being on or in any University Premises or On-Campus Housing. The expelled Charged Student is also banned from participation in any University-sponsored/related activity or event and their FIU OneCard will be deactivated. A Charged Student who is expelled from the University is not eligible for tuition nor registration fee reimbursement except as provided by University Policy. The Charged Student will be administratively withdrawn from courses and will lose respective credit hours.

g. Student Organization Sanctions

1. **Restrictions/Loss of Privileges (Student Organizations):** for an organization, restrictions or loss of privileges including, but not limited to, participation in or exclusion from Student activities, social events, intramural activities, alcohol functions or in campus facilities. This does not affect an individual Student's status with the University or attendance at classes unless the individual Student has been charged and sanctioned independently of the Student Organization.
2. **Conduct Probation (Student Organizations):** temporary interruption of the organization's status with the University. An organization that is on conduct probation is considered not in good standing with the University, resulting in applicable restrictions of privileges and/or activities including, but not limited to, participation in or exclusion from Student activities, social events, intramural activities, alcohol functions, or in campus facilities. Further violations of Interfraternity Council (IFC), Panhellenic Council (PC), National Panhellenic Council (NPHC), Wellness & Recreation Center (WRC), or Multicultural Greek Council (MGC) Policies, Code or other University Policies may result in suspension or expulsion of the Charged Student Organization from the University. This does not affect an individual Student's status with the University or attendance at classes unless the individual Student has been charged and sanctioned independently of the Charged Student Organization.
3. **Deferred Suspension (Student Organizations):** period of time in which the organization's suspension is temporarily withheld or withheld pending completion of other sanctions by a specified deadline date. An organization on deferred suspension is considered not in good standing with the University, resulting in applicable restrictions or privileges and/or activities including, but not limited to, participation in or exclusion from Student activities, social events, intramural activities, alcohol functions or in campus facilities. If the organization fails to fulfill the sanctions described in the decision letter (including failure to timely fulfill the sanction), the organization will no longer be considered on deferred suspension but will be automatically suspended with no further appeal. This does not affect an individual Student's status with the University or attendance at classes unless the individual Student has been charged and sanctioned independent of the Student Organization.
4. **Suspension (Student Organizations):** separation from the University for a specified period of time. An organization while suspended is considered not in good standing with the University. A suspended Organization may not participate in any University activities or events and is not recognized as a University organization during the

suspension period. This does not affect an individual Student's status with the University, academic area or attendance at classes unless the individual Student has been charged and sanctioned independently of the Student Organization.

- 5. Expulsion (Student Organizations):** permanent separation from the University with no possibility of re-chartering or re-registering. An organization that has been expelled is considered not in good standing with the University. An expelled organization is not recognized as a University organization and may not participate in any University-sponsored activity or event. This does not affect an individual Student's status with the University, academic area or attendance at classes unless the individual Student has been charged and sanctioned independently of the Student Organization.

h. Housing Sanctions

- 1. On-Campus Housing Reassignment:** required change in University residence hall assignment. The Charged Student must move out by the date and time provided and will be responsible for any additional room rental charges for the new Housing assignment.
- 2. On-Campus Housing Probation:** a period of probation for the remainder of the Student's time in On-Campus Housing. Future violation(s) of the Code or other Housing/University policies may result in additional sanctions such as Housing Agreement Termination, University suspension or expulsion. A person on On-Campus Housing Probation is considered not in good standing with University Housing, resulting in applicable restrictions on privileges and/or activities including, but not limited to, ineligibility for Residence Hall Association (RHA) leadership positions and student employment within HRL (including Resident Assistants, Clerical Assistants and Housing Ambassadors).
- 3. Deferred On-Campus Housing Termination:** period of time in which the Charged Student is allowed to continue to reside in On-Campus Housing notwithstanding the fact that, but for the Deferred On-Campus Housing Termination (DOCHT), the Housing Agreement would have been immediately terminated. At the end of the current semester, the current Housing Agreement with the student is effectively terminated and the Student is ineligible to reside in any On-Campus Housing for the remainder of the Student's career at FIU. The Student is also excluded from all On-Campus Housing premises for the remainder of the Student's career at FIU. This exclusion applies to all buildings, grounds and the parking lots surrounding the buildings. If another violation of the Code occurs in the semester while the Charged Student is on DOCHT, the Charged Student's Housing Agreement will be immediately terminated and the remaining sanctions of this provision will apply (i.e., exclusion from housing and premises).
- 4. On-Campus Housing Exclusion:** exclusion from On-Campus Housing for the remainder of the Student's career at FIU. This exclusion applies to all buildings, grounds and the parking lots surrounding the buildings.

i. Course Sanctions:

- 1. Grade Penalty on the Assignment/Exam/Project with Resubmission:** A point/grade reduction on the assignment/assessment in question, and with the permission of the Faculty member, an opportunity to resubmit the assignment/ assessment with the addition of the implemented point/grade reduction.
- 2. Grade Penalty on the Assignment/Exam/Project:** A point/grade reduction on the assignment/assessment in question.
- 3. Overall Course Grade Penalty with Drop:** Receive a decrease in overall grade or an F for the entire course. However, the Student will be permitted to drop or withdraw the course with approval from the SCAI Director or designee. Requests for drop consideration must be submitted in writing with rationale to the SCAI Director or

designee, where the final approval rests and is not eligible for independent appeal outside of the formal conduct appeal process.

- 4. Overall Course Grade Penalty:** Receive a decrease in overall grade or an F for the course. A point/grade reduction for the entire course. There will be no ability to drop or withdraw from the course for any reason.
- j. Violations of the Student Conduct and Honor Code that are motivated by prejudice toward a person or group because of such factors such as race, color, creed, religion, ethnicity, national origin, disability, age, marital status, sex, sexual orientation, sexual identity or expression, pregnancy, genetic information, veteran status or any group/class protected by state or federal law may result in stronger sanctions.
 - k. Students who are found “Responsible” for Academic Misconduct violations under the Code are prohibited from using the Grade Forgiveness Policy for the course in which the Academic Misconduct occurred.
 - l. Sanctions take immediate effect unless appealed (except for suspensions or expulsions).
 - m. Proof of the completion of the sanction(s) must be provided as directed in the decision letter. It is the responsibility of the Charged Student or Student Organization to ensure that such proof is provided by the specified date. Failure of the Charged Student or Student Organization to provide proof by the specified date may result in a charge of failure to comply, which will result in the placement of a Student Conduct hold on a Charged Student’s academic records, and suspension if the Charged Student or Student Organization had been on deferred suspension.

16. WITHDRAWAL FROM A COURSE PENDING CHARGES OF ACADEMIC MISCONDUCT

Upon receipt of notification of allegations of Academic Misconduct, a Student can choose to withdraw from the course in question, in accordance with the University policies related to course withdrawal. Students who withdraw from a course will have their ability to register for future semesters temporarily placed on hold until the SCAI Director or designee is assured that the Student is satisfactorily responding to the charges. Students who are found “Responsible” of Academic Misconduct in a course from which they have withdrawn are still eligible to receive the appropriate sanctions (as listed in Section 15) based on the case and may be reinstated to the course from which they have withdrawn.

17. INTERIM SUSPENSION

Where the Senior Vice President for Academic & Student Affairs or designee determines that the health, safety or welfare of the Charged Student, the Student Organization or University community are in jeopardy or in danger, an interim (temporary) suspension will be imposed. This includes, but is not limited to, sexual misconduct, physical assault, hazing, possession of a firearm or explosives, illegal drug possession and other acts of a similar nature. A Charged Student or Student Organization under Interim Suspension is considered not in good standing with the University, resulting in applicable restrictions on privileges and/or activities. The Charged Student may neither attend nor participate in any classes, including any online components, during this time. The Charged Student or Student Organization is also banned from being on or in any University Premises and/or On-Campus Housing, and from participation in any University-sponsored/related event or activity.

- a. The Charged Student under Interim Suspension shall not be allowed on Campus except with the permission of the SCAI Director.
- b. Once an Interim Suspension is imposed, a hearing must be held within a reasonable time. The Interim Suspension does not replace the regular conduct process, which shall proceed up to and through a hearing, if required.

18. PROCESS OF PRESIDENTIAL REVIEW

- a. The President will notify the SCAI Director within three (3) Business Days of notification of a disciplinary outcome if he/she wishes to review the underlying disciplinary matter. This review will serve as the appeal process for the Charged Student/Student Organization and Complainant (if applicable). Any other appeal process will immediately cease.
- b. No later than one (1) Business Day after the President notifies the SCAI Director and the Appellate Officer, the SCAI Director shall notify the Charged Student/Student Organization and the Complainant (if applicable) of the President's decision to review the underlying disciplinary matter including sanctions. The Charged Student/Student Organization and Complainant (if applicable) may provide the President with any information (including any documents supporting an appeal if not previously submitted) within three (3) Business Days of the SCAI Director's notification.
- c. The President may only consider the information included in the Student Conduct file, any appeals submitted by the Charged Student/Student Organization and Complainant (if applicable), and any information that was not reasonably available at the time of the hearing.
- d. The President shall issue a written decision to the Charged Student/Student Organization, Complainant (if applicable), Appellate Officer, and SCAI Director within fourteen (14) Business Days of notification of a disciplinary outcome. Decisions based on charges involving Hazing (Section (5)(m)) and Sexual Misconduct (Section (5)(s)) will include an explanation for the decision and sanctions. The President's decision constitutes Final Agency Action and will include notice of the Charged Student/Student Organization's right to appeal to an external judicial forum if the sanction is suspension or expulsion.

19. APPEALS

- a. **Appellate Officer:** The appellate officer for all appeals is the Senior Vice President for Academic & Student Affairs or designee.
- b. **Appeal Form/Basis for Appeals:** The Charged Student or Student Organization wishing to appeal must complete the appeal form in full, indicating the basis for the appeal, explain in detail the reasons for the appeal and attach supporting relevant documentation. The burden of proof rests with the person appealing to clearly demonstrate the reason for appeal as set forth below. Appeals are not a re-hearing of the Student Conduct matter but are only a file and/or document review. The reason for the appeal must be based on at least one of the following:
 - 1. Violations of the appealing party's rights or other failure to follow the Student Conduct procedures that substantially affected the outcome of the initial hearing. Appeals based on this reason will be limited solely to a review of the record of the hearing;
 - 2. New information which was not available at the time of the hearing and could not have been presented. In addition, the appealing party must

- show that the new information could have substantially affected the outcome; or
3. The severity of the sanction is disproportionate to the nature of the Charge(s).
- c. **Appeal Requests:** All appeals must be written and submitted using the appeal form available in the decision letter.
1. The person wishing to appeal must complete the appeal form in full and send it to the appellate officer for receipt no later than 5:00pm of the seventh (7th) Business Day after the delivery date of the hearing decision letter. If the appeal form is submitted and/or signed by any individual other than the appealing party, it will not be accepted.
- d. If a hearing decision is not appealed within the timeframe, the original decision becomes Final Agency Action.
- e. **The Charged Student's Status Pending Appeal:**
1. An appeal has no effect on a Charged Student's status when the sanction was suspension or expulsion. The sanction(s) are effective immediately from the date of the decision.
 2. If the Charged Student appeals in any other case, once an appeal is requested, the sanction(s) will stay and will not take effect until the appeal process has been completed. Under these circumstances, a Charged Student shall remain eligible to attend classes and University activities pending the appeal.
 3. If a Charged Student's privileges are temporarily revoked through an Interim Suspension and the Charged Student is subsequently found not responsible for the violation, the University must to the extent possible:
 - i. Correct any record of the change in enrollment status in the Charged Student's permanent records and reports in a manner compliant with state and federal laws; and
 - ii. Refund to the Charged Student a pro rata portion of any charges for tuition, and out-of-state fees, as appropriate, relating to the temporary revocation or suspension which affected the Charged Student's ability to attend classes for more than ten (10) Business Days.
 4. If no appeal is requested, the sanctions will take effect immediately.
- f. **Appellate Review/Decision:**
1. No person may hear or decide an appeal if they conducted or participated in the Code proceeding being reviewed on appeal.
 2. The Appellate Officer shall first determine if sufficient grounds for the appeal exists and then, if so, may either deny the appeal, thus sustaining the initial decision and sanction(s), or do one of the following:
 - i. If the basis of the appeal is that the severity of the sanction was disproportionate to the nature of the offense and the Appellate Officer finds the appealing party proved their allegation, the Appellate Officer may modify the sanction.
 - ii. If the basis of the appeal is that there was a failure to follow the Student Conduct procedures that substantially affected the outcome, or that there was new information which was not reasonably available at the time of the hearing and could not have been discovered through the exercise of due diligence, which would have substantially affected the outcome and the Appellate Officer finds that the appealing party proved their allegation, the Appellate Officer will order a new hearing.

- g. **Written Decision on Appeal:** The appellate decision is issued in writing to the Charged Student or Student Organization within twenty-one (21) Business Days of receipt of the written request for appeal unless notification is given that additional time is necessary for consideration of the record on appeal.
- h. **Effect of the Final Appellate Decision:** The decision of the Appellate Officer constitutes Final Agency Action. In the case of a suspension or expulsion of a Charged Student, the decision of the Appellate Officer will include notice to the Charged Student of the Charged Student's right to appeal to an external judicial forum.
- i. **Academic Grievance Process:** The Charged Student may not use the Student Academic Grievance Policy as a way to appeal the filing of a complaint or the outcome of the Academic Misconduct process outlined in this regulation.

20. RECORDS

- a. All Student Conduct-related records, including records involving Conduct violations, Academic Misconduct violation, and Title IX violations, will be housed in the web-based system maintained by SCAI.
- b. The release of Student Conduct-related records will be governed by applicable federal and state laws regarding the privacy of education records.
- c. The SCAI may place a Student Conduct hold on the records and registration of any Charged Student who has a pending Code matter, including any outstanding sanctions. Charged Students may not be allowed to graduate, receive grades, nor have transcripts released until pending matter(s), including any outstanding sanctions, are resolved.
- d. The official University email address on file with the Registrar's Office will be used for all Student Conduct correspondence sent to the Charged Student. For Student Organizations, the official University email address on file with the Registrar's Office for the organization's respective President will be used. The Hearing Officer may, in their discretion, decide to send the notices via additional means (e.g., overnight delivery) and/or to other authorized University Officials.
- e. Expulsion will be noted permanently on a Student's academic transcript. Suspension will be noted on the Student's transcript during the period of suspension. Student Conduct-related files are kept in compliance with General Records Schedule GS5, but not for less than seven (7) years from the date of the last incident(s) that the Charged Student or Student Organization was involved in that resulted in Code charges. However, in the case of expulsion or suspension, the files shall be permanently retained.
- f. Students may have access to the information in their Student Conduct and Academic Misconduct file by submitting a written request to the SCAI Director. The access will be provided in accordance with federal and state laws regarding the privacy of education records (FERPA) and University regulation. (The link to the regulation may be found at: <http://regulations.fiu.edu/regulation>, click on: (FIU-108 Access to Student Education Records).

21. AUXILIARY AIDS AND SERVICES

Students with disabilities as defined by the Americans with Disabilities Act who require special accommodations for meetings/hearings should notify the SCAI and the DRC in writing at least three (3) Business Days prior to any meeting or hearing.

22. CONFLICT RESOLUTION

- a. Not every matter processed through SCAI is required to go through summary resolution or a hearing. An overall goal of the SCAI is to provide a learning process which entails understanding and respecting the rights of others. An avenue utilized by the SCAI to foster mutual respect and understanding when differences arise is Conflict Resolution. Conflict Resolution through SCAI is an informal and confidential process.
- b. Conflict Resolution may be utilized where the incident in question is minor in nature, and the parties involved chose not to proceed with charges through the University Student Conduct system. The SCAI reserves the right to determine if charges will be filed or whether Conflict Resolution is the appropriate option in each matter.
- c. Conflict Resolution cases handled through SCAI will not be identified or filed as a Student Conduct matter. Conflict Resolution records will be maintained separate from Student Conduct files and will not be recorded or reported as part of a Charged Student's record. All Conflict Resolution files are confidential and will not be released without written consent except in cases where the conduct or behavior is a repeat offense. In repeat cases, this information is only released to the Hearing Body and only used if the Charged Student is found responsible for a violation of the Student Conduct and Honor Code.
- d. Conflict Resolution files are kept for seven (7) years from the date of the resolution.
- e. Incident(s) considered serious in nature, and consequently not suitable for Conflict Resolution, include, but are not limited to, sexual misconduct, endangerment, personal abuse, hazing, a crime of violence, illegal drugs, alcohol, weapons or other violations of federal, state and local ordinances.
- f. Participation must be voluntary, and either party can request to end Conflict Resolution at any time which may result in the initiation of the Student Conduct process for the behavior.

23. INTERPRETATION AND REVISION

- a. Any question of interpretation or application of the Student Conduct and Honor Code shall be referred to the Vice President for Student Affairs or designee for final determination.
- b. The Code shall be reviewed periodically by a committee which shall include Student representation under the direction of the SCAI Director.
- c. The Academic Misconduct procedures outlined in this regulation will be reviewed at least every three (3) years by a committee which shall include Student and faculty representation under the direction of the SCAI Director. The committee will be appointed by the Chair of the Faculty Senate, in consultation with the SCAI Director and the Faculty Fellow for Academic Integrity. Any changes to Academic Misconduct procedures must be approved by the Faculty Senate.

Contact: Director, Office of Student Conduct and Academic Integrity
Location: GC 311
Phone: (305) 348-3939 / Fax: (305) 348-6477
Email: conduct@fiu.edu
Web Page: conduct.fiu.edu

Authority: Florida Board of Governors Regulation 6.0105 Student Conduct and Discipline; Florida Board of Governors Regulation 6.010 Student Affairs Administration; Florida Board of Governors Regulation 1.001(4)(a)(10); and Section 7(d), Article IX, Florida Constitution. History—New June 19, 2012, Amended September 17, 2012, Amended 4-8-14, Amended 6-8-18, Amended_____.

STANDARDS OF STUDENT CONDUCT

FIU ALCOHOLIC BEVERAGES REGULATION (NO. FIU-2505)

FIU-2505 Alcoholic Beverages

1. This regulation governs the legal and responsible possession, service, sale, consumption, and distribution of alcohol at Florida International University (FIU or University) including, but not limited to, University events, activities, property, facilities, and academic courses and will ensure the health, safety, and well-being of all members of our community. University students, faculty, staff, and community members are subject to all applicable laws, rules, ordinances, and regulations regarding the possession, service, sale, consumption, and distribution of alcohol.
2. Definitions
 - a. The term “alcohol” or “alcoholic beverage”, as used in this regulation, includes beer, wine, hard liquor, distilled spirits, mixed drinks, and other beverages containing ethyl alcohol.
 - b. The term “sponsored by”, as used in this regulation, includes all events and activities on University Premises, as defined below, supported wholly or in part through funding, services or resources of any University budget entity.
 - c. The term “individual”, as used in this regulation, includes any employee, faculty, student, volunteer, vendor, agent of the University, or guest to University premises, volunteer or agent of the University, and their invited guests.
 - d. The term “University premises”, as used in this regulation, includes any facility, vessel, vehicle or real estate, whether owned, leased, rented or temporarily assigned, which is managed and operated under the authority of the University or an authorized agent of the University.
 - e. The term “event”, as used in this regulation, is a function on University premises which is either publicized, open to the general public or broader campus community, or which may include people under the age of 21.
 - i. The term “tailgate events”, as used in this regulation, is approved gatherings occurring in University designated areas shall be restricted to specifically designated locations prior, during, and after athletic events, as determined by the Senior Vice President of Academic & Student Affairs or designee, under the supervision of the FIU Police Department.
 - f. The term “event organizer”, as used in this regulation is any individual, department, or entity who manages, coordinates, or hosts an Event.
3. No individual under the legal drinking age (21 years of age) may possess, serve, sell, consume, or distribute alcohol on University premises unless expressly permitted in this Regulation.

4. No individual may serve or otherwise provide alcohol to individuals under the legal drinking age on University premises unless expressly permitted in this Regulation.
5. Alcohol may be provided to students under the legal drinking age, but at least 18 years of age, enrolled in an approved and supervised course by the course faculty member where the tasting of alcohol is a required component of the course. The student under the legal drinking age in possession of the alcohol is only permitted to taste, but not consume the alcohol. The course faculty member must be at least 21 years of age and remain in possession and control of the alcohol.
6. Requests to serve, sell, or distribute alcohol on University premises must be made to the Senior Vice President of Academic & Student Affairs at least three (3) weeks prior to the event through the Central Reservation System (<https://reservespace.fiu.edu/>), or a written document, contract or agreement, facility reservation form, memo, or letter describing the type of event, number of anticipated attendees, and appropriate event controls. The sale, distribution, or service of alcohol on University premises in the absence of this approval is a direct violation of this Regulation.
 - a. Although the Senior Vice President of Academic & Student Affairs or designee may approve the sale, service, or distribution of alcohol on University premises, only the Division of Alcoholic Beverages and Tobacco can issue the required legal permit to sell alcohol in the State of Florida.
 - b. The event organizer must obtain the approval of the University Police Department who will determine if a uniformed officer(s) must be present during the event. In such cases where an officer(s) is required, the expense is the sole responsibility of the event organizer.
7. The following is required for all approved events on University premises where alcohol is present:
 - a. Alcohol must be sold and served by a licensed, insured, and trained third party vendor. Third party event servers/bartenders and attendants may exercise prudent judgment, consistent with their training, regarding the appearance of an individual in determining whether they satisfy the minimum age requirement. If, for any reason, proof of legal drinking age cannot be provided upon request, it is the responsibility of the server to deny the request.
 - b. The designated server shall not be under the influence or consume alcoholic beverages during the event and all alcoholic beverages intended for service must be controlled by the designated server.
 - c. Any individual to whom alcohol is sold or served, or who attempts to purchase or consume alcohol on University premises must satisfy the legal age requirement of 21 years and demonstrate this by showing valid photo identification when asked.
 - d. The third-party server has the right to refuse to serve anyone who is under the legal drinking age or to anyone who appears to be intoxicated.
 - e. With the exception of tailgating events, individuals are not permitted to bring their own alcoholic beverages to events on University premises. Only those alcoholic beverages provided and served by the third-party vendor may be possessed or consumed at the event. The alcoholic beverages served must be consumed within the facility designated for the event.
 - f. Non-alcoholic beverages must be available at the same place, provided in greater amounts than the alcoholic beverages provided, featured as prominently as alcoholic beverages, and made available for the entire duration of the event at a price equal to or

less than the price of the alcohol being served. A sufficient amount of non-salty, non-snack food must also be available.

- g. At least two (2) printed signs shall be prominently displayed at each event the following information:

NO ALCOHOL SOLD OR SERVED TO MINORS
PROOF OF AGE IS REQUIRED
NON-ALCOHOLIC BEVERAGES AVAILABLE
EVENT ORGANIZER RESERVES THE RIGHT TO DENY SERVICE
ASK AN ATTENDANT FOR ASSISTANCE, IF NECESSARY

Signs shall be at least 11 by 14 inches and no other message shall be included on these signs, however a single sign may be used to display this information in languages other than English.

- h. Alcohol will only be served to an individual for their own consumption. No one may obtain alcohol for another individual.
- i. Alcoholic beverages may only be served until 1:00 a.m., and service must stop no less than 60 minutes before the end of the event.
- j. No state appropriated, federal funds or permissible funds may be used to purchase or sell alcohol. Additional funding sources may also be limited.
- k. Drinking contests, promotions, or any other activities which encourage the rapid and/or excessive consumption of alcoholic beverages shall not be permitted at the event. Examples include, but are not limited to, selling or serving on an “all you can drink” basis and promoting free or discounted alcoholic beverages for a certain segment of the population.
- l. The Senior Vice President of Academic & Student Affairs or designee may impose additional limitations and restrictions as deemed appropriate.
8. Advertisement and promotion of the use or consumption of alcohol at any event is prohibited, unless written approval of the content of the advertisement, the size, location and method of distribution of the promotional material are specifically reviewed and approved by the Senior Vice President of Academic & Student Affairs or designee.
- a. Event sponsors, their subsidiaries, partners, or affiliated companies, who are also producers, sellers or distributors of alcoholic beverages shall not be recognized on printed or promotional materials unless authorized by the Senior Vice President of Academic & Student Affairs or designee.
- b. Advertisements and promotional materials of an event on University premises involving alcohol shall satisfy the following minimum requirements:
- i. Advertisement and promotional materials for alcohol shall not promote the irresponsible use of alcohol.
- ii. Advertisement and promotional materials, including advertising for any University sponsored event shall not make reference to the availability of alcoholic beverages unless the event is sponsored by the School of Hospitality Management in association with the FIU Beverage Management Program.
- iii. Advertising for any event sponsored by the FIU School of Hospitality Management where alcoholic beverages will be served, and its availability is identified in the promotional material, shall specifically mention the availability of non-alcoholic beverages as prominently as the availability of alcoholic beverages.
9. In addition to all other requirements stated in this regulation, the following requirements shall apply to the service, purchase, possession, distribution, or consumption of alcohol on University premises at tailgating events.

- a. Individuals and members of the public are strictly prohibited from entering any athletic event while carrying or bearing any type of container, open or closed, which contains any type of beverage.
 - b. Event organizers, Division of Student Affairs staff, and University Police reserve the right to deny access to athletic events to individuals who exhibit behaviors consistent with alcohol intoxication or who behave in any manner inconsistent with this Regulation.
 - c. The Chief of Police shall prepare and submit an Event Evaluation Summary and Recommendation Report to the Senior Vice President of Academic & Student Affairs within 72 hours of each tailgating event and shall specifically address findings related to the use or abuse of alcohol at each event on each report.
10. Nothing in this regulation absolves individuals from complying with federal and state laws, federal research regulations, University regulations and policies, and other applicable laws, regulations, rules, and policies on the use and consumption of alcohol including, but not limited to, federal and state laws regarding Drug Free Workplaces.
11. Violations of this Regulation and applicable laws may subject individuals to discipline and sanction including, but not limited to, criminal prosecution, discipline by the Department of Human Resources up to and including termination, and discipline by the Office of Student Conduct and Academic Integrity up to and including expulsion.

Authority: Art. IX, sec 7, Fla. Const., Board of Governors Regulation 1.001; History: New 8-12-85, Formerly 6C8-11.005, Amended 4-16-91, 9-3-03, 8-22-04, Formerly 6C8-11.005, Amended 6-18-08, _____.

TAILGATING POLICY

You may reserve a space in the general tailgating areas, including the Diamond Lot, Nature Trail and Panther Trail via the online reservation form found at <https://parking.fiu.edu/tailgating/>.

Should you prefer not to reserve a space, these lots will be available for tailgating on game day, but on a first-come, first-served basis and dependent on lot/trail availability.

Lot 7 (west of the stadium) is reserved for alumni and spirit group tailgating. Lot 6 (east of the stadium) is reserved for student tailgating. Tailgating spaces in these lots must also be reserved in advance, but will also be available on a first-come, first-served basis should there be availability on game day.

Personal tents/canopies must be 10 feet x 10 feet or smaller and are only allowed in reserved/assigned tailgating locations.

Should you want to reserve a tailgating area that is larger than a personal canopy, you must contact Parking & Transportation's event team at ptevents@fiu.edu or (305) 348-3615.

All garages, as well as Lot 5 (east of the WPAC) are available for general parking. We strongly encourage visitors to park in the Blue Garage, Panther Garage, or Lot 5 as these are the closest to the stadium. However, tailgating is not permitted in these areas.

VIP & Disabled Parking will continue to be within the Platinum Lot (lot south of the stadium).

All designated Tailgating Lots and Trails will be accessible from 8:00 a.m. until two hours following the conclusion of the game or midnight (whichever comes first).

However, there are specific timelines for each game as it relates the university's tailgating and open-container waiver hours.

For mid-day games (i.e., games starting prior to 4 p.m.), the university's open container waiver will be in effect in four hours prior to game start through the end of tailgating hours. For evening games (i.e., games starting after 5 p.m.), the university's open-container waiver will be in effect six hours prior to game start through the end of tailgating hours.

Tailgating will close down 45 minutes prior to kick-off. University Police as well as Parking & Transportation personnel will be walking through all tailgate areas prior to kick-off to ensure compliance.

EDUCATIONAL RESOURCES

- a) The Healthy Living Program (HLP) conducts Substance Use and Abuse, Tobacco Cessation, and Alcohol related presentations for the university community. In addition, HLP offers free, confidential consultations on Tobacco Cessation, and other related topics such as how to help a friend with a substance use problem.
- b) The Student Health Services Clinics provides students with free, confidential office visits to see a registered nurse, nurse practitioner, and primary care physician regarding medical symptoms, illnesses and/or injuries that arise from alcohol use/abuse.
- c) The Counseling and Psychological Services Center (CAPS) provides students with free, confidential, office visits to see mental health professionals (psychologists, licensed social workers, mental health counselors, etc.) for issues that may directly or indirectly relate to alcohol and drug use, abuse or dependence. CAPS staff provides lectures and workshops to various student groups on topics related to prevention of binge drinking, and alcohol and drug abuse. CAPS also provides assessment, intervention and referrals (as appropriate) to students who have violated the Drug-Free Campus/Workplace Drug and Alcohol Abuse Prevention Policy.
- d) The Office of Employee Assistance (OEA) assists faculty and staff with personal problems, such as substance abuse, which might affect their job. The OEA office coordinates the confidential assessments and provides referrals for employees experiencing problems or seeking educational information.

Sessions are held at Modesto A. Maidique Campus and Biscayne Bay Campus.

University Resources and Contact Information:

(a) Healthy Living Program:

Locations:

MMC: Student Health Center (Room 180)

BBC: Wolfe University Center (Room 307)

Phones: (305) 348-4020, MMC / (305) 919-5307, BBC

Website: studenthealth.fiu.edu

(b) Student Health Services:

Locations:

MMC: Student Health Center (Blue Clinic) / Phone: (305) 348-2401

BBC: Student Health Center / Phone: (305) 919-5620

Website: studenthealth.fiu.edu

(c) Counseling and Psychological Services Centers:

Locations:

MMC Student Health Center Suite 270

BBC Wolfe University Center Suite 320

Phones: (305) 348-2277, MMC / (305) 919-5305, BBC

Website: caps.fiu.edu

(d) Employee Assistance Office of Employee Assistance (OEA):

Locations: Green Library 473

Phones: (305) 348-2469 (MMC & BBC)

Website: oea.fiu.edu

For the most current version of the FIU Alcohol Policy, go to: <http://hr.fiu.edu/aod/policies.htm>

ALCOHOL & SUBSTANCE ABUSE PARENT/GUARDIAN NOTIFICATION POLICY

Policy statement:

Florida International University may notify the parents or guardians of students, under policy. As circumstances may warrant, notification may also be carried out for disciplinary violations with respect to the use, possession or distribution of controlled substances.

This policy provides for notification to only those parents or guardians who claim their sons or daughters as legal dependents on their Federal Income Tax Returns. All students are urged to periodically review the university's internet site (<http://hr.fiu.edu/aod/policies.htm>) in order to remain current with updated FIU alcohol and substance abuse policies.

In addition to parent/guardian notification, violators of the university's substance abuse policies may be required to comply with various sanctions including but not limited to attendance at educational workshops.

Procedure:

The following procedure will be applied on a case-by-case basis depending on the severity of the incident, the impact upon the community, and the student's judicial history.

NOTIFICATION TRIGGERS:

The Notification Procedure May Be Triggered When Any Of The Following Occurs:

- I. Violation involved harm or threat to self, others, or damage to property.
- II. Violation involved an arrest.
- III. The student becomes physically ill and/or requires medical intervention as a result of

the consumption of alcohol or any controlled substance.

IV. The student has been found responsible for multiple violations of the University's Standards of Conduct with regard to alcohol and substance abuse.

The Notification Process:

- Notification may take place within 24 hours of the date of the incident or up to 30 days after the student has been found responsible as a result of the judicial process.
- Notification may take place in the form of a telephone call or in writing. If notification is by letter, the letter will be sent to the name and address listed by the student as parent/guardian or emergency contact.
- Notification will be carried out by the Vice President for Student Affairs or his/her designee. This responsibility may be delegated to the Director of Residential Life if circumstances may warrant.

ALCOHOL & DRUG-FREE WORKPLACE & CAMPUS POLICY

Promoting productive practices and safe healthy behaviors

See Drug-Free Campus/Workplace Drug & Alcohol Abuse Prevention Policy; FIU #1705.002 located at <http://policies.fiu.edu/files/754.pdf>.

STANDARDS OF CONDUCT

FEDERAL LAWS

DRUG-FREE SCHOOLS AND CAMPUSES REGULATIONS:

34 CFR Part 86

PUBLIC CONTRACTS / DRUG-FREE WORKPLACE:

41 US Code, Chapter 10

PUBLIC WELFARE / DRUG-FREE WORKPLACE REQUIREMENT:

45 CFR Part 76, Subpart F

As a condition of receiving funds or any other financial assistance under any federal program, institutions of higher education shall certify that they have developed and implemented an Alcohol & Drug-Free Workplace & Campus Policy.

STATE LAWS

SALE OF ALCOHOL

Florida Statute 561. 01:

Sale of alcoholic beverages includes any admission charge, sale of cups, tickets, donations, etc.

<http://www.leg.state.fl.us/STATUTES/index.cfm?>

[App_mode=Display_Statute&Search_String=&URL=0500-0599/0561/Sections/0561.01.html](http://www.leg.state.fl.us/STATUTES/index.cfm?App_mode=Display_Statute&Search_String=&URL=0500-0599/0561/Sections/0561.01.html)

Florida Statute 562.12:

The sale of alcoholic beverages without a proper license is unlawful.

<http://www.leg.state.fl.us/STATUTES/index.cfm?>

[App_mode=Display_Statute&Search_String=&URL=0500-0599/0562/Sections/0562.12.html](http://www.leg.state.fl.us/STATUTES/index.cfm?App_mode=Display_Statute&Search_String=&URL=0500-0599/0562/Sections/0562.12.html)

LEGAL DRINKING AGE

Florida Statute 562.11:

Selling, giving, or serving alcoholic beverages to persons under 21 years of age or misrepresenting the age of another to induce service of alcoholic beverages to persons under 21 years of age is unlawful.

<http://www.leg.state.fl.us/STATUTES/index.cfm?>

[App_mode=Display_Statute&Search_String=&URL=0500-0599/0562/Sections/0562.11.html](http://www.leg.state.fl.us/STATUTES/index.cfm?App_mode=Display_Statute&Search_String=&URL=0500-0599/0562/Sections/0562.11.html)

Florida Statute 562.111:

Possession of alcoholic beverages by persons under the age of 21 is unlawful.

<http://www.leg.state.fl.us/STATUTES/index.cfm?>

[App_mode=Display_Statute&Search_String=&URL=0500-0599/0562/Sections/0562.111.html](http://www.leg.state.fl.us/STATUTES/index.cfm?App_mode=Display_Statute&Search_String=&URL=0500-0599/0562/Sections/0562.111.html)

DISORDERLY INTOXICATION

Florida Statute 856.011:

Endangering the safety of another person, causing property damage, drinking any alcoholic beverages in a public place, or causing a public disturbance while intoxicated is unlawful.

<http://www.leg.state.fl.us/STATUTES/index.cfm?>

[App_mode=Display_Statute&Search_String=&URL=0800-0899/0856/Sections/0856.011.html](http://www.leg.state.fl.us/STATUTES/index.cfm?App_mode=Display_Statute&Search_String=&URL=0800-0899/0856/Sections/0856.011.html)

DRIVING UNDER THE INFLUENCE

Florida Statute 316.193:

A person is “under the influence” of alcoholic beverage, any chemical substance set forth in S. 877.111 or any substance controlled under F.S. Chapter 893, when affected to the extent that his/her normal faculties are impaired or that blood and breath alcohol levels exceed legal thresholds. Operating a motor vehicle while “under the influence” is unlawful.

<http://www.leg.state.fl.us/STATUTES/index.cfm?>

[App_mode=Display_Statute&Search_String=&URL=0300-0399/0316/Sections/0316.193.html](http://www.leg.state.fl.us/STATUTES/index.cfm?App_mode=Display_Statute&Search_String=&URL=0300-0399/0316/Sections/0316.193.html)

Florida Statute 316.1936:

Possessing an open container of alcoholic beverage while operating a vehicle, or while present as a passenger in a vehicle is unlawful.

<http://www.leg.state.fl.us/Statutes/index.cfm?>

[App_mode=Display_Statute&Search_String=&URL=0300-0399/0316/Sections/0316.1936.html](http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=0300-0399/0316/Sections/0316.1936.html)

UNIVERSITY POLICIES

The FIU Student Handbook includes policies on alcohol and drugs. The section on “Standards of Student Conduct” outlines disciplinary actions that may be taken for violation of these policies. Each student is encouraged to review this section of the Handbook and become familiar with possible consequences of violating these policies.

In accordance with university policies, appropriate disciplinary action shall be taken regarding any employee who violates the Florida International University Alcohol & Drug-Free Workplace & Campus Policy.

PREVENTION, TREATMENT AND ASSISTANCE RESOURCES

FOR STUDENTS

Counseling and Psychological Services Centers

(305) 348-2277 MMC

(305) 919-5305 BBC

Student Health Services

(305) 348-2401 MMC

(305) 919-5620 BBC

Student Conduct and Academic Integrity

(305) 348-3939 MMC & BBC

University Police

(305) 348-2626 MMC

(305) 919-5559 BBC

Victim Empowerment Program

(305) 348-3000 (24- HR HOTLINE)

FOR EMPLOYEES

Human Resources

(305) 348-2181 MMC

(305) 919-5545 BBC

Office of Employee Assistance

(305) 348-2469 MMC & BBC

COMMUNITY RESOURCES

Switchboard of Miami

(305) 358-4357

First Call For Help (Broward)

(954) 537-0211

CONTRACTS & GRANTS

The Drug-Free Workplace Regulations requires that Contracts & Grants employees notify their supervisor or other appropriate university representative of any criminal drug statute conviction for a violation, occurring in the workplace, within five (5) days after such conviction.

The university shall notify federal contracting agencies within ten (10) days of having received notice that an employee (identified by position and title) engaged in the performance of a

contract or grant has had a criminal drug statute conviction for a violation occurring in the workplace.

Within 30 calendar days of receiving notice of the employee's conviction the university shall take the appropriate personnel action, including the application of appropriate sanctions up to and including termination.

The employee may also be required to participate in a substance abuse assistance or rehabilitation program.

POLICY STATEMENT

Florida International University is committed to providing a safe work and educational environment and to fostering the well-being and health of its students and employees. This commitment is jeopardized when any student or employee of Florida International University unlawfully or inappropriately possesses, uses, distributes or sells illegal drugs or alcohol on university premises or at any university sponsored or related activity.

The goal of this Policy is to balance our respect for an individual's rights with the need to maintain a safe, productive, and drug-free environment. The intent of this policy is to send a clear message that illegal drugs and alcohol abuse are incompatible with studying or working at Florida International University, and to offer a helping hand to those who may need it. Therefore:

It is a violation of this Policy for any person to possess, sell, trade, distribute or offer for sale illegal drugs or to otherwise engage in the use of illegal drugs on campus or within a 200-foot perimeter of university owned, leased, operated or controlled property.

It is a violation of this Policy for anyone to report to classes, work or related assignments "under the influence" of illegal drugs or alcohol.

It is a violation of this Policy for anyone to use prescription drugs illegally. The legal use of prescription drugs with known potential to impair personal safety should be reported to supervisors or an appropriate university representative.

Violations of this Policy by any student or employee of Florida International University shall constitute grounds for evaluation and/or treatment for drug/alcohol abuse, disciplinary action and/or criminal sanction. **Students:** Disciplinary actions may range from letters of reprimand up to and including expulsion from the university. Such actions shall be in accordance with the applicable "Standards of Student Conduct and Honor Code" and university policies and procedures.

Employees: Disciplinary action may include mandatory referral to the Office of Employee Assistance (OEA) for assessment, letters of reprimand, and progressive disciplinary procedures, up to and including termination.

Students and employees may seek review of any disciplinary actions in accordance with applicable procedures.

In compliance with Federal Drug-Free Schools and Campuses Regulations, Florida International University shall provide annual notification to students and employees regarding this Policy and its alcohol and substance abuse awareness, prevention and rehabilitation programs.

Further, the FIU Substance Abuse Task Force shall conduct biennial reviews of such programs in order to assure their continued conformance with the stated goal and intent of this Policy and the Drug-Free Schools and Campuses Regulations.

HEALTH RISKS ASSOCIATED WITH ALCOHOL AND SUBSTANCE ABUSE

Productivity, academic performance, work quality, motivation, judgment, and safety may all be adversely affected by an individual's abuse of alcohol and drugs.

There are many physical and mental health risks associated with the abuse of alcohol and other drugs. Further, the effects of substance abuse extend from the user to their family, friends and colleagues. A brief summary of various substances most typically abused, and their psychological and physiological effects is provided below. For additional information visit studenthealth.fiu.edu.

ALCOHOL

Statistics show that alcohol abuse is involved in the majority of violent behavior incidents on college campuses including date rape, vandalism, fights and driving under the influence. Alcohol abuse results in:

- Impaired judgment and coordination
- Aggressive behavior
- Impairment in learning and memory
- Respiratory depression, coma, and death when combined with other depressants

Persistent abuse of alcohol can lead to physical dependence, such that sudden cessation of intake usually results in life-threatening withdrawal symptoms, including severe anxiety, hallucinations, tremors, and seizures.

Prolonged alcohol abuse is frequently associated with poor nutrition, brain and liver damage.

Women who drink during pregnancy may give birth to infants with irreversible physical abnormalities and the mental retardation condition termed Fetal Alcohol Syndrome.

Research shows that children of alcoholic parents are more likely to abuse alcohol themselves.

NARCOTICS

Heroin, Morphine, Codeine, Demerol, Percodan

1. Narcotics initially produce a feeling of euphoria followed by drowsiness, nausea, and vomiting.
2. Users may experience constricted pupils, watery eyes, and itching.
3. An overdose may produce slow and shallow breathing, clammy skin, convulsions, coma, and death.
4. Tolerance to narcotics develops rapidly and dependence is likely.
5. Intravenous injection may cause HIV/AIDS, hepatitis, and cardiac disease.
6. Addiction in pregnant women can lead to premature, stillborn, or addicted infants who may exhibit withdrawal symptoms.

INHALANTS

1. Many psychoactive substances are inhaled as gases of volatile liquids. Some commercial products such as paint thinners and cleaning fluids are mixtures of volatile substances, inhalation of which result in a great variety of symptoms.
2. Immediate effects of inhalants include nausea, sneezing, coughing, nosebleed, fatigue, lack of coordination, and loss of appetite. They may also obstruct airways causing death.

3. Solvents and aerosol sprays may decrease heart and respiratory rates and impair judgment.
4. Amyl and butyl nitrate cause rapid pulse, headaches, and urinary and fecal incontinence.
5. Long-term use may result in hepatitis, brain damage, weight loss, fatigue, electrolyte imbalance, and muscle weakness.
6. Repeated use of inhalants may permanently damage the nervous system.

MARIJUANA

The effects associated with marijuana use include:

- An increase in heart rate and blood pressure, blood-shot eyes, dry mouth, and hunger.
- Impairment of short-term memory and concentration, altered sense of time, and decreased coordination and motivation.
- Psychological dependence.
- Lung cancer, and chronic lung disease after long-term use.

“CLUB DRUGS” (GHB, Rohypnol & Ecstasy)

1. GHB is an illegal depressant, available as a liquid or powder that is used to cause relaxation and anesthesia. Some of the adverse effects of GHB are listed below:

- Used to facilitate rape (it is odorless and tasteless, therefore it can be slipped into someone’s drink without detection) because it causes impairments in judgment, sleepiness and amnesia.
- Liver failure
- Seizures which can result in coma and even death
- Respiratory failure and/or arrest
- Severe nausea and vomiting

2. Rohypnol, also known as “Roofies”, is a strong depressant drug, commonly known as a “Date Rape” drug.

- When ingested in conjunction with alcohol or other drugs, effects begin within 3 minutes and peak within 2 hours. These effects may persist for up to 8 hours or more, depending upon the dosage.
- Adverse effects associated with the use of Rohypnol include decreased blood pressure, memory impairment, drowsiness, visual disturbances, dizziness, confusion, gastrointestinal disturbances, and urinary retention.
- In South Florida, the street names for rohypnol include, “circles”, “Mexican alium”, “rib”, “roach-2”, “roofies”, “roopies”, “rope”, “ropies”, and “ruffies”.

3. MDMA, also called “Adam”, “ecstasy”, or “XTC”, is a synthetic, psychoactive (mind-altering) drug with amphetamine-like and hallucinogenic properties. Some of the adverse effects of MDMA are listed below:

- Psychological difficulties, including confusion, depression, sleep problems, drug craving, severe anxiety and paranoia
- Muscle tension, involuntary teeth clenching, nausea, blurred vision, rapid eye movement, faintness, and chills or swelling
- Increased heart rate and blood pressure
- Long-term brain damage

COCAINE

- I. Cocaine use produces psychological and physical dependencies. Regular users rapidly develop tolerance which results in the need to take larger doses to achieve the same initial effect.
- II. Cocaine stimulates the central nervous system and its immediate effects include elevated blood pressure, heart rate, respiratory rate, and body temperature.
- III. Occasional use can cause a runny nose while chronic use can result in ulceration and rupture of the mucous membrane in the nose.
- IV. Injecting cocaine with contaminated needles can transmit HIV/AIDS, hepatitis, and other infectious diseases.
- V. Cocaine use may lead to high-risk behaviors with consequences such as unwanted pregnancies and motor vehicle accidents.
- VI. Cocaine use during pregnancy may result in the birth of a cocaine-addicted baby who may experience withdrawal symptoms shortly after birth, mental retardation, and/or permanent mental and physical disabilities.
- VII. Crack, a concentrated form of cocaine, is extremely potent. Its effects are evident within seconds. Physical effects include heart palpitations, elevated pulse and blood pressure, loss of appetite, insomnia, dilated pupils, tactile hallucinations, paranoia, and seizures. Preparation of free-base, which involves the use of highly volatile solvents, can result in a fire or explosion. Dependency is highly likely.

AMPHETAMINES AND OTHER STIMULANTS

- I. Symptoms of stimulant abuse include increased heart and respiratory rates, elevated blood pressure, dilated pupils, excessive perspiration, headache, dizziness, sleepiness, anxiety, and loss of appetite.
- II. When consumed in large quantities, palpitations, irregular heartbeat, tremors, loss of coordination, coma, and death may result.
- III. Regular use can lead to an amphetamine psychosis that includes hallucinations, delusions, and paranoia.

HALLUCINAGENS

- I. Lysergic acid (LSD), mescaline, and psilocybin cause illusions and hallucinations. Physical effects include rapid heart rate, increased blood pressure, dilated pupils, tremors, and insomnia. Psychological effects include panic, confusion, suspicion, anxiety, and flashbacks.
- II. Phencyclidine (PCP) produces dramatic behavioral alterations, memory and speech difficulties, depression, paranoid and violent behavior, and hallucinations. Large doses of PCP may produce convulsions, heart and lung failure, coma, and death. Inability to perceive pain may allow an individual to cause themselves severe harm.

ANABOLIC STEROIDS

Closely related to the male sex hormone testosterone, anabolic steroids may be prescribed for a limited number of medical conditions such as severe burns and certain types of anemia and cancer. However, more than 70 psychological and physical side effects may result from steroid abuse, including:

- Liver disease

- Growth problems
- Bone fusion
- Acne
- Cancer
- Testicular atrophy
- HIV/AIDS (sharing needles)
- Psychological problems
- Rage and uncontrolled anger
- Sexual dysfunction, sterility and impotence

BARBITURATES AND TRANQUILIZERS

- I. The effects of depressants are similar to those of alcohol.
- II. The use of depressants can cause both physical and psychological dependence. Tolerance may result after regular use. Withdrawal symptoms, ranging from anxiety to seizures and death, result from abrupt termination of abuse.
- III. Women who abuse depressants during pregnancy may give birth to babies who are physically dependent. These babies often have birth defects, behavioral problems, and may develop withdrawal symptoms shortly after birth.
- IV. Large doses can cause slurred speech, impaired coordination, and altered perception. Very large doses can cause respiratory depression, coma, and death. Even small doses of depressants, when combined with alcohol, are likely to produce the symptoms described above.

For more information, contact:
 Department of Environmental Health & Safety
 Location: CSC 146
 Phone: (305) 348-2621

ACADEMIC GRIEVANCE DEFINITIONS AND PROCEDURES

PREAMBLE

Quality education is most likely to occur in academic environments that include the following elements: effective student mentoring, informal and accessible student-faculty relations, mutual respect and collegiality, cooperation, as well as open communication and transparency. Often grievances grow out of misunderstandings or misperceptions between faculty and students regarding expectations for performance or behavior. Faculty and advisors have an obligation to ensure that Undergraduate and Graduate students are aware of academic expectations. Students have a concomitant obligation to pursue diligently and to satisfy those standards. They are bound to observe and respect the policies, rules and regulations of the university, of their respective departments, and of their professors. Many grievances related to student-faculty relations should be settled informally, via open and transparent processes of communication.

Occasionally, however, a disagreement develops and persists despite the application of informal procedures to resolve the matter. Although students have the right to seek redress for academic grievances, they often forgo their rights so as not to offend professors involved in those disagreements. Students should be aware that bringing a formal grievance may have the consequence of damaging working relationships with professors, and that the straining of student-faculty relationships may impact negatively the learning environment. When all means of

informal resolution have been exhausted, the parties involved must have an impartial and transparent forum in which to seek review and resolution of the academic grievance.

PURPOSE

The purpose of this policy and procedure is to provide a means for Undergraduate and Graduate students to seek investigation and possible resolution of academic grievances, as defined below.

SCOPE OF GUIDING PRINCIPLE

The definitions and procedures address grievances by Undergraduate and Graduate students in which the complaint or controversy alleges: (a) arbitrary and capricious awarding of grades; (b) unprofessional conduct by a professor that affects adversely either the student's ability to satisfy academic expectations, whether in the classroom, a field setting, a laboratory or other setting, or the student's actual performance; (c) inappropriate or inadequate academic advising concerning requirements not published in official university documents; (d) arbitrary dismissal from a course or program except as described below; and (e) irregularities in the implementation of policies or procedures in grievance hearings at the college or school level.

This guideline does not address:

- a) Issues related to sexual harassment, or discrimination based on age, sex, sexual orientation, religion, race, marital status, national origin or disability. The Inclusion, Diversity, Equity and Access (IDEA) Office is responsible for handling such issues in accordance with procedures developed to comply with the Florida Equity Act;
- b) Issues related to research misconduct. If the student alleges unauthorized utilization of research materials by a professor, resolution of the issue must be sought using the University Research Misconduct policy;
- c) Issues related to professional misconduct. If the student is dismissed from a course or program due to violation of professional code of conduct, those decisions are addressed at the school or college level; and
- d) Issues related to grading, except arbitrary and capricious awarding of grades. Students who dispute a grade received must follow the grade appeals process established by the applicable college. The student may request further discussion at a department conference with the instructor and the department chair. The department chair issues a written "Statement of Action" within seven (7) calendar days from the date of the conference and delivers it to the student and the dean of the college involved. The student shall not proceed beyond the department chair's decision except when the student can demonstrate malice on the part of the instructor, in which case the student may file a grievance under this policy.

INFORMAL ACADEMIC GRIEVANCE PROCEDURE

Undergraduate and Graduate students must attempt to resolve informally an academic grievance as soon as possible. A student must initiate informal resolution procedures by contacting the professor (or administrator as the instructor of record) no later than ten (10) business days after classes begin in the semester following that in which the complaint arose or the grievance will be deemed untimely. The student must first attempt to resolve the academic grievance through an informal meeting with the professor. If the matter cannot be resolved, or if the professor cannot be reached, the student must meet next with the department chair. If the student's grievance is against a committee, the student must meet with the committee chairperson. If the matter cannot be resolved, the student must meet next with the department chair. The informal grievance process is terminated at the department level except when the department chair is the subject of the complaint in which case the grievance continues to the college or school dean. A mutually

agreeable resolution shall be formalized through a notation in the student's file/record which is initialed by the student and the professor or college or school dean.

FORMAL GRIEVANCE PROCEDURE

The academic grievance procedure is initiated by filing a written complaint with the Faculty Fellow for Academic Integrity. The complaint must be filed within fifteen (15) business days of the date the informal resolution process ends, or within twenty (20) business days after classes begin in the semester following that in which the complaint arose—whichever is later. After receipt, the Faculty Fellow for Academic Integrity, in consultation with the chairperson of the Academic Grievance Committee, will review the complaint to determine whether it falls within the scope of this policy and whether a formal hearing is warranted.

When there are disputed issues of material fact which must be determined, a formal hearing is warranted. If the complaint does not fall within the scope of this policy, then the student shall be notified in writing.

A. Academic Grievance Committee

Where a complaint falls within the scope of this policy and there are disputed issues of material fact to be determined, the Faculty Fellow for Academic Integrity will refer the matter to the Undergraduate/Graduate Academic Grievance Committee. The grievance committee will be composed of five members, two of whom should be Undergraduate/Graduate students selected by the Faculty Fellow for Academic Integrity. Undergraduate student members will be provided by the president of the Student Government Association (SGA). Graduate student members will be provided by the Graduate Student Association (GSA) and/or the academic deans.

The faculty members of the committee will include two faculty members from academic units outside of the school/college where the student is enrolled and where the grievance has been filed. The chairperson of the committee will be jointly selected by the Faculty Fellow of Academic Integrity and the chairperson of the Faculty Senate.

B. Procedure

A hearing shall be scheduled as soon as possible but no later than 45 business days after receipt of the grievance.

The grieving party and the professor shall be notified by the Faculty Fellow of Academic Integrity in writing, of the date and time in which to appear for the formal hearing. The hearing shall be conducted with such formality as is necessary to insure the proceeding is fair and in a manner that allows both sides of the dispute to be presented. The hearing shall be recorded. At the conclusion of the hearing, the members of the committee shall have the opportunity to deliberate outside the presence of the parties. A written report including findings of facts, conclusions and recommendations shall be prepared and forwarded to the Faculty Fellow of Academic Integrity. The Faculty Fellow of Academic Integrity shall issue a written decision within fifteen (15) business days of receipt of the committee's report. The student and the professor will be sent copies of the Faculty Fellow's determination by certified mail.

C. Appeals

Any decision of the Faculty Fellow of Academic Integrity may be appealed by either the grieving student or the professor where there is evidence that a significant impropriety in the review process occurred. The appeal must be in writing, specify in detail the alleged procedural impropriety, and must be filed in the Office of the Provost within ten (10) business days, of the date of receipt of the Faculty Fellow's decision. The Provost or a designee shall review the

appeal and the record of the formal hearing and issue a decision within twenty (20) business days. The decision of the Office of the Provost is final.

More information about the grievance procedure can be found at the website for Academic Integrity.

ACCESS TO STUDENT EDUCATIONAL RECORDS

1. **General:** The university will not release or permit access to education records and personally identifiable information kept on a student except as otherwise permitted by law and this regulation. Responsibility for custody of all student educational records belongs to the vice-president or other university officials in charge of the area in which the records are maintained. Each vice president or designated custodian shall ensure that the procedures required by federal and Florida law, and this regulation are in place to control access to and disclosure of student education records and personally identifiable information contained therein.
2. **Categories and Custodians of Education Records.** The following categories of student education records are maintained by the university and are kept under the supervision and control of the designated custodian(s):
 - a) Cumulative Academic Records are maintained by the University Registrar whose office is located on the Modesto A. Maidique Campus. At times the dean, chairperson or faculty of the department in which the student completed coursework may have unofficial copies of academic records relating to specific coursework.
 - b) Law Enforcement Records are maintained by the Director, University Public Safety Department, whose office is located on the Modesto A. Maidique Campus.
 - c) Placement Records are maintained by the Director, Career Planning and Placement, whose office is located on the Modesto A. Maidique Campus.
 - d) Continuing Education Records are maintained by the Executive Director of Continuing and Professional Studies whose office is located on the Biscayne Bay Campus.
 - e) Housing Records are maintained by the Director of University Housing whose office is located on the Modesto A. Maidique Campus.
 - f) Disciplinary Records are maintained in the Student Conduct and Academic Integrity Office located on the Modesto A. Maidique Campus.
 - g) Personal Non-Academic Counseling records are maintained by the Director, Counseling Center, whose office is located on the Modesto A. Maidique Campus.
 - h) Student Financial Aid records are maintained by the Director of Financial Aid, whose office is located on the Modesto A. Maidique Campus.
 - i) International Student Records are maintained by the Director, International Student and Scholar Services, whose office is located on the Modesto A. Maidique Campus and the Associate Director of International Student and Scholar Services whose office is located on the Biscayne Bay Campus.
 - j) Academic Counseling records are maintained by the Vice President for Student Affairs and Undergraduate Education, whose office is located on the Modesto A. Maidique Campus. Additionally, academic counseling records may be maintained by departments for students who are majoring in fields of study taught by the department.
3. **Policies and Procedures for Access and Release.** Personally identifiable information contained in student education records shall be released, or open for inspection, only to the student, or parents of dependent students as defined in Section 152 of the Internal Revenue Code of 1986. "Personally identifiable" means that the data or information includes the name of a student, the student's parent, or other family member, the address of the student, a personal identifier, such as the student's social security number or a student number, a list of

personal characteristics which would make the student's identity easily traceable or other information which would make the student's identity easily traceable. The custodian of the records shall require the student, or parents of the student when applicable, requesting access to or release of the records to present proper identification such as a valid driver's license or passport. The request must be in writing and signed by the person seeking access or release. A copy of the request for access or release shall be retained in the student's file. The custodian shall have thirty (30) days in which to comply with the request.

When the record includes information on more than one student, the custodian shall release, or permit access to only that part of the record which relates to the student who is the subject of the request. Students requesting the release to others of personally identifiable information contained in the student's education records must provide the custodian of such records with a signed, written request specifying the information to be released, the purpose(s) for such release, and the person or organization to whom such information shall be released. A copy of all requests for access and release shall be retained by the custodian of the records and shall be available for inspection and review by the student or a parent. The university reserves the right to deny a request for copies of education records made by a student or a parent when there is an financial obligation to the University which has not been satisfied or when there is an unresolved disciplinary action pending against the student.

4. Access to and Release of Records Without Consent. The following persons and organizations are considered "university officials" and may have access to personally identifiable information without the student's prior consent:

- a) Faculty, administrators, staff and consultants employed by the university, the Florida International University Board of Trustees, or the Florida Board of Governors whose work involves:
 - 1. Performance of administrative tasks which relate to students
 - 2. Performance of supervisory or instructional tasks which relate to students or
 - 3. Performance of services which benefit students
- b) Other persons who are authorized by federal and state law and regulations to have access to or receive copies of such information

5. Directory Information.

- a) It is the university's policy to release and publish directory information regarding its students. "Directory Information" includes:
 - 1. Student's name, local and permanent address, and telephone number(s)
 - 2. Date and place of birth
 - 3. Student classification and major and minor fields of study
 - 4. Participation in officially recognized activities and sports
 - 5. Weight and height of members of athletic teams
 - 6. Dates of attendance, degrees and awards received
 - 7. The most recent previous educational agency or institution attended by the student and
 - 8. Photographic image
- b) In order to prevent access to or release of directory information, a student, or the parents of a dependent student, must so notify the designated custodian of record in writing within the time provided in the annual Notice of Rights. Access to, or release of directory information will be withheld until further written instruction is received from the student, or the parents of a dependent student.

6. Requests to Amend Education Records.

- a) Students who challenge the correctness of student education records shall file a written request for amendment with the custodian of the records. The student shall also present to the custodian of the records copies of all available evidence relating to the data or material being challenged. The custodian of the records shall consider the request and shall notify the student in writing within fifteen (15) school days whether the request will be granted or denied.

During that time, any challenge may be settled informally between the students, or the parents of a dependent student and the custodian of the records, in consultation with other appropriate university officials. If an agreement is reached, it shall be in writing and signed by all parties involved. A copy of such agreement shall be maintained in the student's records. If an agreement is not reached informally, or, if the request for amendment is denied, then the student or the parents of a dependent student shall be informed in writing of the denial and the right to a hearing on the matter. A student or the parents of a dependent student shall not have the right to challenge through this process the evaluation reflected by a grade which an instructor has assigned to student coursework.

- b) Hearing Rights and Procedures.

1. Rights of Appeal. A student whose request for amendment to education records has not been settled or has been denied may file a request for a hearing within thirty (30) days of the receipt of the letter of denial. The request shall be in writing and shall be filed with the Vice President for Academic Affairs. The request shall set forth the legal and factual basis for seeking correction of the student's education records. Upon receipt, the Vice President shall appoint a disinterested university official to serve as a hearing officer. The hearing officer shall schedule a hearing within twenty-five (25) days of the date of receipt of the request for a hearing. The student shall be given written notice of the time, date and place of the hearing allowing sufficient time for the student to prepare his or her appeal.

2. Hearing Procedures. The hearing shall be informal in nature but shall afford the student a full and fair opportunity to present evidence relative to the issues raised in the appeal. The student shall be entitled to be assisted or represented by an individual of his or her choice and expense, including an attorney. The custodian of records shall have the same rights as the student.

3. Hearing Officer's Recommended Order. The hearing officer shall issue a recommended order within twenty-five (25) days of the close of the hearing. In rendering a recommended order, the hearing officer shall consider only such evidence as was offered at the hearing. The hearing officer shall include in the recommended order a summary of the evidence presented and the reasons for his or her recommendations. The original report shall be filed with the Vice President and a copy of the recommended order shall be sent to the student or the parents of a dependent student and to the custodian of records. Upon receipt, the Vice President shall have ten (10) days in which to issue a final determination on the issues raised in the appeal. If a determination is made that the information in the education record does not require correction, then the student or a parent of a dependent student shall have the right to place a statement in the record commenting that the information has been challenged and the reason for the challenge.

7. The university will charge the following fees.

Fees for furnishing copies of student records and reports, or any material included therein:

- a) Copies of official transcripts – Ten dollars (\$10.00).
- b) Copies of all other educational records – Fifteen cents (\$.15) per page for copying, plus any administrative costs incurred for search, retrieval and mailing.

8. The university shall provide notification annually to students of their rights relating to education records, including the right to file complaints, the procedures to be followed in order to exercise such rights, the types of information entered in the education records

maintained by the university, and the university's policy to support the law. Notifications are published in the university catalog, the Student Handbook and the Fall semester class schedule.

9. Waiver of Right of Access.

- a) Students and parents of dependent students have the right to waive their right of access to confidential letters of recommendation and other documents which evaluate student academic performance. Such waivers shall be in writing and made a part of the official academic record. A waiver of right to access shall be effective only when the student or the parents of a dependent student are notified, upon request, of the names of all persons who are submitting confidential recommendations or evaluations and when the confidential letters of recommendation and other evaluative documents are used solely for the purpose intended.
- b) The university may not condition admission to the university, grants of financial aid, or receipt of any other service or benefit offered by the university, by another public educational institution in the State of Florida or by any other public agency upon being provided a waiver of the right to access by the student or the parents of a dependent student.

10. Requests for Information in Connection with Research.

- a) All requests for academic research dealing with data from student education records shall be referred to the University Registrar and to the Provost. Such requests must be in writing and must set forth specifically the type(s) of information to which access is requested and the intended scope of the research project.
- b) The applicable custodian of records and the Provost shall determine whether to grant the request, in whole or in part, and may condition access upon a guarantee that the researcher will appropriately safeguard the data; that no personally identifiable information about any individual will be published or made available to others; or, upon other reasonable conditions.

Specific Authority Resolution of the Florida Board of Governors dated January 7, 2003. History—Formerly 6C8-1.06(3), Amended 4-3-84, 11-2-89, 1-3-93, 11- 3-02, Formerly 6C8-11.003, Amended 9-12-08.

HIV/AIDS INFORMATION AND UNIVERSITY POLICY

HIV/AIDS is an infectious disease caused by the Human Immunodeficiency Virus (HIV). HIV attacks certain white blood cells called T-lymphocytes, leading to a progressively weakening immune system. Once infected, a person may have no symptoms for a variable period of time, usually five to ten years, or more. It may take anywhere from two weeks to six months or more after the initial infection, before one is able to detect the presence of antibody to HIV in the blood. However, the person is infectious and can pass the virus to others even before the HIV test becomes positive. Afterwards, symptoms may include enlarged lymph glands, low grade fevers, sweats, weight loss, fatigue, diarrhea, and loss of appetite. With continued immune system destruction, a person living with HIV may develop serious opportunistic infections or cancers, leading to the terminal phase of HIV disease, known as Acquired Immunodeficiency Syndrome (AIDS). Infections which characterize AIDS are usually caused by relatively common infectious agents, including bacteria, fungi, and other viruses. These agents take advantage of the weakened immune system of someone living with AIDS to cause potentially life-threatening infections and certain types of cancer.

HIV cannot be contracted through casual contact, like touching, hugging, kissing, or sharing eating utensils, telephones, or restroom facilities. There is no scientific evidence for transmission by mosquitoes. Transmission of the virus can only occur via unprotected sexual contact (oral, vaginal, or anal), sharing contaminated needles, direct contact with infected blood, breast milk, or from a pregnant mother to her fetus. The risk of acquiring HIV from tainted blood during a

transfusion is very low since all donated blood is tested for the presence of HIV. There is absolutely no risk of getting infected by donating blood.

Certain types of behaviors increase the chances of acquiring HIV infection and include:

- Injecting drugs, using contaminated needles body piercing, tattoos
- Being the sex partner of someone who injects drugs or shares needles
- Being a sex partner of someone with HIV infection
- Having multiple sex partners

Persons who know or suspect that they are HIV seropositive are encouraged to seek expert medical care, and are ethically and legally responsible to protect others from acquiring HIV. In South Florida, there is a higher incidence of HIV than in almost anywhere in the United States; approximately one in forty people living in Miami-Dade County is infected with HIV, with the greatest majority being asymptomatic.

To reduce your risk of exposure to the virus:

- Do not share needles
- If you are sexually active, always use a latex condom. Only use water-based lubricants, never petroleum-based lubricants. The virus may be transmitted via the exchange of blood, vaginal fluid, and semen, and can readily occur during unprotected vaginal, anal, and oral sex. Abstinence from sexual intercourse and alcohol/ drug use is the only way to remain absolutely protected. Remember, condoms need to be always used properly and they may break.
- Ask about the health of your partner and his/her past sexual activity. This is hard to do, but is very important if you want to better ensure safer sex
- Maintain mutually monogamous relationships
- Do not use drugs or alcohol before sex, as they impair your judgment and can depress your immune system and
- Be certain proper sterilization procedures are followed before receiving acupuncture, tattoos and body piercing.

For more information concerning HIV/AIDS, visit the FIU Student Health website at studenthealth.fiu.edu

To minimize your chances of acquiring any viral illness, it is always prudent to follow a healthy lifestyle, which includes eating a diet high in complex carbohydrates and low in fats, getting adequate rest, exercising regularly, not smoking, and effectively managing stress.

HIV Counseling and Testing

Free HIV Counseling and Testing are available at the Student Health Center on both campuses. In addition, the Healthy Living Program also provides students with free safer sex products, such as condoms and dental dams, to prevent the transmission of sexually transmitted infections such as HIV.

Florida International University HIV/AIDS Policy

Students and employees of Florida International University who may become infected with the

HIV virus will not be excluded from enrollment or employment, or restricted in their access to university services or facilities, unless individual medical evaluation establishes that such exclusion or restrictions are necessary for the welfare of the individual and/or other members of the university community. FIU has established an HIV/AIDS Committee with membership including FIU students, faculty, administrators, and staff, as well as representatives from several community organizations committed to HIV/ AIDS education and treatment. The Committee meets as needed and is responsible for monitoring the medical, psychosocial, and administrative developments regarding HIV/AIDS for the FIU community. Additional responsibilities include administration and implementation of the FIU policy in specific cases and coordination of all university educational activities emphasizing proactive prevention. In addition, the Committee will meet as needed to consider individual cases which may require university action.

FIU Student Health Website: studenthealth.fiu.edu

STUDENTS WITH DISABILITIES

The Disability Resource Center (DRC) collaborates with students, faculty, staff, and community members to create diverse learning environments that are usable, equitable, inclusive, and sustainable. The DRC provides FIU students with disabilities the necessary support to successfully complete their education and participate in activities available to all students.

For a complete list of DRC services, visit the website at <http://drc.fiu.edu>

If you have a history or diagnosis of disability and plan to utilize academic accommodations, please contact the DRC.

Locations: MMC - GC 190, (305) 348-3532 / BBC - WUC 131, (305) 919-5345

Admissions

The Special Admission process is a means by which applicants, who do not meet the Florida International University (FIU) undergraduate admission requirements, may request special consideration.

A student wishing to be considered for admission to the university under the special admission process must first apply through the standard FIU admission process and be in accordance with all deadlines specified by the Office of Undergraduate Admissions.

Applicants whose educational and/or personal goals for success have been negatively impacted due to disability-related reasons may wish to disclose any documentation to the Disability Resource Center. Applicants with documented disabilities would complete a Disability Eligibility Review Form and submit it directly to the Disability Resource Center to be included as part of their admissions appeal. Once a review is completed, the DRC will send the eligibility review decision directly to Admissions. The Office of Undergraduate Admissions will NOT accept medical documents.

The special admissions committee then reviews all applications on a case-by-case basis. The Office of Undergraduate Admissions makes all final special admission decisions. The undergraduate eligibility criterion for FIU is a competitive admission process. The university is not legally obligated to lower the admission standards.

The Office of Undergraduate Admission will inform the applicant of the university's decision.

Course Substitutions

Students with disabilities who are unable to complete the University Core Curriculum requirements should request a course substitution from Undergraduate Studies.

When deemed appropriate, The DRC will support and recommend that the student's request be granted.

Students with disabilities seeking academic accommodations should request them in consultation with The Disability Resource Center. The DRC will determine and recommend accommodations on a case-by-case basis.

Testing

The Disability Resource Center coordinates academic accommodations, which are determined on an individualized basis. Once admitted to FIU, a DRC "Welcome Appointment" can be scheduled. The "Welcome Appointment" provides an opportunity to register with the DRC. Each semester DRC students can request academic accommodations. Upon the student's request, the DRC will email the requisite faculty the "Notification of Academic Adjustment". DRC services include the provision of accommodations to students with disabilities for course tests and exams. These services are available to students who qualify for certain types of accommodations.

Testing and Exam Proctor Forms:

Students with testing accommodations that will be testing at the DRC must work with professors at the beginning of each semester to complete an Exam Proctor Form as it provides the test proctor with information that is fundamental to the testing process, such as testing conditions, allotted time for tests, and the way in which tests are received at the DRC and delivered back to the professor.

In cases where professors do not have their test dates finalized by the first week of class, an Exam Proctor Form **must still be completed and submitted**. Changes or additional exam dates can be provided by the professor to the Testing Coordinator as long as it is provided **one week before** the scheduled exam date. For more information or to view our forms, please visit drc.fiu.edu.

Class Attendance:

If a qualified student with a disability believes it may not be possible to abide by the attendance policy due to disability related reasons, the student should contact the Disability Resource Center (DRC) at the beginning of the semester, or as soon as possible after the need for an exception arise, to discuss the possibility of the accommodation being initiated.

The DRC may determine that a student's disability entitles the student to an adaptation of the usual course attendance policy. Adaptations of course attendance policies will be determined on an individual, case-by-case basis. Adaptation of the course attendance policy does not mean that unlimited absences will be permitted.

Florida International University's Disability Resource Center attempts to make every effort to accommodate students' disability related academic needs. However, neither the university nor an individual faculty member is required to waive essential or fundamental academic requirements of a course regardless of the nature of a student's disability.

Regardless of the adaptation of the course attendance policy, the student is required to meet all

of the academic course requirements and to complete all assignments and examinations. It is the student's responsibility to obtain the material and notes from missed classes. The student will be graded according to the criteria stated in the class syllabus.

Students should note that absences for non-disability related reasons will not be excused by the DRC and are only vetted through the professor of the course.

When an attendance accommodation is determined to be reasonable, a DRC Access Consultant will work with the faculty to define the parameters of the accommodation. This does not mean a student may miss class whenever they like.

If a student finds that he or she is not doing well in the class due to extended absences, the student is urged to consider options such as dropping the class, withdrawing from the class or taking an incomplete.

Training

The DRC and IDEA will coordinate the provision of training to academic advisors and faculty members regarding best practices in accommodating students with disabilities.

Classroom Accommodation

Upon a student's written request, DRC will notify the student's professors of the need for classroom accommodation. DRC will assist faculty in identifying ways of meeting student needs for accommodation.

If a student requests classroom accommodation directly from the faculty member, the faculty member should contact the DRC to confirm the need for the accommodation and to identify accommodations and services that are required. Dissemination of the Policy.

The university catalog shall include notification that disabled applicants and students may apply for reasonable accommodation in admissions, programs of study, testing, and course requirements. DRC shall be listed as the contact point for initiation of such requests.

Each School/College shall display a copy of this policy in public areas where students typically gather while waiting for course advisement. Copies of the policy shall be provided to all FIU Faculty, including adjunct faculty members.

Student Appeal

Students who disagree with decisions on admissions, testing, and course substitutions may file a complaint under the provisions of the Florida Educational Equity Act, through **Inclusion, Diversity, Equity, and Access (IDEA) Office** at FIU.

Location(s): PC321, MMC

Phone(s): 305) 348-2785

FORGIVENESS POLICY

The Forgiveness Policy is a method by which students may repeat a limited number of courses, provided the grade earned is less than a "C" to improve their grade point average (GPA). Only the grade received on the last repeat is used in the GPA calculation. Under the University's forgiveness policy, students must file a Forgiveness Policy Form with the Office of the Registrar.

The form should be completed and submitted once the student has repeated the course and grades are posted. There is no time limit on the use of the forgiveness policy for grades; however, the forgiveness policy cannot be used once a degree is posted. All courses taken with the grades earned will be recorded on the student's transcript. The repeated course form will not be processed if

- The first or repeated grade received is 'DR', 'DP', 'IF', 'W', 'WI', 'WP', 'AU', 'NC', or 'EM'.
- The student receives a lower grade than their initial attempt.

Repeated courses will be appropriately designated with a transcript comment.

Undergraduate students may use the forgiveness policy a maximum of three times for the purpose of improving their GPA. The same course (prefix and number) may be repeated up to three times or the student may use the three opportunities to apply to three different courses. Only the final grade for the three courses repeated under the forgiveness policy will be counted in computing the student's GPA. In order for a course to be considered as repeated and adjusted in the GPA, the course must be the same course with identical course prefix and course number and must be repeated at the University. Students who have used their three options under the forgiveness policy may still repeat courses; however, both the original grade and any additional grades received through repetitions of the course will be used in computing the GPA.

A course taken on a letter grade basis must be repeated on the same basis. Students will not be allowed additional credit or quality points for a repeated course unless the course is specifically designated as repeatable (independent study, studio courses, etc.). Students not using the forgiveness policy may still repeat a course. All attempts will apply to computation of the GPA but credit for one attempt will apply towards graduation. Students must check with the appropriate academic department to determine whether there are additional restrictions on repeating courses.

Repeated courses may be subject to the Repeat Course Surcharge. Students should refer to the Tuition and Fees section of the Undergraduate Course Catalog for more information on the Repeat Course Surcharge Fee.

Graduate courses are not authorized for grade forgiveness.

Repeat Surcharge

The 1997 Legislature passed House Bill 1545 which mandates that undergraduate students pay additional charges for the third time a student either takes or attempts a college credit course. Any undergraduate course taken, beginning Fall 1997, and all courses taken after this date will be subject to the repeat surcharge. Attempted hours mean those hours dropped/withdrawn after the drop/add period or failed. Withdrawals, incompletes and dropped courses will be subject to the tuition surcharge, if they are fee-liable. All students are included regardless of type of residency. Undergraduate courses are 1000-4000 level courses.

If you are taking a course for the third time, you will be charged with a REPEAT COURSE SURCHARGE. You may obtain and file an Appeal of Repeat Course Surcharge form from our website <http://onestop.fiu.edu/Registrar/policies-procedures/index.html> No appeal will be accepted after the deadline date.

IMMUNIZATION POLICY

As a prerequisite to registration, Florida International University requires all students to comply with the following immunization policy regulations from the Florida Board of Governors regarding measles, mumps, rubella, meningitis and hepatitis B immunity:

1. **Measles, Mumps, Rubella:**

All students born after December 31, 1956, must present documented proof of immunity to measles (Rubeola) and German measles (Rubella), as described below:

Acceptable Proof of Immunity consists of:

- a. Proof of two (2) vaccinations (doses) of MMR (Measles/Mumps/Rubella) received at least 28 days apart or two doses of measles and one Rubella
 - Vaccinations must have been received after your first birthday
 - Vaccinations must have been received in 1969 or later
- b. Proof of immunity by way of a blood test lab result (Measles and Rubella Titer)
- c. A written statement from a physician (M.D. or D.O. only) documenting a diagnosis of measles (Rubeola). Must include date of diagnosis, be signed by the physician and be on his/her official stationery. This is acceptable for measles only and does not apply to Rubella

Exemptions:

Students will be exempt from the pre-registration immunization requirement for measles, mumps, and rubella, only if they meet any one of the following three criteria:

1. Students born before January 1, 1957.
2. Medical Exemption: To claim a medical exemption, a letter must be provided from the student's doctor, signed on his/her stationery, stating the medical reason(s) why the student is not able to receive the measles and/or Rubella vaccine(s) and for how long – a permanent or temporary medical condition warranting exemption.
3. Religious Exemption: For details on how to claim religious exemption, please visit the Student Health Services website.

To prevent delays in the ability to register for classes, all of the above documents requesting medical or religious exemptions must be received by the Student Health Services at least four weeks prior to registration.

Temporary Deferments:

Temporary deferments are acceptable for the following conditions:

1. Documented pregnancy or fertility treatment
2. Documentation of breastfeeding
3. Documented illness

Deferment status requests must be submitted to the Student Health Services at least four weeks prior to registration and the request must be signed by a physician, nurse practitioner or registered nurse and be on his/her official stationery.

2. **Meningitis and Hepatitis B:**

All students must present documented proof of vaccination/immunity to meningococcal meningitis and hepatitis B as described below:

Acceptable Proof of Immunity consists of:

- a. Proof of one dose of meningitis vaccine and a total of three doses of hepatitis B vaccines
- b. Proof of immunity by way of a blood test lab result (applicable to hepatitis B only)
- c. A written statement from a physician (M.D. or D.O. only) documenting a diagnosis of hepatitis B. Must include date of diagnosis, be signed by the physician and be on his/her official stationery. This is acceptable for hepatitis B only and does not apply to meningococcal meningitis

Exemptions:

Students declining to receive vaccination for meningitis and/or hepatitis B must present a signed waiver of liability acknowledging that they have received and read information pertaining to the disease and despite knowledge of the risks have decided to waive receiving the vaccine. These waivers can be accepted and viewed on my.fiu.edu under the “Student Center” and “Student Health Portal” tabs. NOTE: A parent or legal guardian must sign the waiver for any minor under the age of 18. Parents or legal guardians may contact Student Health Services or obtain the form by visiting the [Student Health Services](#) website.

Acceptable Forms of Documentation:

The following documents are acceptable proof of immunity, provided that the dates are acceptable and the documents are signed and stamped by the health care provider:

- Health Department Records
- Childhood Immunization Records
- School Immunization Records
- Military Service Records
- Laboratory test results demonstrating immunity to the disease

Can't Find Your Immunization Documents?

If the student is certain they have received all of the required or recommended doses of measles and/or Rubella and/or hepatitis B vaccine in the past but cannot obtain written documentation of the actual dates, a blood antibody titer test is recommended to determine immunity to these viral diseases. If students must register and cannot wait for the test results, they can safely receive an MMR vaccine prior to the registration process and a second dose after 28 days--assuming there are no medical contraindications to receiving the vaccine(s) as determined by the physician.

Where can I get immunized?

MMR, meningitis, and hepatitis B vaccines are available for a nominal charge at the FIU University Health Services clinics at both the Modesto A. Maidique Campus and Biscayne Bay Campus. For further information and additional locations, visit the [Student Health Services](#) website.

MEDICAL INSURANCE POLICY FOR INTERNATIONAL STUDENTS

By Board of Trustees and university rule, all international students at FIU in F and J status are required to have medical insurance prior to registration, of which proof must be submitted to Student Health Services (SHS). Students will NOT be allowed to register for classes without complying with the medical insurance requirement, and will receive an “IMI” service indicator (health insurance hold) on their student record, as it appears in Panther Soft. “IMI” service indicators will NOT be lifted until students comply with the FIU medical insurance requirement. There are NO EXCEPTIONS to this rule.

The medical insurance requirement can be met in one of two ways:

- By purchasing the FIU Sponsored Health Insurance Plan
- By submitting an International Student Alternative Health Insurance Compliance Form completed by your current insurance company and approved by SHS.

FIU Sponsored Health Insurance Plan

FIU partners with the State University System's Insurance Broker, Gallagher Student Health & Special Risk, to provide international student health insurance coverage through United Health care Insurance Company.

United Health care Insurance plans will only be available for purchase online via the Gallagher Student Health & Special Risk website. For your convenience, plans will be sold annually or per semester in accordance with the academic schedule. Note: online purchases have an e-check fee of \$3.00 or credit card processing fee of \$10.00. For online enrollment, please visit gallagherstudent.com/FIU.

Spouse and Child(ren) rates and enrollment are also available online at gallagherstudent.com/FIU.

If you have any questions regarding the 2020-2021 plans through Gallagher Student Health & Special Risk and United Health care Insurance, you may contact an account representative at the following:

Live Chat Online: Gallagherstudent.com/FIU

Email: FIUstudent@gallagherstudent.com

Toll Free Phone: (877) 498-5468

Mail: 500 Victory Road Quincy, MA 02171

ALTERNATE INSURANCE POLICY

If you have your own insurance policy, your insurance company must complete and fax the International Student Alternative Health Insurance Compliance Form directly to FIU Student Health.

NOTE: FIU Student Health will not be able to review any alternative health insurance plan without the Alternative Health Insurance Compliance Form. The guidelines for insurance have been established by the Florida Board of Governors and must be met. Please review the Florida Board of Governors state regulation prior to purchasing any alternative plan. The completed compliance form must verify the following:

- the coverage meets or exceeds the minimum FIU requirements
- the name, address, and telephone number of a claims agent in the United States
- you are covered under the policy
- your insurance has been pre-paid through current year

The Health Compliance Unit must receive the International Student Alternative Health Insurance Compliance Form directly from your insurance company. Your policy will be reviewed, and if it complies with the guidelines, you will be cleared to register. If your policy does not comply with the guidelines, you will not be cleared until you document insurance coverage which meets FIU requirements or purchase the FIU Sponsored Health Insurance Plan.

Medical Evacuation & Repatriation

If the alternate policy is approved subject to Medical Evacuation & Repatriation, the service indicator will not be released until this requirement is met. Students are advised to NOT purchase

Medical Evacuation and Repatriation UNTIL they have proof that the alternate insurance policy was approved subject to it.

REGULATION ON PROHIBITED DISCRIMINATION, HARASSMENT AND RELATED MISCONDUCT INCLUDING SEXUAL AND GENDER-BASED HARASSMENT, SEXUAL VIOLENCE, DATING VIOLENCE, DOMESTIC VIOLENCE AND STALKING

FIU-105 Regulation on prohibited discrimination, harassment and related misconduct including sexual and gender-based harassment, sexual violence, dating violence, domestic violence and stalking provides a comprehensive framework for students and employees to resolve discrimination. Below is the table of contents, policy statement and scope and applicability of the Regulation.

For more information, go to <https://regulations.fiu.edu/regulation>.

Responsible University Officer: Title IX Coordinator

Responsible Office: IDEA

- I. Policy Statement
- II. Scope and Applicability
- III. Definitions
- IV. Prohibited Conduct
- V. Reporting Options
- VI. Interim Protective Measures Available Through the University
- VII. Investigation and Resolution of a Report of a Potential Violation of This Regulation
- VIII. Additional Resources
- IX. Retaliation Prohibited
- X. Education and Prevention Programs
- XI. Annual Review
- XII. Contacts

I. POLICY STATEMENT

Florida International University (FIU or the university) affirms its commitment to ensure that each member of the university community shall be permitted to work or study in an environment free from any form of illegal discrimination based on race, color, religion, age, disability, sex (including sexual misconduct), sexual orientation, gender identity or expression, national origin, marital status, veteran status, and/or any other legally protected status (collectively referred to as Protected Status¹). The university recognizes its obligation¹ to work towards a community in which diversity is valued and opportunity is equalized.

The university recognizes that discrimination and/or harassment based on a Protected Status undermines the integrity of the academic and work environment. All members of the university community should be able to work and/or learn in an atmosphere free from discrimination and/or harassment; and the university is committed to addressing conduct that violates these standards. The university encourages all community members to take reasonable and prudent actions to prevent or stop Prohibited Conduct. Taking action may include direct intervention when safe to do so, enlisting the assistance of friends, contacting law enforcement, or seeking assistance from a person in authority. Community members who choose to exercise this responsibility will be supported by the university and protected from Retaliation. It is the particular responsibility of those members of the university community who hold positions of authority over others to avoid actions that are, or can be considered, a violation of this Regulation or as unprofessional.

This Regulation prohibits all forms of Discrimination and Harassment based on Protected Status. It expressly, therefore, prohibits Sexual Violence and Sexual Exploitation, which by definition involves conduct of a sexual nature and is prohibited form of Sexual or Gender-Based Harassment. This Regulation further prohibits Dating Violence, Domestic Violence and/or Stalking, which does not need to be based on an individual's Protected Status to be prohibited under this Regulation. Finally, this Regulation prohibits Complicity for knowingly assisting in an act that violates this Regulation and Retaliation against an individual because of his or her good-faith participation in the reporting, investigation, or adjudication of violations of this Regulation. University students and employees who violate this Regulation may face discipline up to and including expulsion or termination.

To foster a climate that encourages prevention and reporting of Discrimination, Harassment, and related misconduct, the university will actively promote prevention efforts, educate the community, respond to all reports promptly, provide Interim Protective Measures to address safety and emotional well-being, and act in a manner that recognizes the inherent dignity of the individuals involved.

The university is committed to the principles of free inquiry and expression. Vigorous discussion and debate are fundamental to this commitment, and this Regulation is not intended to restrict teaching methods or freedom of expression, nor will it be permitted to do so. Offensiveness of conduct, standing alone, is not sufficient for the conduct to constitute prohibited Harassment. The conduct must be sufficiently severe to interfere with an individual's ability to participate in employment or educational program and activities from both a subjective and objective perspective. Prohibited Conduct under this Regulation is not a proper exercise of academic freedom and may not be legally protected expression. On the contrary, Prohibited Conduct compromises the university's integrity as well as its tradition of intellectual freedom.

II. SCOPE AND APPLICABILITY

This Regulation applies to the conduct of university students and employees, including faculty and staff. The non-discrimination provisions also apply to contractors and other third parties under circumstances within the university's control. The Regulation provides for the prompt and equitable resolution of reports of Discrimination, Harassment, and related misconduct.

This Regulation applies to all Prohibited Conduct that occurs on campus. It also applies to Prohibited Conduct that occurs off campus, including online or electronic conduct, if: the conduct occurred in the context of an employment or education program or activity of the university, had continuing adverse effects on campus, or had continuing adverse effects in an off-campus employment or education program or activity. Examples of covered off-campus conduct include athletic competitions, university-sponsored study abroad, research, or internship programs. In determining whether the university has jurisdiction over off campus conduct that is not part of an educational program or activity of the university, the Title IX Coordinator/Director of the Equal Opportunity Programs/Diversity Office will consider the seriousness of the alleged conduct, the risk of harm involved, whether both parties are members of the campus community, and/or whether the off campus conduct is part of a series of actions that occurred both on and off campus.

Regardless of where the conduct occurred and with whom, the university will offer resources and assistance to community members who are subject to Prohibited Conduct. The university will also assist the Reporting Party in identifying and contacting external law enforcement agencies and community resources, as desired.

III. DEFINITIONS

- A. **Reporting Party** is defined as any individual who may have been the subject of any Prohibited Conduct by an individual or organization covered under the Regulation regardless of whether the Reporting Party makes a report or seeks action under the Regulation.
- B. **Responding Party** is defined as any individual who has been accused of violating the Regulation.
- C. **Protected Statuses** is defined as certain characteristics possessed by an individual that have been afforded protection by law, such as age, color, creed, disability, gender, gender expression, gender identity, genetic information, national origin, race, religion, sex, sexual orientation, or veteran status.
- D. **Age** is defined as the number of years from the date of a person's birth. With respect to employment, individuals who are forty (40) years of age or older are protected from Discrimination and Harassment. There is no age threshold for students or other participants in educational programs or activities.
- E. **Color** is defined as an individual's skin pigmentation, complexion, shade, or tone.
- F. **Creed** is defined as a well-formed and thought-out set of beliefs held by more than one individual, which may not necessarily involve belief in a supreme being. The university will accommodate an individual's observances and practices required by their creed unless it is unable to reasonably accommodate an individual's creed-required observance or practice without undue hardship.
- G. **Disability** is defined as any person who has a physical or mental impairment that substantially limits one or more major life activities; or has a record of such impairment; or is regarded as having such impairment. A qualified person with a disability must be able to perform the essential functions of the employment or the academic, athletic, or extra-curricular program, with or without reasonable accommodation.
- H. **Gender** is defined as an individual's socially constructed status based on the behavioral, cultural, or psychological traits typically associated with societal attribution of masculinity and femininity, typically related to one's assigned sex at birth.
- I. **Gender Expression** is defined as how someone expresses gender through appearance, behavior, or mannerisms. A person's Gender Expression may or may not be the same as the gender identity or gender.
- J. **Gender Identity** is defined as the gender with which an individual identifies psychologically regardless of what gender was assigned at birth.
- K. **Genetic Information** is defined as the information about
 - i. an individual's genetic tests,
 - ii. the genetic tests of family members of such individual, and
 - iii. the manifestation of a disease or disorder in family members of such individual. Genetic information includes, with respect to any individual, any request for, or receipt of, genetic services, or participation in clinical research that includes genetic services by such individual or any family member of such individual.
- L. **National Origin** is defined as an individual's actual or perceived country or ethnicity of origin.
- M. **Race** is defined as an individual's actual or perceived racial or ethnic ancestry or physical characteristics associated with a person's race, such as a person's color, hair, facial features, height, and weight.
- N. **Religion** is defined as all aspects of religious observance and practice as well as belief.

- O. **Sex** is defined as an individual's biological status of male or female, including pregnancy. Conduct of a sexual nature is by definition based on sex as a Protected Status.
- P. **Sexual Orientation** is defined as the inclination or capacity to develop intimate emotional, spiritual, physical, and/or sexual relationships with people of the same sex or gender, a different sex or gender, or irrespective of sex or gender.
- Q. **Veteran's Status** is defined as disabled veterans, special disabled veterans, Veterans of the Vietnam era, and other protected veterans as defined by federal and state law.
- R. **Prohibited Conduct** is defined as misconduct based on any form of Discrimination and Harassment based on a Protected Status and Domestic Violence, Dating Violence, Stalking, Complicity, and Retaliation.
- S. **Sexual or Gender-Based Harassment** is defined as those incidents that are sufficiently pervasive, persistent, or severe that a reasonable person would be adversely affected to a degree that interferes with his/her ability to participate in or to realize the intended benefits of a university activity, employment, or resources.

Sexual or Gender-Based Harassment includes:

- I. Unwelcome sexual advances, requests for sexual favors and other verbal, physical, or electronic conduct of a sexual nature that creates a hostile, intimidating, or abusive environment;
 - II. Verbal, physical, or electronic conduct based on sex, gender, sexual orientation, or sex-stereotyping that creates a hostile, intimidating, or abusive environment, even if those acts do not involve conduct of a sexual nature; or
 - III. Exhibiting what is perceived as a stereotypical characteristic for one's Sex or for failing to conform to stereotypical notions of masculinity and femininity, regardless of the actual or perceived sex, gender, sexual orientation, gender identity, or gender expression of the individuals involved.
- 1
- T. **Sexual Assault** or **Sexual Violence** is defined as forms of sexual or gender-based harassment that involve having or attempting to have sexual contact with another individual without consent.
 - U. **Sexual Exploitation** is defined as a form of sexual or gender-based harassment that involves one or more of the following behaviors committed for any purpose, including sexual arousal or gratification, financial gain, and/or other personal benefit:
 - I. taking sexual advantage of another person without consent;
 - II. taking advantage of another's sexuality; or
 - III. extending the bounds of consensual sexual contact without the knowledge of the other individual.

Examples of Sexual Exploitation include, but are not limited to:

- threatening to disclose an individual's sexual orientation, gender identity, or gender expression;
- observing another individual's nudity or sexual contact, or allowing another to observe the same, without the knowledge and consent of all parties involved;

¹ The following terms included in this definitional section also have corresponding Florida statutory definitions because the behavior may constitute a crime: sexual assault, sexual exploitation, dating violence, domestic violence, stalking, and aggravated stalking. Some Florida criminal statutes overlap with the definitions contained in the Regulation and some may provide greater protection.

- non-consensual streaming of images, photography, video, or audio recording of sexual contact or nudity, or distribution of such without the knowledge and/or consent of all parties involved;
- prostituting another individual;
- knowingly exposing another individual to a sexually transmitted infection, without the individual's knowledge and/or consent;
- knowingly failing to use contraception without the other party's knowledge and/or consent; and
- inducing Incapacitation for the purpose of taking sexual advantage of another person.

V. **Sexual Contact** is defined as the intentional touching or penetration of another person's clothed or unclothed body, including but not limited to the mouth, neck, buttocks, anus, genitalia, or breast, by another with any part of the body or any object in a sexual manner. Sexual contact also includes causing another person to touch their own or another's body in the manner described above.

W. **Consent** is defined as an affirmative act or statement by each person that is informed, freely given and mutually understood.

- It is the responsibility of each person involved in any sexual activity to ensure that he or she has the affirmative consent of the other or others to engage in the sexual activity.
- Consent must be ongoing throughout a sexual activity and can be revoked at any time.
- Within each sexual encounter, there may be separate individual sexual acts involved, and consent to one act by itself does not constitute consent to another act.
- Lack of protest or resistance does not mean consent, nor does silence mean consent has been granted.
- The existence of a dating relationship between the persons involved, or the fact of past sexual relations, should never by itself be assumed to be an indicator of consent for any current or future sexual encounter.
- If coercion or force is used, there is no consent.
- If a person is mentally or physically incapacitated so that the person cannot understand the fact, nature or extent of the sexual situation, there is no consent; this includes but is not limited to conditions due to age, alcohol or drug consumption.
- Someone under 16 years of age cannot consent to sexual activity regardless of the age of the other person. Someone who is at least 16 years of age but less than 18 years of age cannot consent to sexual activity if the other person is 24 years of age or older.
- Whether one has taken advantage of a position of influence over another may be a factor in determining consent.

X. **Coercion** or **Force** is defined to include conduct, intimidation, and/or express or implied threats of physical, emotional, or financial harm that would reasonably place an individual in fear of immediate or future harm and that is employed to persuade or compel someone to engage in sexual contact.

Examples of coercion or force include:

- causing the deliberate incapacitation of another person;
- conditioning an academic benefit or employment advantage on submission to the sexual contact;
- threatening to harm oneself if the other party does not engage in sexual contact; or
- threatening to disclose an individual's sexual orientation, gender identity, gender expression, or other personal sensitive information if the other party does not engage in

the sexual contact.

- Y. **Incapacitation** is defined as a temporary or permanent state in which a person cannot make informed, rational judgments because the person lacks the physical or mental capacity to understand the nature or consequences of his or her words and/or conduct and/or the person is unable to physically or verbally communicate consent.
- Z. **Dating Violence** is defined as violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the Reporting Party. 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.

For the purpose of this definition—

1. Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
2. Dating violence does not include acts covered under the definition of domestic violence.

AA. **Domestic violence** is defined as (1) A felony or misdemeanor crime of violence committed—

- I. By a current or former spouse or intimate partner of the Reporting Party;
- II. By a person with whom the Reporting Party shares a child in common;
- III. By a person who is cohabitating with, or has cohabitated with, the Reporting Party as a spouse or intimate partner;
- IV. By a person similarly situated to a spouse of the Reporting Party under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred, or
- V. By any other person against an adult or youth Reporting Party 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.

BB. **Stalking** is defined as (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 Reporting Party.

CC. **Complicity** is defined as any act that knowingly aids, facilitates, promotes, and/or encourages the commission of Prohibited Conduct by another person.

DD. **Retaliation** is defined as acts or words taken against an individual because of the individual's participation in a protected activity that would discourage a reasonable person from engaging in protected activity. Protected activity includes an individual's good faith:

- (i) participation in the reporting, investigation, and/or resolution of an alleged violation of this Regulation;
- (ii) opposition to policies, practices, and/or actions that the individual reasonably believes are in violation of the Regulation; or
- (iii) requests for accommodations on the basis of religion or disability. Retaliation may include intimidation, threats, coercion, physical harm, or adverse employment or educational actions. Retaliation may be found even when an underlying report made in good faith was not substantiated. Retaliation may be committed by the Responding Party, the Reporting Party, or any other individual or group of individuals.

EE. **Title IX Coordinator** is defined as the individual who oversees FIU's response to reports and

complaints that involve sexual violence, dating violence, domestic violence, and/or stalking, who monitors the outcomes, identifies and addresses any patterns, and assesses the effects on the campus climate so the university can address such issues that affect the wider school community.

FF. Interim Protective Measures is defined as those temporary actions taken by the university to ensure equal access to its education programs and activities and to foster a more stable and safe environment during the process of reporting, investigating, and/or disciplining, if appropriate, a violation of this Regulation.

GG. Responsible Employee is defined as any employee who has the authority to take action to redress sexual violence, domestic violence, dating violence and/or stalking; who has been given the duty of reporting incidents of sexual violence or any other misconduct by students to the Title IX coordinator or other appropriate school designee; or who has been designated as Campus Security Authority.

HH. Campus Security Authorities is defined as those university employees who have a duty of reporting incidents of behavior that may constitute a Clery Crime to the Clery Coordinator (e.g., members of the University Police Department and those officials with significant responsibility for student and campus activities). An official with significant responsibility for student and campus activities is defined as any person who has the authority and the duty to take action or respond to particular issues on behalf of the institution.

Examples of Campus Security Authorities include:

- the Dean of Students
- the Director of Campus Life
- any Residential Life professionals (e.g., Resident Advisor)
- staff at the Office of Student Conduct and Conflict Resolution who oversee the student conduct process
- the athletic coaches
- a faculty advisor to a student organization

II. Clery Crimes are defined as:

(i) Primary crimes include:

- A. Criminal homicide (i.e., murder, non-negligent manslaughter, negligent manslaughter)
- B. Sex offenses (i.e., rape, fondling, incest, statutory rape)
- C. Robbery
- D. Aggravated assault
- E. Burglary
- F. Motor vehicle theft, and
- G. Arson

(ii) Arrests and referrals for disciplinary actions, including

- A. Arrests for liquor law violations, drug law violations, and illegal weapons possession.
- B. Persons not included above but were referred for campus disciplinary action for liquor law violations, drug law violations, and illegal weapons possession.

(iii) Hate crimes including:

1. Larceny-theft
2. Simple assault
3. Intimidation, and
4. Destruction/damage/vandalism of property

To constitute a hate crime, it must appear that the Reporting Party was intentionally selected because of the perpetrator's bias against the Reporting Party. Bias includes the Reporting Party's actual or perceived race, religion, gender, gender identity, sexual orientation, ethnicity, national origin, and disability.

(iv). Dating violence, domestic violence, and stalking

JJ. **Response Team** is defined as a group of designated individuals who respond to a report of sexual misconduct, dating violence, domestic violence, and/or stalking.

KK. **Minor** is defined as a person who is under the age of 18 years old.

LL. **Preponderance of the Evidence** is defined as when the information that is presented supports a finding that it is more likely than not that a violation occurred.

IV. PROHIBITED CONDUCT

A. Discrimination and Harassment Based on All Protected Statuses Prohibited

This Regulation prohibits all forms of Discrimination and Harassment based on an individual's Protected Status, including, age, color, creed, disability, gender, gender expression, gender identity, genetic information, national origin, race, religion, sex, sexual orientation, veteran's status and/or any other legally protected status. In addition, this Regulation prohibits related misconduct, including domestic violence, dating violence, stalking, complicity, and/or retaliation.

This Regulation prohibits discrimination, meaning any unlawful distinction, preference, or detriment to an individual as compared to others that is based on an individual's Protected Status and that is sufficiently serious to unreasonably interfere with or limit:

- An employee's or applicant for employment's access to employment or conditions and benefits of employment (e.g., hiring, advancement, assignment); or
- A student's or admission applicant's ability to participate in, access, or benefit from educational programs, services, or activities (e.g., admission, academic standing, grades, assignment, campus housing).

Discrimination includes failing to provide reasonable accommodations, consistent with state and federal law, to a qualified person with a disability.

This Regulation prohibits harassment, which is a type of discrimination that occurs when verbal, physical, electronic, or other conduct based on an individual's Protected Status interferes with that individual's (a) educational environment (e.g., admission, academic standing, grades, assignment); (b) work environment (e.g., hiring, advancement, assignment); (c) participation in a university program or activity (e.g., campus housing); and/or (d) receipt of legitimately requested services (e.g., disability or religious accommodations), thereby creating hostile environment harassment or quid pro quo harassment, as defined below.

Hostile environment harassment: Unwelcome conduct based on Protected Status that is so severe, persistent, or pervasive that it alters the conditions of education, employment, or participation in a university program or activity, thereby creating an environment that a reasonable person in similar circumstances and with a similar identity would find hostile, intimidating, or abusive. An isolated incident, unless sufficiently severe, does not amount to hostile environment harassment.

Quid pro quo harassment: Unwelcome conduct based on Protected Status where submission to or rejection of such conduct is used, explicitly or implicitly, as the basis for decisions affecting an individual's education, employment, or participation in a university program or activity.

Consistent with the definitions provided above, below are examples of conduct that constitutes discrimination and harassment:

- May be blatant and involve an overt action, threat, or reprisal; or may be subtle and indirect, with a coercive aspect that is unstated but implied.
- May or may not include intent to harm.
- May not always be directed at a specific target.
- May be committed by anyone, regardless of Protected Status, position, or authority. While there may be a power differential between the Reporting Party and the Responding Party (perhaps due to differences in age or educational, employment, or social status), discrimination and harassment can occur in any context.
- May be committed by a stranger, an acquaintance, or someone with whom the Reporting Party has a current or previous relationship, including a romantic or sexual relationship.
- May be committed by or against an individual or by or against an organization or group.
- May occur in the classroom, in the workplace, in residential settings, or in any other setting.
- May be a pattern of behavior or, if sufficiently severe, a one-time event.
- May be committed in the presence of others when the Reporting Party and Responding Party are alone, or through remote communications, including email, text messages, or social media.
- May take the form of threats, assault, property damage, economic abuse, and violence or threats of violence.
- May include harassing or retaliatory behavior directed to a sexual or romantic partner, family member, friend, or pet of the Reporting Party.

The university strongly discourages amorous or sexual relations between employees (i.e., faculty and staff) and students. Such relationships, even when consensual, may be exploitive, and imperil the integrity of the educational process or work environment. They may also lead to charges of Sexual Harassment.

However, when an individual evaluates (including academic evaluations) or directly supervises another individual with whom he or she has an amorous or sexual relationship, a conflict is created and that is Prohibited Conduct. The university will take action to resolve any conflict of interest created by these relationships.

Whenever a conflict of interest situation arises or is reasonably foreseen, the employee in a position of authority must resolve any potential conflict of interest by taking necessary steps, including, but not limited to, removing himself or herself from evaluative or academic decisions concerning the other individual. If he or she is unable to resolve personally the conflict of interest, he or she is required to inform the immediate supervisor promptly and seek advice and counsel in dealing with the conflict. The employee, along with the supervisor, is responsible for taking steps to ensure unbiased supervision or evaluation of the employee or student. Failure to resolve potential or actual conflict of interest situations as described in this Regulation may result in disciplinary action in accordance with university policies.

This Regulation does not preclude a division, college, or department from having a stronger policy against amorous or sexual relationship between employees or between faculty and/or staff with students provided that the policy is approved following the procedure set forth in University Policy 150.205 Developing University-Wide Policies.

B. SEXUAL ASSAULT, SEXUAL VIOLENCE, DOMESTIC VIOLENCE, DATING VIOLENCE, AND STALKING ARE PROHIBITED FORMS OF DISCRIMINATION

Just as the university's prohibition of discrimination based on Protected Status (including sexual assault as a form of sexual harassment) is grounded in federal law, so is its prohibition against domestic violence, dating violence, and stalking. The university's response to sexual assault, sexual violence, domestic violence, dating violence, and stalking is governed by the Jeanne Clery Disclosure of Campus Security and Campus Crime Statistics Act, 20 U.S.C. § 1092(f) (the Clery Act) and Section 304 of the 2013 Amendments to the Violence Against Women Act. Such acts violate the essential dignity of our community member(s) and are contrary to our institutional values. The university is committed to taking all appropriate steps to eliminate sexual assault, sexual violence, domestic violence, dating violence and stalking; prevent the recurrence of such acts; and address their effects, both for the Reporting Party and the broader community. The university recognizes that sexual assault, sexual violence, domestic violence, dating violence, and stalking encompass a broad spectrum of conduct and will respond according to both the severity of the offense and the threat it poses to the campus community.

V. REPORTING OPTIONS

The university is committed to providing reporting options through multiple contact points across campus that are broadly accessible to all university community members. Any individual can make a report under this Regulation to the individuals or to the individuals/departments listed below. The report may be made in person, by telephone, in writing, by e-mail, electronically, or anonymously. All reports will be shared with the Title IX Coordinator and University's Response Team. If the report involves a Minor, the Florida Department of Children and Families will be contacted as required by Florida Statutes Sections 39.201 and 39.205 and the University Mandatory Reporting of Child Abuse, Abandonment, and Neglect policy (see <https://policies.fiu.edu/files/785.pdf>).

REPORTING OPTIONS	
Below is a list of university employees to which someone could report.	
Shirlyon McWhorter Title IX Coordinator Director, IDEA PC215 Phone: (305) 348-2785 Email: shirlyon.mcwhorter@fiu.edu	Michelle Horvath Deputy Title IX Coordinator Assistant Dean of Students/Director for Student Conduct & Academic Integrity GC311 Phone: (305) 348-3939 Email: mhorvath@fiu.edu
Julie Berg Deputy Title IX Coordinator Senior Associate Athletic Director USCBA 202A Phone: (305) 348-2352 Email: julie.berg-Mc_Graw@fiu.edu	Elizabeth M. Bejar Senior Vice President Academic & Student Affairs PC 526 Phone: (305) 348-2797 Email: bejare@fiu.edu

<p>Bronwen Bares Pelaez Dean of Students GC 219 Phone (305) 348-2797 Email: baresb@fiu.edu</p>	<p>Jennifer LaPorta Baker University Compliance Officer Office of University Compliance and Integrity PC429 Phone: (305) 348-2216 Email: jlaporta@fiu.edu</p>
<p>Below is a list of web-based reporting options.</p>	
<p>Silent witness which provides Confidential reporting to FIU Student Affairs: go.fiu.edu/report</p>	<p>FIU Ethical Panther line which provides confidential reporting o the University Compliance Office at www.convercent.com/report or by calling 1-844-312-5358</p>
<p>In determining to whom to report, it is important that the Reporting Person understand the consequences of making such a report.</p>	

A. University Employees Who Must Report Violations

The university employees who are obligated by law or by university designation to report potential violations of this Regulation are those who are Responsible Employees and Campus Security Authorities. Examples of Responsible Employees include Deans, Directors, Department Chairs, Coaches, Student Affairs professionals (including Resident Advisors), and faculty who serve as advisors to student groups. Members of the University Police Department are also Responsible Employees. Responsible Employees will safeguard an individual’s privacy, but are required by the university to immediately share all details about a report of Prohibited Conduct (including the known details of the incident (e.g., date, time, location), the names of the parties involved, a brief description of the incident and whether the incident has been previously reported) with the Title IX Coordinator in person, by telephone, electronically, or by email. Such reporting ensures timely support for all parties and enables an effective and consistent institutional response.

Campus Security Authorities must share all known details of an incident which may constitute a Clery Crime, consistent with the expectations for Responsible Employees with the Clery Act Coordinator and the Title IX Coordinator. The Clery Act Coordinator is responsible for maintaining the university's daily crime log and annual security report which contains information on certain crimes but no identifying information with respect to a Reporting Party.

B. Other Individual's Reporting Obligation (Except Confidential Resources)

All other employees (who are not designated as confidential resources) will safeguard an individual’s privacy, but are strongly encouraged to share any information about such conduct with the Title IX Coordinator and/or a member of the Response Team in recognition of the understanding that centralized reporting is an important tool to address, end and prevent Prohibited Conduct.

Similarly, all students (who are not otherwise required to report as a Responsible Employee and/or Campus Security Authority) are strongly encouraged to report any information, including reports or partial reports, to the Title IX Coordinator and/or a member of the Response Team.

C. Confidential Resources

The trained professionals designated below can provide counseling, information, and support in a confidential setting. These confidential resources will not share information about an individual (including whether that individual has received services) without the individual's express permission unless there is a threat of serious harm to the patient/client or to others or there is a legal obligation to reveal such information (e.g., suspected abuse or neglect of a Minor). The on-campus professionals are also available to help an individual make a report to the university.

On Campus:

Victim Empowerment Program (VEP) Counseling and Psychological Services (CAPS)

MMC | SHC 270 - (305) 348-2277

BBC | WUC 320 - (305) 919-5305

Office of Employee Assistance

MMC | GL473

BBC | ACI 203

(305) 348-2469

Student Health Services

MMC | SHC (305) 348-2401

BBC | SHS (305) 919-5620

The following individuals serve as an ombudsperson to either the students or faculty. These individuals will protect the confidentiality of the student or faculty member to the extent permitted by law. However, they are considered both a Responsible Employee and Campus Security Authority.

Sofia Trelles

Office of the Student Ombudsperson

Email: strelles@fiu.edu

Location: GC219

Phone: (305) 348-2797

Kathleen Wilson

Faculty Ombudsperson

Phone: (305) 348-4138

The following are off-campus providers which provide confidential services. However, these providers have no obligation to report to the university.

JMH Rape Treatment Center

(305) 585-7273

Florida Council Against Sexual Violence Information Line

1-888-956-7273

For any report under this Regulation, every effort will be made to respect and safeguard the privacy interests and safety of all individuals involved in a manner consistent with the need for a careful assessment of the allegation and any necessary steps to eliminate the conduct, prevent its recurrence, and address its effects. Privacy and confidentiality have distinct meanings under this Regulation.

1. Privacy

Privacy generally means that information related to a report under this Regulation will only be

shared with those university employees who “need to know” in order to assist in the active review, investigation, or resolution of the report. While not bound by confidentiality, these individuals will be discreet and respect the privacy of all individuals involved in the process. If the decision is made to pursue an action against a Responding Party, information related to the report will be shared with the Reporting Party at the same time as it is shared with the Responding Party. Information regarding a report will not be shared with either party’s parents or guardians unless the party is a Minor (and sharing is permissible under the Family Education Rights and Privacy Act [FERPA]); the party has signed a waiver that is compliant with FERPA; or there is an articulable threat to the health or safety of the party or other individuals.

2. Confidentiality

Confidentiality means that information shared with designated campus or community professionals will only be disclosed with the individual’s express written permission unless there is a continuing threat of serious harm to the patient/client or to others or there is a legal obligation to reveal such information (e.g., where there is suspected abuse or neglect of a Minor). An individual can seek confidential assistance and support by speaking with specially designated Confidential Resources.

3. Records

IDEA will maintain records of all reports under this Regulation and their outcomes in order to track patterns and systemic behaviors.

4. Release of Information

If a report of Prohibited Conduct discloses a serious and immediate threat to the campus community, FIU Police Department will issue a timely notification to protect the health or safety of the community as required by the Clery Act. The notification will not include identifying information about a Reporting Party.

Pursuant to the Clery Act and the 2013 Amendments to the Violence Against Women Act, anonymous statistical information regarding reported criminal incidents must be shared with FIU Police Department for inclusion in the daily crime log. This information will also be included in the University's annual security report.

All University proceedings are conducted in accordance with the requirements of Title IX, the Clery Act, the Violence Against Women Act, FERPA, state and local law, and University Regulation. No information, including the identity of the parties, will be released from such proceedings except as required or permitted by law or University Regulation.

5. Understanding the Difference Between Making a Report to the University and Seeking Confidential Assistance Through a Confidential Resource

There is a distinction between making a report to the university such as to a Responsible Employee, Campus Security Authority, or the University Police and seeking confidential assistance through confidential resources. Making a report to the university by contacting one of the groups listed above means that the report will be shared with the Title IX Coordinator and/or members of the University’s Response Team. The Title IX Coordinator and/or a University Response Team member will communicate with the Reporting Party regarding resources, support and to identify the appropriate action to respond to the report as outlined in this Regulation. There are many options for resolution of a report, and a Reporting Party is encouraged to make a report even if he or she does not want the University to take action against a Responding Party. The university will make every effort to respect a Reporting Party’s autonomy if that is the Reporting Party's desire. Support and resources are always available to a Reporting Party regardless of the chosen course of action. Notwithstanding the Reporting Party's decision, the university will assess whether it is necessary to take some action to continue to provide a safe and non-discriminatory environment. The university will advise the Reporting Party as necessary.

By contrast, information shared with a Confidential Resource will not be disclosed to anyone else, including the university, except under very limited circumstances. Any individual may choose to seek support from confidential professionals on and off campus, including the staff at the Victim Empowerment Program, the counselors at the University Counseling and Psychological Services Center, medical health providers, clergy, and rape crisis counselors.

D. Mandatory Reporting of Abuse, Abandonment, and Neglect Policy of a Minor

This policy applies to all Florida International University (FIU) faculty, staff, students and volunteers. This policy implements the mandatory reporting obligations in Florida law regarding child abuse, abandonment and neglect. In the State of Florida, any person who knows, or has reasonable cause to suspect, that a Minor is abused, abandoned or neglected must immediately report this information to the Florida Department of Children and Families (DCF) in order that no harm comes to the Minor.

In the course of their employment, research, service and/or academic endeavours, all FIU faculty, staff, students and volunteers are expected to report instances of abuse, abandonment and neglect of a Minor which they know of or have reasonable cause to suspect. FIU strives to create an environment where anyone who knows of, or has reasonable cause to suspect, abuse, abandonment or neglect of a Minor feels empowered to report it without any fear of retaliation. Additionally, any person who knows, or has reasonable cause to suspect, that a Minor is the victim of childhood sexual abuse or the victim of a known or suspected juvenile sexual offender must immediately report the information to the DCF. The means to contact DCF are set forth below in the Procedures section outline in the University policy which can be found online at: <https://policies.fiu.edu/files/785.pdf>.

E. The Effect of Making a Report

Making a report to the university means telling a Responsible Employee or Campus Security Authority what happened, in person, by telephone, in writing, by e-mail, electronically, or anonymously. The university encourages a Reporting Party or someone on the Reporting Party's behalf to make a report directly to a Responsible Employee or Campus Security Authority. In turn, these university employees will, as quickly as possible, refer the report to the Title IX Coordinator and/or the Response Team to assure consistent application of this Regulation.

Upon receipt of a report, the Title IX Coordinator and/or the Response Team will conduct an initial assessment of the incident or behavior at issue which includes evaluating the risk of harm to the parties, any other individuals, or the broader campus community; the Reporting Party's desired course of action; and the necessity for any Interim Protective Measures to protect the safety of the Reporting Party, any other individuals, and/or the community. A member of the Response Team will offer appropriate resources to support the Reporting Party and at the conclusion of the initial assessment, determine the appropriate manner of resolution.

The university recognizes that deciding whether to make a report and choosing how to proceed are personal decisions. A Reporting Party does not have to decide whether to request any particular course of action. Choosing to make a report and deciding how to proceed after making a report is a process that unfolds over time. The university will make every effort to respect a Reporting Party's choice, including the desire for autonomy, in making the determination as to how to proceed. Resources are always available to support a Reporting Party regardless of the course of action chosen. All individuals are encouraged to make a report regardless of when or where the incident occurred, and to seek any necessary help from campus or community resources. Notwithstanding the Reporting Party's decision, the university will assess whether it is necessary to take action to continue to provide a safe and non-discriminatory environment. The university will advise the Reporting Party as necessary.

VI. INTERIM PROTECTIVE MEASURES AVAILABLE THROUGH THE UNIVERSITY

When a report is received, the Title IX Coordinator or designee, in consultation with other appropriate administrators, will make an assessment of any risk of harm to the parties, any other individuals, or to the broader campus community and may impose reasonable and appropriate Interim Protective Measures when necessary to protect the safety of the parties or witnesses involved and/or to provide academic or other appropriate support. Interim Protective Measures are temporary actions taken by the university to ensure equal access to its education programs and activities and to foster a more stable and safe environment during the process of reporting, investigating, and/or disciplining, if appropriate, a violation of this Regulation. Because they are temporary in nature, interim protective measures may be amended or withdrawn as additional information is gathered. The Title IX Coordinator or designee, in consultation with other administrators, will maintain consistent contact with the parties so that all safety, emotional, and physical well-being concerns can be reasonably addressed.

Interim Protective Measures may be applied to the Reporting Party, the Responding Party, and/or other involved individuals as appropriate to ensure their safety and well-being. Interim Protective Measures may be requested by the parties or the university at any time, regardless of whether any particular course of action is sought by the Reporting Party. The range of Interim Protective Measures may include:

- Access to counseling services and assistance in setting up initial appointments
- Imposition of a “No-Contact Order” for all or part of any university property
- Rescheduling of exams and assignments
- Providing alternative course completion options
- Change in class schedule, including the ability to drop a course without penalty or to transfer sections
- Change in work schedule or job assignment
- Change in campus housing assignment
- Assistance from university support staff in completing housing relocation, if feasible
- Limiting access to certain university facilities or activities pending resolution of the matter
- Voluntary leave of absence from work in accordance with university policies
- Providing an escort to assure safe movement between classes and activities
- Arranging for medical services
- Providing academic support services, such as tutoring
- University-imposed leave, suspension, or separation for the Responding Party
- Any other feasible measure(s) which can be tailored to the involved individuals to achieve the goals of this Regulation

All individuals are encouraged to report concerns about the adequacy of the Interim Protective Measures or failure of another individual to abide by any Interim Protective Measure to the Title IX Coordinator. Violations of Interim Protective Measures will be addressed in accordance with this Regulation. The Title IX Coordinator will take appropriate, responsive, and prompt action to enforce Interim Protective Measures and/or to respond to Retaliation by another party or witness.

VII. INVESTIGATION OF A REPORT OF A POTENTIAL VIOLATION OF THIS REGULATION AND RESOLUTION OF AN INVESTIGATION

If, after an initial assessment of a report of a Prohibited Conduct, the Title IX Coordinator determines that an investigation is necessary, the Title IX Coordinator will oversee the investigation. If Reporting Party and the Responding Party are students, the Director of Student

Conduct and Conflict Resolution/Deputy Title IX Coordinator will work with the Title IX Coordinator regarding the investigation. All investigations will be conducted in a prompt fashion to determine what occurred and whether steps must be taken to resolve the situation. The investigation phase will be completed within 60 calendar days from the filing of a report or when the university becomes aware of behavior that may be a violation of this Regulation. The parties will be advised of any extension of time as needed to complete the investigation phase.

There may be instances in which a Reporting Party is unable or unwilling to pursue a report of discrimination, but where the university administration is aware of the behavior. In such instances, the Title IX Coordinator may choose to pursue an investigation of the alleged offense. The decision of whether or not to take further action on a report will be based on an assessment of safety and the maintenance of a non-discriminatory environment.

The investigation may include, but shall not be limited to, interviewing the Reporting Party and the Responding Party regarding the allegations, interviewing other persons who may have information relevant to the allegations, preparing witness statements for all persons interviewed, and reviewing of any relevant documents. Upon completion of the investigation, a report shall be prepared which includes a summary of the complaint, a description of the investigation, and the findings of fact.

A. Resolution of the Investigation When Both Parties are Employees or if the Responding Party is an Employee and the Reporting Party is a Student

If the Reporting Party and Responding Party are employees or if the Responding Party is an employee and the Reporting Party is a student, the investigation report shall be given to the following people at the same time: the Vice President for Human Resources or designee, the Reporting Party, the Responding Party, the immediate supervisor of the Responding Party, and the appropriate vice president or department head for additional action as necessary.

Either party may seek review of the investigation report to the Vice President for Human Resources or a designee by filing an appeal within three (3) calendar days of receipt of the investigation report. The appeal shall be based on one or more of the following: relevant evidence was not reviewed and/or new evidence is available, or the factual evidence was insufficient to support the findings. The appeal shall be in writing and shall set forth the issues to be considered in the appeal. Copies of the appeal shall be provided to the other party. The other party may file a response to the appeal to the Vice President for Human Resources or designee within three (3) days of receipt of the appeal. The Vice President for Human Resources or designee shall issue a written finding within three (3) calendar days after receipt of the appeal, or of a response to the appeal, whichever is later, and will give the report to all parties at the same time. These deadlines may be extended provided all parties mutually agree in writing to the extension.

Upon final acceptance by the Vice President for Human Resources or designee of a written finding that there was a Preponderance of Evidence that an employee violated this Regulation, the Director of Employee Labor and Relations Department, the immediate supervisor of the Responding Party, and the Title IX Coordinator will determine the disciplinary action to be taken against the Responding Party. The resolution of the complaint will be communicated to the Reporting Party and the Responding Party at the same time. Disciplinary action shall be taken in accordance with the Regulations and policies affecting the class of employee and the terms of any applicable collective bargaining agreement.

B. Resolution of the Investigation When Both Parties are Students or the Reporting Party is an Employee and the Responding Party is a Student

If the Reporting Party and Responding Party are students or if the Reporting Party is an employee and the Responding Party is a student, the investigation report shall be given to the Reporting Party, the Responding Party, and the Director of Student Conduct and Conflict Resolution/Deputy

Title IX Coordinator at the same time. The Director of Student Conduct and Conflict Resolution/ Deputy Title IX Coordinator will determine whether the Responding Party should be charged with a violation of the Student Conduct and Honor Code and will advise the Title IX Coordinator accordingly. If such determination is made, the Student Conduct and Honor Code will govern the process. See FIU Regulation 2501 at: <http://regulations.fiu.edu/regulation>

VIII. ADDITIONAL RESOURCES

A. Inclusion, Diversity, Equity and Access (IDEA) Office

IDEA (formerly known as Equal Opportunity Programs and Diversity (EOPD) is primary responsibility for administering this Regulation and oversees the investigation, response to, and resolution of all reports of Prohibited Conduct; however, questions, concerns, and/or reports may also be addressed to any member of the Response Team.

Title IX Coordinator

The university has designated the Director of IDEA as the Title IX Coordinator. The Title IX Coordinator oversees the university's investigation, response to, and resolution of all reports of Prohibited Conduct based on sex (including sexual or gender-based harassment and sexual violence), domestic violence, dating violence, and stalking, and of related complicity and retaliation involving students, faculty, and staff. The Title IX Coordinator is:

- Knowledgeable and trained in university policies and procedures and relevant state and federal laws;
- Available to advise any individual, including a Reporting Party, a Responding Party, or a third party about University and community resources and reporting options;
- Available to provide assistance to any University employee regarding how to respond appropriately to a report of Title IX-related Prohibited Conduct, Domestic Violence, Dating Violence, Stalking, and/or related Retaliation;
- Participates in ensuring the effective implementation of this Regulation, including monitoring compliance with all procedural requirements, recordkeeping, and timeframes;
- Responsible for overseeing training, prevention, and education efforts and annual reviews of climate and culture; and
- Maintains all discrimination reports.

Inquiries or concerns about Title IX may be referred to the university's Title IX Coordinator. Concerns about the university's application of Title IX under this Regulation may be addressed to the United States Department of Education, Office for Civil Rights:

Title IX Coordinator Office for Civil Rights

Shirlyon McWhorter

(800) 421-3481

(305) 348-2785

Email: OCR@ed.gov

shirlyon.mcwhorter@fiu.edu

B. Response Team

A report of Prohibited Conduct may be made to any designated person or by any method included in the Reporting Option section above. Members of the Response Team can help any university community member understand the Regulation and the options for resolving concerns raised under this Regulation in academic or work settings at the university. The Response Team will attempt to protect and safeguard the privacy of all individuals involved in a manner consistent with the need for a careful assessment of and response to the report.

The Response Team consists of a small “need to know” number of individuals. Depending on the roles (e.g., student, faculty, and staff) of the Reporting Party and the Responding Party, the Response Team includes the following:

- Title IX Coordinator
- Student Conduct and Dispute Resolution Director/Deputy Title IX Coordinator
- Dean of Students
- Director of Victim Empowerment Program
- Director of Residential Life
- Assistant Chief of Police of the University Police
- Senior Vice President for Academic Affairs
- Senior Associate Athletic Director/Deputy Title IX Coordinator
- Other administrators as needed depending on the facts and circumstances of the case.

C. How to Get Help In the Event of an Emergency

Anyone who has experienced sexual violence, domestic violence, dating violence, and/or stalking is urged to immediately seek help. In life threatening situations, dial 911. Other help includes seeking medical assistance, seeking confidential counseling or crisis response, filing a report with law enforcement, and making a report to the university. FIU Police Department will help any individual get to a safe place, provide transportation to the hospital, contact another law enforcement agency, and offer information about the university’s resources and processes. Information about the difference between Reporting Options and confidential resources is listed above.

Emergency Response

Call 911

FIUMMC Police

(305) 348-5911

FIUBBC Police

(305) 919-5911

Other Agencies Not Affiliated with FIU that can be Contacted for Emergency Assistance

Sweetwater Police Department

(305) 552-9900

Miami-Dade Police Department

(305) 476-5423

Medical Treatment / FIU Student Health Services

MMC | SHC

(305) 348-2401

BBC | SHS

(305) 919-5620

Other agencies not affiliated with FIU that can be contacted for medical treatment

Rape Treatment Center

(305) 585-5185

Confidential Counseling & Crisis Response

FIU Counseling and Psychological Services (CAPS)

caps.fiu.edu

MMC | SHC 270

(305) 348-2277

BBC | WUC 320

(305) 919-5305

Victim Empowerment Program (VEP)

vep.fiu.edu

24-Hour Hotline | (305) 348-3000

FIU Office of Employee Assistance

MMC | GL473

BBC | ACI 203

(305) 348-2469

IX. RETALIATION PROHIBITED

Retaliation is expressly prohibited by this Regulation, and the university will take immediate and responsive action to any report of Retaliation or any violation of Interim Protective Measures. During the investigation and resolution of violations of this Regulation that are alleged in good faith, reasonable steps will be taken to protect the Reporting Party, the Responding Party, and other participants in the reporting, investigation, and resolution process from Retaliation. Any individual who engages in Retaliation will be subject to prompt and appropriate disciplinary action. Individuals who have a concern about potential or actual Retaliation should contact the Title IX Coordinator for assistance in addressing the concern. If the concern about Retaliation involves the Equal Opportunity Programs/Diversity Office or Title IX Coordinator, an individual may contact the Vice President of Human Resources.

X. EDUCATION AND PREVENTION PROGRAMS

The university is committed to offering educational programs to promote awareness and prevention of Prohibited Conduct. Educational programs include an overview of the university's policies and procedures; relevant definitions, including prohibited conduct, discussion of the impact of alcohol and illegal drug use; Consent; safe and positive options for bystander intervention; review of resources and reporting options available for students, faculty, and staff; and information about risk reduction. Incoming first year students and new employees will be offered primary prevention and awareness programming as part of their orientation. Returning students and employees will also have ongoing opportunities for training and education. The Title IX Coordinator maintains an education and prevention calendar and tailor programming to campus needs and climate. Online training programs can be accessed through the Division of Human Resources Talent Management and Development's website at:

http://hr.fiu.edu/index.php?name=professional_development

As part of the university's commitment to provide an educational and work environment free from Prohibited Conduct, this Regulation will be disseminated widely to the university community through email communication, publications, websites, new employee orientations, student orientations, and other appropriate channels of communication.

XI. ANNUAL REVIEW

This Regulation is maintained by the Inclusion, Diversity, Equity and Access (IDEA) Office. The

Inclusion, Diversity, Equity and Access (IDEA) Office and Title IX Coordinator will review this Regulation on at least an annual basis, with the assistance of an advisory group consisting of student, faculty, staff, and community representatives selected by senior leadership of that office. The review will capture evolving legal requirements, evaluate the supports and resources available to the parties, and assess the effectiveness of the resolution process (including the fairness of the process, the time needed to complete the process, and the sanctions and remedies imposed). The review will include the opportunity for individuals affected by the Regulation to provide feedback and will incorporate an aggregate view of reports, resolution, and climate. The Title IX Coordinator will prepare an annual report, publicly available, which will include recommendations and steps taken to improve the delivery of services and the effectiveness of the Regulation and procedures.

XII. CONTACTS

Questions about this Regulation should be directed to Shirlyon McWhorter, the Title IX Coordinator and Director of the Inclusion, Diversity, Equity and Access (IDEA) Office at Florida International University Modesto A. Maidique Campus PC 321 11200 S.W. 8th Street Miami Florida. The telephone number for the Inclusion, Diversity, Equity and Access (IDEA) Office is (305) 348-2785 . The fax number is (305) 348-3459. The Title IX Coordinator's email address is shirlyon.mcwhorter@fiu.edu.

The Title IX Coordinator has appointed the following people as Deputy Title IX Coordinators:

- Director of the Student Conduct and Conflict Resolution Department. contact information is: (305) 348-3939.
- Julie Berg, Senior Associate Athletic Director. Her contact information is: (305) 348-2352 Her email address is: Julie.berg-Mc_Graw@fiu.edu.

Specific Authority: Board of Governors Regulation 1.001 (5)(a). History-- Formerly FIU-104 (repealed) and FIU-103 (repealed). New April 15, 2015.

PARKING RULES AND REGULATIONS

Below are the parking regulations pertaining to students. For complete regulations see University Traffic and Parking Regulations, FIU-1105, located at:
<https://regulations.fiu.edu/regulation>

General. This regulation is applicable to all persons who operate or park a motor vehicle on the campuses of Florida International University. Every motor vehicle parked in a non-meter space on university property must maintain a valid permit. All Miami-Dade County traffic and parking ordinances which are not in conflict or inconsistent with university regulations shall extend and be applicable to the university's campuses. The Department of Parking and Transportation is authorized and empowered to enforce all university traffic and parking regulations as per Florida Statute Section 1006.66. Copies of the university traffic and parking regulations are available from the Department of Parking and Transportation, and through the Florida International University website URL <http://parking.fiu.edu>. The university assumes no liability for vehicles parked or operated on university property. The issuance of a permit does not guarantee space availability at a preferred location.

Virtual Permits. Florida International University is utilizing virtual parking permits for vehicles parking on its campuses.

4 steps for registering your vehicle:

1. Visit parking.fiu.edu
2. Click on “My Account” and then log in with your FIU credentials
3. On the dashboard, click on “Add New Vehicle.” Complete required fields and then click “Create”
4. Your vehicle will automatically be linked to the virtual permit. You can now park on campus.

License Plate Recognition. Florida International University utilizes license plate recognition hardware and software (LPR) for parking systems management.

Registration of Motor Vehicles.

Vehicles used by members of the faculty, staff, students, (full or part-time), concessionaire employees and others who park at a non-metered location on campus must be registered with the Department of Parking and Transportation during the first day the vehicle is on campus. Registration can be completed online at URL <http://parking.fiu.edu> or at the Parking and Transportation Offices located at the Modesto A. Maidique (MMC) and Biscayne Bay Campuses (BBC).

Students Virtual Permit Classifications Include:

Students employed as faculty or staff at the university may elect to purchase a “STAFF” virtual permit at the cost according to the classification. A one semester virtual permit for each classification is available during an academic school year.

1. Student – A “STUDENT” virtual permit will be issued by the Department of Parking and Transportation to each student who is currently enrolled and has paid the transportation access fee or meets the criteria established by Florida Statutes 1009.25; 1009.26 and 1009.265 governing Educational Scholarships, Fees and Financial Assistance, fee exemptions, fee waivers and State employee fee waivers. A Transportation Access Fee is assessed to all students per semester as part of their enrollment fees except for students registered for a fully online degree program, students using tuition waiver, or otherwise classified as exempt.
2. Resident Student – A “HOUSING” virtual permit will be granted to those students who reside in on-campus housing.
3. Housing Garage – An “H-GARAGE” daily or semester virtual permit will be issued to those who desire a higher level of parking service at the housing garage.
4. ROTC – A “ROTC” virtual permit is available to non-FIU students registered in the program.

Carpool permits. Carpool permits are available for those employees and students who register for the car sharing program. Please visit the Parking & Transportation website. All registrants must have a current FIU virtual permit and must be affiliated with the university.

Metered Parking. Metered parking is available throughout the university at a cost of 25 cents per 15 minutes. A current FIU virtual permit does not entitle the driver to park in a metered parking space without paying the appropriate fee, unless otherwise specified on the permit.

Deactivated Virtual Permits. A virtual permit may be deactivated if the Transportation Access Fee is not paid for the current semester. Vehicles found on campus with a deactivated virtual permit, or multiple vehicles found on campus with the same virtual permit, will be ticketed and the vehicle is subject to immobilization and/or towing at vehicle owner’s expense.

PERMITS, TRAFFIC AND PARKING REGULATIONS, GARAGE PARKING AND GOLF CART.

Permit Regulations

1. Maintaining a Permit. Every motor vehicle parked on university property must maintain a valid permit or use metered parking.
2. Disabled Permits. Parking areas designated as disabled are enforced at all times and a current state issued disabled placard/hang-tag and/or license plate must be visible and properly displayed. Misuse of a disabled placard may result in the immobilization and/or towing of the vehicle at owner's expense.

Traffic and Parking Regulations

1. Speed Limit. The speed limit on university property is 25 miles per hour on main roads unless otherwise posted. The speed limit is 5 mph inside the garage and in surface lots.
2. Right-of-Way. Pedestrians and wildlife have the right-of-way over motor vehicles, including golf-carts. Pedestrians must use crosswalks when crossing a roadway.
3. Parking areas may be restricted by permit classification, time or purpose and shall be considered no parking zones to those individuals who do not fall within the restriction of the permit classification. Parking on lawns, landscaped areas, sidewalks, or other areas not specifically designated by signs or curb markings as parking areas is a violation. The absence of a "No Parking" sign does not mean parking is permissible in an area. Changes in designated parking areas shall become effective at such time as signage or other identifying markings are posted. The following parking restrictions are found in areas on the university's campuses.
 - a. Exec
 - b. Admin
 - c. Faculty/Staff
 - d. Student
 - e. Metered
 - f. Disabled
 - g. Disabled Modified Vehicles
 - h. Motorcycle/Motorbike/Moped
 - i. State Vehicles
 - j. Time Limit Parking
 - k. Housing Parking
 - l. Service/Delivery
 - m. Golf Cart
 - n. Carpool
 - o. Electric Vehicle
 - p. Clinic Spaces
 - q. RCCL
 - r. MCH

Access vehicles. No motor vehicles, other than police, emergency, or golf carts may be operated or parked at any time on the walkways, grass, service areas, driveways or other prohibited zones, except where specifically permitted by signage. No motor vehicle, motorcycle or other type of vehicle, including a bicycle, shall be parked in such a way as to create a hazard obstruction to traffic or access. Temporary parking areas may be designated in grass areas by the placement of delineating signs, bumper blocks or other identifying marks. Parking adjacent to any university building shall be prohibited except as identified by authorized signs.

1. Non-permitted vehicles left for more than three (3) consecutive days without prior approval from the Department of Parking and Transportation, or which are apparently abandoned shall be subject to immobilization, towing, and/or impoundment, and ultimately disposed of at the owner's expense. The university does not assume any responsibility for motor vehicle or their contents while they are parked on campus. Major repairs to vehicles shall not be performed on either campus.

2. Skateboarding and rollerblading are prohibited in parking areas.

Golf-Cart Regulations

1. Golf-carts are restricted by Florida International University for use on university premises only by university employees, volunteers, contractors, vendors or agents and are generally recognizable as a low speed or utility vehicle, such as, but not limited to, utility terrain vehicles, including all-terrain vehicles designed for work uses, and golf carts, club car or conveyance. Please refer to the Golf Cart Policy posted at <http://policies.fiu.edu>.
2. Any person who accepts the privilege of operating a golf-cart on university premises is deemed, by so doing, to have the knowledge, training and skill to safely operate this vehicle and shall be fully accountable for their actions and the consequences thereof.
3. Golf-cart Enforcement. Golf-carts shall be operated in accordance with the following specific regulations:
 - A. Golf-carts shall not be parked within 20 feet of the entrance or exit of any building, except at loading docks or designated golf-cart parking.
 - B. Operators shall stop golf-carts at all blind intersections and sound their horns before proceeding.
 - C. Golf-carts shall not be parked in any manner likely to obstruct or interfere with the flow of pedestrian or vehicular traffic in heavily traveled areas. This includes, persons in wheelchairs or mobility assistance devices. In addition, golf carts shall not park in the following areas: fire lanes, handicap parking, meter parking, on sidewalks or ramps that would impede handicap accessibility.
 - D. Operators shall not bring a golf cart to rest for any period of time in the middle of roads and walkways.
 - E. Golf-carts may be driven on sidewalks only where streets and/or parking lots are not available. Golf carts are not permitted in any red zones as identified on the maps which can be found at <http://policies.fiu.edu>
 - F. Golf-carts shall not be driven through buildings or breezeways, covered walkways, landscaped areas or golf cart-free red zones as identified on the maps which can be found at <https://policies.fiu.edu/files/781.pdf>.

Golf carts shall not be driven through the Green Library breezeway or any other building except: 1) under circumstances of police or medical emergency, 2) in order to provide maintenance service to a location in a specific building or to grounds in which large amounts or heavy equipment and supplies, but not people, are being transported to the work site, 3) in order to make a delivery of large amounts or heavy materials which cannot be otherwise transported to a specific location in a building, 4) in order to assist a handicapped individual or, 5) when conducting a pre-approved university tours.

- G. Use of ear phones, eating, texting, or the use of any device that may hinder the proper and safe operation of golf carts is prohibited.

Enforcement

- a. **Violations.** Failure to abide by any of the provisions of these regulations shall be considered a university parking infraction. The university may enforce university parking infractions through use of warnings, citations and fines, vehicle immobilization, towing and any other means authorized by statute. Towing fees vary according to type of vehicle. If a third party towing company is used, the charge will be contingent upon the towing company fees.
- b. **Enforcement hours.** Metered parking is enforced daily, from 7:00 a.m. to 10:00 p.m. including weekends and holidays. Parking areas designated as Faculty/Staff shall be

enforced between the hours of 6:00 a.m. to 7:00 p.m., Monday through Friday, unless otherwise indicated by signage. Parking in all other areas, including Executive, Administrative and Disabled shall be observed and enforced at all times. Only one citation per day will be issued for each violation in the same location on the same vehicle.

- c. **Schedule of Fines.** The schedule below establishes fines for the various categories of violations which are considered to be university parking infractions:

Unlawfully Parked in Disabled Space ...	\$250.00
Virtual Permit Fraud.	\$100.00
Immobilization Fee.	\$50.00
Hazardous Parking.	\$25.00
Restricted/Improper Parking.	\$25.00
Golf-Cart Violation.	\$25.00
Invalid Permit	\$20.00
Parking on Grass.	\$20.00
Overtime Parking in Meters.	\$20.00
Expired Permit	\$20.00
Deactivated Permit.	\$20.00
Improper Permit Registration.	\$20.00
Crosswalk Light Violation.	\$20.00
Head-in Parking Only.	\$15.00
Other.	\$15.00

Parking in Unauthorized Areas

Restricted Executive/Admin.	\$30.00
Restricted Faculty/Staff.	\$25.00
Restricted Housing	\$25.00
No Carpool Permit	\$25.00
Restricted Electric Vehicle Space.	\$25.00

- d. **Late Fees.** If a university citation is not paid or appealed in the time provided by this regulation, a \$5.00 late fee shall be assessed in addition to the fine established for the violation. The assessment of the late fee shall not preclude the university from enforcing these regulations through alternative means such as preventing registration, withholding transcripts, withholding of diploma, towing and/or immobilizing the vehicle. Finally, the outstanding balance will be sent to a collection agency and additional fees will be assessed.
- e. **Remedies for Failure to Pay Fines.** In addition to the assessment of a late charge fee, and other penalties as provided in this regulation, the following remedies are available to the university:
1. Student debts may be referred to a collection agency.
 2. Prevent student registration.
 3. Withhold issuance of transcripts or degrees.
 4. Use of vehicle immobilizer, tow and/or impound the person’s vehicle.
 5. Take other action as permissible pursuant to the university collection policy
- f. **Responsibility for Citations.** The person who registers a motor vehicle with the Department of Parking and Transportation assumes responsibility for all citations issued to that vehicle. If the motor vehicle has not been registered with the Department of Parking and Transportation then the person(s) in whose name the motor vehicle is registered with the State Department

of Highway Safety and Motor Vehicles shall be held responsible for citations issued to the vehicle. Employees of FIU operating state university vehicles and golf-carts shall be responsible for citations issued to such vehicle(s).

g. Procedures for Payment of Fines and Appeals:

A person to whom a citation has been issued shall have ten (10) business days from the date of issuance to respond to the citation either by paying the fine or by filing an appeal. If payment or request for an appeal is not received within the allotted time, a \$5.00 late fee shall be assessed, and the university may take any authorized action to enforce the penalty.

h. Payment of Fines. Fines may be paid by credit card through the Florida International University website URL <http://parking.fiu.edu> or in person at the Department of Parking and Transportation by check, money order, cash, the FIU One Card, or credit card. Alternatively, payments may be mailed to the Department of Parking and Transportation located on Modesto A. Maidique Campus. All payments sent by mail should include the payee's Panther ID number if applicable, and citation number(s).

i. Appeals Process and Procedures. Appeals of citations for university parking infractions and towing/vehicle immobilization fees may be instituted by filing an appeal through the Florida International University website URL <http://parking.fiu.edu> or at the Department of Parking and Transportation using the "Florida International University Department of Parking and Transportation CITATION APPEAL FORM", Form PT #04 Appeal Form. The completed Citation Appeal Form must include a current mailing address or email address where notices can be sent to and received by the Appellant. Completed Citation Appeal Forms will be forwarded by the Department of Parking and Transportation to an Appeal Hearing Officer for review and decision. Appeals should only be filed if a legitimate basis exists. The following reasons are not considered legitimate basis for filing an appeal:

- i. Disagreement with the Parking & Transportation Rules and Regulations.
- ii. Ignorance of the regulations.
- iii. Stated inability to find a permitted parking space.
- iv. Operation of the vehicle by another individual.
- v. Failure to issue citations previously for similar violations.
- vi. Tardiness to class and/or appointment.
- vii. Inability to pay fine.
- viii. Received incorrect verbal information from a non FIU Parking and Transportation employee.
- ix. Observing others illegally parked.
- x. Not paying for sufficient metered time.

j. Appeal Hearing Officer Procedures. Appeal Hearing Officers will receive and evaluate appeals. They will be guided by the Parking Regulations and shall consider any relevant circumstances, as articulated in the appeal, in making their decision(s). Appeal Hearing Officers may request further information or interview the appellant, witnesses or the citing officer. Appeals will be reviewed and appellants notified in writing.

k. Appeal Hearing Officer Decisions. The Appeal Hearing Officer's decision shall contain findings of fact and be reduced to writing and a copy shall be furnished to the appellant by the Department of Parking and Transportation. If your appeal is denied, you may file for a secondary review by the appeal board. Appeal forms are available online through the Florida International University website URL <http://parking.fiu.edu> or at the Department of Parking & Transportation using the "Florida International University Department of Parking & Transportation CITATION APPEAL FORM", FORM PT #04 Appeal Form. The appeal board may reduce, excuse the fine or uphold the appeal hearing officer's decision.

University Events

- A. Any event held on campus, whether hosting internal or external guests, requiring the use of parking spaces, must be coordinated with the Department of Parking & Transportation. Pre-purchased virtual permits are available through the online portal or by contacting the Department of Parking and Transportation. Requests must be received seven (7) business days prior to the date of the event. If the event is cancelled, a cancellation fee may be assessed and all expenses incurred related to the event request will be collected.
- B. All temporary directional signage used on any campus must adhere to the signage protocol established by the Department of Parking and Transportation. Lawn signs are not permitted. Please contact the Department of Parking & Transportation to order temporary directional signage.
- C. The Department also handles any event requests that require transportation, including golf cart and shuttles. For more information, please refer to <http://parking.fiu.edu>.

GARAGE CAR COUNT SYSTEMS

Garage car county system on the FIU Mobile app. Find out where to park before arriving on campus.

FIU PLATES

Get your FIU license plate today. New plates can be purchased at our parking offices or online at go.fiu.edu/plate.

TRANSPORTATION INFORMATION

Remember: Shuttles (CATS, GPE, & Panther Mover) are not in service during semester breaks between semesters, only running when classes are in session—Monday to Friday.

We offer many commuting alternatives to campus, as well as within campus. Many of them are free! Please visit the individual sections at parking.fiu.edu/campus-transport to see more information on each program.

The Golden Panther Express Shuttle (GPE)

provides transportation between MMC and BBC weekdays

The CATS Shuttle

is a free service that transports between Engineering Campus (EC) and MMC.

The Panther Mover

shuttles students and faculty/staff from the Panther Parking Garage to Primera Casa (PC).

The Panther Safety

program ensures your safety each evening and is a courtesy transport within campus. This service is offered at the MMC and BBC.

Metro Passes/Monthly EASY Cards

are available at a discount for current students.

For detailed information regarding the FIU Bus schedules, please visit: parking.fiu.edu/campus-transport

CATS SHUTTLE

The CATS shuttle travels between Modesto A. Maidique Campus and the Engineering Center. The service operates two shuttles from 6:00 a.m.-11:00: p.m., with departures every 15 minutes at the top of the hour starting at 6:00am from MMC and starting at 6:17 a.m. from EC. All shuttles will provide additional stops east of PG5, the Miami–Dade transit hub located at 107th Ave and 17th street, and at the new housing towers in the City of Sweetwater.

GOLDEN PANTHER EXPRESS

The Golden Panther Express Shuttle provides an alternative to driving between FIU's two main campuses: Modesto A. Maidique Campus and Biscayne Bay Campus. The pick-up and drop off stop for Modesto A. Maidique Campus is in Lot 3, east of the Graham Center Building and next to the Gold Parking Garage. The pick-up and drop off stop for Biscayne Bay Campus is located in front of AC1 Building.

Monday–Friday:

Every half hour from 6:00 a.m.–10:00 p.m. with additional departure at 11:00 p.m..(i.e 7:00 a.m., 7:30 a.m., 8:00: a.m.)

Average Trip Time: 1 hour

Rates for One Way Trip

Currently Registered Students \$0/Non-Students & Affiliates \$5.00

There are re-valuing stations located across all campuses making it easy and convenient to deposit funds into your FIU Cash account while on campus. Simply insert the cash into the ValuePort and the funds are instantly available on your card!

Additional re-valuing stations available 24/7 are located at:

MMC: Graham Center (GC), Green Library (GL) – 2nd floor, PG1 – Gold Garage (FIU One Card Office),

BBC: Wolfe University Center-WUC (next to FIU One Card Office), Hubert Library, PG1 – Gold Garage (FIU One Card Office), Academic One

Engineering Center: Panther Pit – 2nd floor

FIU at I-75: Computer Lab – 3rd floor

Please download the Parking and Transportation app Transloc for real time updates.

IT SECURITY OFFICE (ITSO) PROPER USE OF COMPUTERS AND NETWORKS

It's so easy! Being a responsible network user at FIU is as easy as 1, 2, 3!

STEP 1: KEEP YOUR COMPUTER SECURE!

Follow these simple guidelines:

- Use strong passwords. Choose passwords that are difficult or impossible to guess but easy to remember. Give a different password to each account you have. For example, do not use the same password for PantherSoft as what you would use for your Facebook or Twitter accounts. Never write passwords down or share them with others.
- Make regular backups of critical data on your computer. Imagine losing research material or papers that you have spent hours working on. This can be easily avoided by making sure that you frequently back up the data on your computer.
- Use virus protection software. That means three things, (1) having it on your computer in the first place (FIU offers free antivirus software for all students at shopputs.fiu.edu) (2) configuring your antivirus software to automatically check for new virus signature updates daily, and (3) configuring your antivirus software to automatically scan all the files on your system at least once a week.

- Use a personal firewall as a gatekeeper between your computer and the Internet. Firewalls are usually software. They are essential for any computers that connect to a network.
- Do not keep computers online when not in use. Shut them off or physically disconnect them from the Internet.
- Do not leave your computer running and accessible to strangers or intruders. If you have to step away, lock it, enable a password protected screensaver, or just shut it off and take it with you.
- Do not open e-mail attachments from strangers, regardless of how enticing the subject line or attachment name may be. Be suspicious of unexpected e-mail attachments even from someone you know because it may have been sent without that person's knowledge from a virus-infected computer.
- Regularly download security patches and operating system updates from your software vendors. Just as cars need tune-ups, computers need updates!

STEP 2: KEEP YOUR NETWORK ACCESS!

You must have current system updates and antivirus software installed and updated to gain access to FIU's network resources. You may have your access revoked for the following reasons:

- Unpatched Systems: Your computer does not have the latest security patches installed in a timely matter.
- Compromised System: Your computer was compromised and/or set up to execute commands or programs at the direction of a hacker.
- Computer Virus Proliferation: Your computer is infected with a virus or worm that propagates via the FIU network.
- Copyright Infringement: You violated copyright laws. Unauthorized distribution of copyrighted material, including unauthorized peer to-peer file sharing, may subject you to civil and criminal liabilities. See IT Security Policies here <https://security.fiu.edu/policies/>
- Denial of Service Attack: You directly attempted to prevent legitimate users from using FIU's network resources. For example, attempts to flood the FIU network with mass emails, thereby slowing down that services and/or preventing legitimate network traffic.
- Hacking: Knowingly accessing someone else's computer without explicit authorization.

STEP 3: BE A SMART SOCIAL NETWORKER

- Do not put your address or whole birth date on social networking pages.
- Do not post anything on your page or send an email with information you would not want to see on the front page of the news.
- Learn the security settings for social networking sites and use them
- Read the user agreements

For more information on any of the above, please visit the Information Technology Security Office website at <http://security.fiu.edu>

OFFICE OF THE OMBUDSPERSON

The Ombudsperson Office acts as an impartial and confidential forum to assist students who have encountered problems or conflicts at the university, particularly problems or concerns not adequately addressed through normal channels. This may include correcting processes or procedures which hinder resolving the issue or are causing an inordinate delay.

The Ombudsperson may resolve problems through various methods, including investigation,

mediation, or making referrals to the appropriate university department for review. For more information or services, please contact the Office of the Ombudsperson at (305) 348-2797 located in GC room 219 at the Modesto A. Maidique Campus.

ACCREDITATION

These web pages present the regional, professional and specialized accreditations that the university maintains or pursues. It also includes the accreditation goals that are being pursued for the next few years.

STATE AUTHORITY AND COMPLAINT PROCESS

STUDENT COMPLAINTS

Florida International University supports the rights of students to lodge complaints, file grievances, and appeal judicial outcomes in an environment free of fear, retaliation, or other adverse consequences.

The Student Handbook describes procedures for lodging student grievances on academic matters, for appealing student misconduct charges, and for lodging specific complaints; which include discrimination or harassment. Student handbook information on the grievance policy and procedures can also be found on the integrity website.

COMPLAINT PROCEDURES TO OVERSIGHT AGENCIES

Procedures are in place to allow students to file complaints with the Florida State University System Board of Governors as well as the regional accrediting agency, The Southern Association of Colleges and Schools Commission on Colleges (SACSCOC).

The Florida Board of Governors (BOG) has grievance procedures in place for students seeking to file a complaint. However, students are encouraged to resolve university concerns by contacting the campus office responsible for the area relevant to the complaint. Further, if dissatisfied with the response, the student may contact the relevant area supervisor, director, department chair, or dean at FIU for resolution.

There are a number of venues for making a complaint to the BOG. Different entities will have appropriate jurisdiction to either address or investigate students' concerns. The BOG Website provides information regarding filing a complaint.

The Southern Association of Colleges and Schools Commission on Colleges complaint procedure states: "SACSCOC expects individuals to attempt to resolve the issue through all means available to the complainant, including following the institution's own published grievance procedures before submitting a complaint to SACSCOC." The SACSCOC website provides information for filing a complaint. SACSCOC Website

SPECIALIZED AND PROFESSIONAL ACCREDITATION:

<https://accreditation.fiu.edu/specialized-professional-accreditation/index.html>

SACS - REGIONAL ACCREDITATION:

<http://apa.fiu.edu/>

If you have any questions or suggestions contact:

Susan Himburg, Associate V.P. for Academic Planning and Accountability

PC 112, (305) 348-3233

RELIGIOUS HOLY DAYS

It is university policy that instructors reasonably accommodate students because of observation of religious holy days. The student shall be given a reasonable amount of time to complete coursework and/or assignments missed during their approved absence. The approved make-up assignment must be equivalent in content, type, and grading scale to the missed coursework and/or assignment. If a student feels that an instructor has not complied with this policy, he/she may file a complaint of discrimination with the Office of Equal Opportunity Program and Diversity in accordance with FIU Regulation 105.

Because there are some classes and other functions where attendance may be considered essential, the following policy is in effect:

A faculty member who wishes to observe a religious holy day shall make arrangements to have another instructor teach the class in his or her absence, if possible, or shall reschedule the class.

Because there are some classes and other functions where attendance may be considered essential, the following policy is in effect:

1. Each student shall, upon notifying his or her instructor at the beginning of the semester, be excused from class to observe a religious holy day of his or her faith.
2. While the student will be held responsible for the material covered in his or her absence, each student shall be permitted a reasonable amount of time to make up any work missed.
3. No major test, major class event, or major University activity will be scheduled on a major religious holy day.
4. Professors and University administrators shall not arbitrarily penalize students who are absent from academic or social activities because of religious observances.

ARTICULATION AGREEMENT

The university subscribes to the statewide articulation agreement between the state universities and public colleges in Florida. For a list of individual articulation agreements, go to: <https://policies.fiu.edu/files/691.pdf>

POLICY STATEMENT

Students who graduate from an institution within the Florida College System with an Associate of Arts degree are guaranteed the following rights under the Statewide Articulation Agreement:

- Admission to one of the 11 state universities, except to limited access programs;
- Acceptance of at least 60 semester hours by the state universities;
- Adherence to the university requirements and policies, based on the catalog in effect at the time the student first enters the Florida college, provided the student maintains continuous enrollment;
- Transfer of equivalent courses under the Statewide Course Numbering System;
- Acceptance by the state universities of credits earned in accelerated programs (e.g. Dual Enrollment, CLEP, Advanced Placement, International Baccalaureate, and Advanced International Certificate of Education);

- No additional general education core requirements;
- Advance knowledge of selection criteria for limited access programs; and
- Equal opportunity with native university students to enter limited access programs.

Missed Class Related to Authorized University Events

Students may be asked to represent the university at authorized university events or activities during the semester. The participation in such events may interfere with attendance and completion of course work and/or assignments in the students’ courses. It is university policy that instructors must afford students a reasonable amount of time to complete course work and/or assignments missed during their approved absence. The approved make-up assignment must be equivalent in content, type, and grading scale to the missed coursework and/or assignment.

VETERANS INFORMATION

The Office of Veterans and Military Affairs assists veterans, their dependents and spouses who wish to receive their VA educational benefits at FIU. The Office also provides personal benefits counseling, fee deferments, tutorial assistance, and VA work-study positions.

If you are planning to attend the university, please contact the Office of Veteran and Military Affairs prior to the date of entry to fill out any VA educational related paperwork needed.

Training Status Graduates:

Full-time..... 9 Credits
 ¾ time..... 7 Credits
 Half time 5 Credits
 Less than half time.... 4 Credits

Training Status Undergraduates:

Full-time..... 12 Credits
 ¾ time..... 9 Credits
 Half time 6 Credits
 Less than half time.... 5 Credits

Graduate Summer and Dynamically Dated Courses “mini terms”

Full-time..... 6 Credits
 ¾ time..... 4-5 Credits
 Half time 3 Credits
 Less than half time.... 2-1 Credits

Note: Audited and Zero credit classes are not eligible to be paid through your G.I.Bill

For additional information regarding other Veterans Educational Programs, please contact the Office of Veterans and Military Affairs (located in Modesto A. Maidique campus, “Veterans Tower”) at 305-348-2838.

FIU

RESOURCES



ALMA MATER

The Alma Mater is the university's official anthem. It reflects the institution's mission and spirit, and it is traditionally performed at university functions to instill a sense of unity, identity and commitment to our FIU values.

We pledge to thee dear FIU, with voices loud and true.
Alma Mater falter never, shine forever Gold and Blue.
We fly our banners high, ev'ry culture we embrace.
All our love and Panther spirit, young and old we make this place.
We hail together FIU, ev'ry scholar side-by-side.
And we hail to Alma Mater, Alma Mater be our guide!

Lyrics by Belinda Kaitlynn Gunn

FIU FIGHT SONG

We are the Panthers of FIU
The Golden Panthers of FIU
We will continue to fight
with all of our might
for victory for Gold and Blue
We stand together and proudly say
our Golden Panthers go all the way
We'll always strive for victory
blue-blooded through and through
'cause we're F-I-U
Go F
Go I
Go U
Go F-I-U
Panthers fight!
Panthers fight!
Panthers fight!

FIU

MMC

Academic Advising Center	305.348.2892
Campus Life	305.348.2138
Career & Talent Development	305.348.2423
Parking & Transportation	305.348.3615
Financial Aid	305.348.7272
FIU Bookstore	305.348.2691
FIU Library Hours	305.348.2479
FIU Public Safety Emergency Line	305.348.5911
Housing Office	305.348.4190
International Student & Scholar Services	305.348.2421
Orientation and Family Programs	305.348.6414
Office of the Registrar	305.348.2320
Office of Undergraduate Admissions	305.348.2363
Student Government Association	305.348.2121
The Honors College	305.348.4100
Student Health Services	305.348.2401



FIU

BBC

Academic Advising Center	305-919-5754
Bayview Student Living	305-998-3777
Campus Life BBC	305-919-5804
Career and Talent Development	305-919-5770
Creative Writing Program	305-919-5857
Parking & Transportation	305-919-5558
Enrollment, Admissions & Financial Aid	305-919-5750
FIU Bookstore	305-919-5580
Hubert Library	305-919-5718
FIU Public Safety	305-919-5559
FIU Public Safety Emergency Line	305-919-5911
International Student & Scholar Services	305-919-5813
Orientation and Family Programs	305-348-6414
Office of the Registrar	305-919-5750
Recreation Center	305-919-5678
Student Government Association	305-919-5680
Student Health Services	305-919-5307
Wolfe University Center	305-919-5800





FIU

FLORIDA INTERNATIONAL UNIVERSITY

Modesto A. Maidique Campus (MMC)

11200 S.W. 8th Street
Miami, Florida 33199
(305) 348-2000

Biscayne Bay Campus (BBC)

3000 N.E. 151st Street
North Miami, Florida 33181
(305) 919-5500

FIU at I-75 Campus

1930 S.W. 145th Avenue
Miramar, FL 33027
Ph: (954) 438-8600

The Engineering Center

10555 West Flagler Street
Miami, FL 33175
(305) 348-2522

FIU Downtown on Brickell

1101 Brickell Ave
Miami, FL 33131
(305) 348-0148

FIU Miami Beach Urban Studios

420 Lincoln Rd. Suite 440
Miami Beach, FL 33139
(305) 535-1463



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[FloridaInternational](https://www.youtube.com/FloridaInternational)



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