We would like to welcome you to the University. Our department strives to provide a safe and secure environment for the entire University community. Our officers are well trained and certified through the Florida Criminal Justice Standards and Training Commission. Our mission is to provide service and to enforce state laws and University regulations and policies in a courteous and professional manner.

Our officers take a community-oriented approach to their jobs. Maintaining an environment where everyone feels safe and secure requires a cooperative and collaborative effort between all members of the University community. We are involved with all aspects of life at FIU. As demonstrated throughout the University, we too value diversity and strive to treat everyone with respect and dignity. We are committed to providing fair and impartial law enforcement services.

Please familiarize yourself with this safety guide. It provides information on a variety of security-related services, programs, policies and statistics. Should a situation arise which may impact the University community, the FIUPD will alert the community in a timely manner.

We wish you success in your endeavors at FIU whether it is as a student, faculty, staff member or visitor. Please feel free to contact us at 305-348-2626. One of our professional staff members is ready to address your questions or concerns. If you have any suggestions about how we can provide better police service, let us know online at police.fiu.edu.

Sincerely,

Alexander D. Casas, Chief
Florida International University Police Department

Emergency Phone Numbers
24 Hours – 7 Days a Week
Modesto A. Maidique Campus: 305-348-5911
Biscayne Bay Campus: 305-919-5911
Telecommunications Relay Services: 711
Florida International University urges its University community to use The Annual Security and Fire Safety Report (ASR) as a guide for safe practices on and off campus. This report contains information and crime statistics for 2019, 2020, and 2021 calendar years for crimes that occurred:

- on campus;
- in certain off-campus buildings or property owned or controlled by FIU; and
- on public property within, or immediately adjacent to and accessible to the campus.

It also contains information regarding campus security and personal safety topics such as crime prevention, fire safety, University police law enforcement authority, crime reporting policies, disciplinary procedures and other information related to safety and security on campus. This information is provided by the University Police Department and in accordance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, 1990.

THE FLORIDA INTERNATIONAL UNIVERSITY POLICE DEPARTMENT

Campus Law Enforcement Policies

The Florida International University Police Department (FIUPD) is located in the PGS Market Station at Modesto A. Maidique Campus (MMC) and at the SD II building on Biscayne Bay Campus (BBC). The FIUPD provides a full range of police services to the community 24 hours a day, seven days a week at both campuses. All University police officers are certified by the State of Florida and have complete police authority to apprehend and arrest anyone involved in illegal acts on FIU campuses and educational sites as well as areas immediately adjacent to the campuses. If offenses involving University regulations and policies are committed by a University student, the FIUPD also refers the individual for disciplinary action with the Office of Student Conduct and Academic Integrity.

Major offenses involving death on campus are reported to local police, and joint investigative efforts with University Police Department (FIUPD) and Sweetwater Police Department.

The FIUPD has Memos of Understanding (MOU)/Mutual Aid Agreements (MAA) with the Miami-Dade Police Department, North Miami Beach Police Department, Pembroke Pines Police Department, Pembroke Pines Police Department and Sweetwater Police Department.

The FIUPD publishes a Daily Police Crime Log that is available by request at the FIUPD on both campuses and on our website at police.fiu.edu.

Private hired security personnel used for the purposes of sporting functions and special events on campus do not have enforcement or arresting ability. However privately hired security personnel do have the authority to issue civil citations.

Announcement for Student E-mail

Sign-up for Emergency Notification

In the event of an actual emergency, the University community will be notified through text messaging, and voicemail messages to registered cell phones, FIU e-mail, indoor and outdoor speakers, VDOP telephones, social media, emergency callboxes, electronic message boards and the main FIU Website. Students are responsible for regularly checking their e-mail. In order to receive campus-wide e-mail announcements, students must have a University e-mail account. All students enrolled at FIU and taking at least one course in the current semester will automatically have access to an e-mail account. FIU e-mail will be available to new students 24 hours after the student is registered. To sign onto FIU e-mail go to web page panthermail.fiu.edu.

Emergency Response and Evacuation Procedures Statement

Emergency Response

The University’s Comprehensive Emergency Management Plan (CEMP) is an all hazards emergency management plan that establishes the procedures and organizational structure for response to large scale emergencies that cause a significant disruption to services or programs of the University. University departments are responsible for developing contingency plans and continuity of operations plans for their staffs and areas of responsibility.

The University conducts numerous emergency response exercises each year such as table-top exercises and tests of the emergency notification systems. These tests are designed to assess and evaluate the emergency plans and capabilities of the University.

FIU police officers and supervisors have received training in incident command and responding to critical incidents. When a serious incident occurs that causes an immediate threat to the campus, the first responders on the scene are usually the FIUPD and the Miami-Dade County Fire Rescue Department. Typically, both departments work together to manage the incident. Depending on the nature of the incident, other FIU departments and local, state or federal agencies may also be involved in responding to the incident.
General information about FIU’s emergency response and a copy of the University’s CEMP is available at dem.fiu.edu. All members of the FIU community are notified on an annual basis that they should alert the FIUPD of any situation or incident that involves a significant emergency or dangerous situation that may involve an immediate or ongoing threat to the health and safety of students and/or employees on campus or educational sites. The FIUPD has the responsibility of responding to, and summoning the necessary resources, the FIUPD to mitigate, investigate and document any situation that may cause a significant emergency or dangerous situation. In addition, the FIUPD has a responsibility to respond to such incidents to determine if the situation does, in fact, pose a threat to such incidents to determine if the threat.

NOTIFICATION TO THE FIU COMMUNITY ABOUT AN IMMEDIATE THREAT

Emergency Notification

If the FIUPD, External Relations, and/or the Department of Emergency Management confirms there is an emergency or dangerous situation that poses an immediate threat to the health or safety of some or all members of the FIU community, the FIU community will be notified by all or some of the systems described below to communicate the threat to the FIU community or to the appropriate segment of the community if the threat is limited to a particular building or segment of the population. The FIUPD will, without delay and taking into account the safety of the community, determine the content of the notification and initiate the notification system unless issuing a notification will, in the judgment of the first responders (including, but not limited to the FIUPD, Miami-Dade County Police Department and/or Miami-Dade Fire Rescue), compromise the efforts to assist a victim or to contain, respond to, or otherwise mitigate, the situation.

In the event of a serious incident that poses an immediate threat to members of the FIU community, the FIU has various systems in place for communicating information quickly. Some or all of these methods of communication may be activated in the event of an immediate threat to the FIU campus community. These methods of communication include, but are not limited to, FIU network e-mails, emergency cell phone text messages and voicemails, electronic message boards, audible and visual messages via VISP telephones in every classroom and office, indoor and outdoor speakers, emergency callboxes, social media (e.g., Facebook & Twitter), University student radio, and/or FIU website (fiu.edu).

Emergency Response and Evacuation Procedures

The FIUPD will immediately notify the University community upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to health or safety of students or employees occurring on the campus. An evacuation drill is coordinated by the Environmental Health and Safety Department (EHS) for University buildings twice a year. Students learn the locations of the emergency exits in the buildings and are provided guidance about the direction they should travel when exiting each facility for a short-term building evacuation. Residents are not advised in advance about the designated locations for long-term evacuations because those decisions are affected by time of day, location of the building being evacuated, the availability of various designated emergency gathering locations on campus, and other factors such as the location and nature of the threat.

The purpose of evacuation drills is to prepare building occupants for an organized evacuation in case of an emergency. At FIU, evacuation drills are used as a way to educate and train occupants on issues specific to their building. During the drill, occupants “practice” drill procedures and familiarize themselves with the location of exits and the sound of the fire alarm. In addition to educating the occupants of each building about the evacuation procedures during the drills, the process also provides the University an opportunity to test the operation of the fire alarm system components. Evacuation drills are monitored by the FIUPD, EHS, and FIU Housing and Residential Life to evaluate egress and behavioral patterns. Reports prepared by EHS identify deficient equipment and behavioral patterns so that repairs and education can be done. Recommendations for improvements are also submitted to the appropriate departments/offices for consideration. EHS provides students with information about evacuation and shelter-in-place procedures during educational sessions that they can participate in throughout the year. The Housing and Residential Life staff members are trained in these procedures and act as an ongoing resource for the students living in residential facilities.

Shelter-in-Place Procedures—What it means to “Shelter-in-Place”

If an incident occurs and the buildings or areas around you become unstable, or if the air outdoors becomes dangerous due to toxic or irritating substances, it is usually safer to stay indoors because leaving the area may expose you to danger. Thus to “shelter-in-place” means to make a shelter of the building that you are in, and with a few adjustments, this location can be made even safer and more comfortable until it is safe to go outside.

Basic “Shelter-in-Place” Guidance

If an incident occurs and the building you are in is not damaged, stay inside and seek an interior room where you can follow their directions. If your building is damaged, take your personal belongings (purse, wallet, Panther identification card, etc.) and follow the evacuation procedures for your building (close your door, proceed to the nearest exit and use the stairs instead of the elevators). Once you have evacuated, seek shelter at the nearest University building quickly. If police or fire department personnel are on the scene, follow their directions.

How You Will Know to “Shelter-in-Place”

A shelter-in-place notification may come from several sources including the
FIUPD, Housing and Residential Life members, other University employees, the federal or state government, Miami-Dade County Police Department, or other authorities utilizing the University’s emergency communications tools.

How to “Shelter-in-Place” (Haz-Mat Related Only)

No matter where you are, the basic steps of shelter-in-place will generally remain the same. Should the need ever arise; follow these steps unless instructed otherwise by local emergency personnel:

1. If you are inside, stay where you are. Collect any emergency shelter-in-place supplies and a telephone to be used in case of emergency. If you are outdoors, proceed to the closest building quickly or follow instructions from emergency personnel on the scene.
2. Locate a room to shelter inside.
   • An interior room;
   • Above ground level and
   • Without windows or with the least number of windows. If there is a large group of people inside a particular building, several rooms may be necessary.
3. Shut and lock all windows (tighter seal) and close exterior doors.
4. Turn off air conditioners, heaters and fans.
5. Close vents to ventilation systems if possible.
6. Identify one person to list the names of those “sheltering-in-place” and ask staff (e.g., Housing
   Staff, faculty or other staff) to call them.

Policy Statement Addressing Issuing Timely Warnings

In the event a situation arises and as reported by a Campus Security Authority, either on or off campus, that in the judgment of the Chief of the FIUPD or his designee constitutes a serious or continuing threat, a timely warning or emergency notification will be issued. Such reports shall be provided to students and employees in a manner that is timely, that withholds the names of victims as confidential, and that will aid in the prevention of similar occurrences. Depending on the particular circumstances of the situation/crime, including any Clery Act Crime that occurs on campus and which poses an ongoing or serious threat to the students or employees, the FIUPD Communications Section will issue alerts by several means. Audible and visual messages via Sirens and “gong rings” may be used. A message may be posted on the University’s electronic signs and on the FIUPD website at police.fiu.edu.

Using the University’s emergency communications tools.

• FIUPD, Housing and Residential Life members, other University employees, the federal or state
   • Police Department, or other authorities
   • To contact the FIUPD, call 305-348-2626. This telephone number has 24-hour service. Alternatively, people can use the Emergency Callboxes located in the residential halls, parking lots and garages throughout the campuses.

Upon notification of a crime activity, emergency, or request for assistance, the FIUPD has the responsibility of responding to, and investigating the necessary resources to assist, mitigate, investigate, and document the incident. The call will initiate a response from the FIUPD, immediate or otherwise, as dictated by the nature of the incident. The responding officer will assess the reported incident and will arrange for necessary resources to include but not be limited to crime investigation, victim services, medical services or the utilization of other available resources. Criminal actions will be thoroughly documented in an appropriate report. If assistance is required from Miami-Dade County Police or Fire, the FIUPD will contact the appropriate unit. If a sexual assault should occur, staff on the scene, including the FIUPD, will offer the victim a wide variety of services. Any suspicious activity or person seen in the parking lots or loitering around vehicles, inside buildings or around the residential halls should immediately be reported to the FIUPD.

In Case of Emergencies, Call:
• 911
• EMERGENCY PHONE NUMBERS:
  24 Hours - 7 Days a Week
  BMC: (305) 348-5911
  BBC: (305) 919-5911.
  POLICE DISPATCH: (305) 348-2626.
  http://police.fiu.edu

Where to report crimes or contact police and educational sites:
• Modesto A. Maidique Campus (MMC) and Biscayne Bay Campus (BBC). For the
   • Modesto A. Maidique
   • Biscayne Bay
   • Miami Beach Urban Studios
   • Wolfson - FIU
   • FIU Downtown on Brickell
   • FIU at Modesto A. Maidique
   • FIU at Miami Beach
   • FIU at Wolfson
   • FIU Downtown on Brickell

Emergency Phone Numbers:
• 305-348-2626
• 305-348-5911
• 305-348-9191
• 305-673-7900
• 305-348-7900
• 911 or 305-579-6111
• 911 or 954-436-3200

Voluntary and Limited-Voluntary Confidential Reporting

The FIUPD encourages anyone who is the victim or a witness to any crime to promptly report the incident to the police. Because most police reports are public records, these records are not confidential under Florida law. If you are the victim of a crime and are unsure if you want to pursue action within the University system, with the FIUPD or the criminal justice system, you may still make a confidential report. The Chief of Police (or his designee), a member of the Victim Empowerment Program, or any Campus Security Authority may be told of the details of the incident in confidence. The purpose of confidential reporting is to comply with your wish to keep the matter confidential while taking steps to ensure your future safety and the safety of others. With such information, the University can alert the FIU community to potential danger, keep accurate records of the number of incidents, and determine where resources may be needed. A victim will be given a form of crime with regard to a particular location, method or assailant. These incidents are counted and disclosed in the annual
crime statistics for the University with no identifying information. Florida law requires prompt, mandatory reporting to the local law enforcement agency by health care practitioners when they provide medical services to a person they know or reasonably suspect is suffering from wounds inflicted by a firearm or is the result of battery or abusive conduct. The Counseling & Psychological Center and the Victim Empowerment Program staff inform their clients about the procedures for reporting crimes to the FIUPD on a voluntary or confidential basis should they feel it is in the best interest of the client. A procedure is in place to anonymously capture crime statistics disclosed confidentially during such a session.

Anonymous Reporting
The FIUPD operates an anonymous crime-reporting program through the police department web page called the “Silent Witness Program.” Confidential reports may also be submitted online at police.fiu.edu/silent-witness/.

The Office of Student Conduct and Academic Integrity also provides an online form to report, anonymously or not, any behaviors of concern involving Florida International University students, whether these behaviors occur inside or outside of the classroom setting. The Incident Reporting Form can be found at conduct.fiu.edu.

The Office of Civil Rights Compliance and Accessibility (CRCA) provides an online reporting portal to report, anonymously or not, any form of non-consensual sexual activity, unwelcome sexual conduct, or any other form of sex or gender-based discrimination, harassment, and violence. Incidents may be reported at report.fiu.edu.

Campus Security Authority
A Campus Security Authority (CSA) is an official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing (including student Resident Assistants) and the Office of Student Conduct and Academic Integrity. An official 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. Those individuals working within a campus police department or a campus security department are also considered CSA’s.

Emergency Callboxes
The University has over 100 emergency callboxes strategically located throughout the FIU Modesto A. Maidique and Biscayne Bay Campuses. One hundred and forty (140) blue light emergency cell tower phones are located on all of the surface parking lots and in the residential quad area. The emergency callboxes connect directly to the FIUPD. The emergency callbox contains an identifier so that the police can identify the location the call is coming from in the event the caller is unable to speak. Emergency callboxes may be used to report an emergency, request a safety escort, report suspicious persons or activities, or obtain information. Additionally, administrative and academic buildings at all FIU campuses and educational sites are equipped with individual classroom and office VOIP emergency phones.

Ethics and Compliance Hotline Reports (Non-Emergencies)
The Ethical Panther Hotline at Florida International University is an option for making a confidential report to identify or raise any compliance, suspected misconduct or unethical behavior concerns. The platform allows the University community to file reports, raise questions or concerns regarding a violation of law or University policy. Reports can be made regarding any instances of misconduct in the classroom or workplace. Reports can be submitted anonymously 24 hours a day, 365 days a year, via a toll-free number 1-888-520-0570 or online at https://fiu-sight.com/portal. Please note the Hotline service is not to be used in the event of emergencies.

Counselors and Confidential Crime Reporting
As a result of the negotiated rulemaking process, which followed the signing into law the 1998 amendments to 20 U.S.C. Section 1092 (f), clarification was given to those considered to be campus security authorities. Campus “Pastoral Counselors” and campus “Professional Counselors,” when acting as such, are not considered to be a campus security authority and are not required to report crimes for the inclusion into the annual disclosure of crime statistics. As a matter of policy, they are encouraged, and when they deem it appropriate, to inform persons being counseled of the procedures to report crimes on a voluntary basis for inclusion into the annual crime statistics. Counselors are defined as:

Pastoral Counselor
An employee of a University, who is associated with a religious order or denomination, recognized by that religious order or denomination as someone who provides confidential counseling and who is functioning within the scope of that recognition as a pastoral counselor. At time of print, FIU does not have any recognized pastoral counselors.

Professional Counselor
An employee of a University whose official responsibilities include providing psychological counseling to members of the University’s community and who is functioning within the scope of his or her license or certification. Counseling and Psychological Services (CAPS) provides counseling and consultation services to help students confront personal, academic or career concerns and psychological health.

The Victim Empowerment Program, part of CAPS, assists students who are victims of sexual assault, dating or domestic violence and stalking. CAPS can be contacted at the following numbers, MMC: (305) 348-2277 or BBC (305) 919-5305.

POLICY STATEMENT ADDRESSING SECURITY AND ACCESS
Academic and Administrative Buildings
FIU is a public University and, with the exception of residence halls, is open to the public during the day and evening hours when classes are in session.

After these hours, University buildings
a number of safety measures. These are generally locked and only faculty, staff, and some students with proper identification are admitted. The FIUPD provides regular patrol of University buildings as well as parking areas.

Residence Halls
Resident students are issued a key at check-in so they may have access to their living unit. Police officers regularly patrol the residence halls and are readily available to assist on a 24-hour basis. A Resident Assistant is on-duty in each residence hall complex every night. These security measures are representative of the University’s concern for the protection of persons and property. Residential Life staff and maintenance personnel make safety inspections and corrections as needed. Students are encouraged to call the Housing Office at 305-348-4190 or the FIUPD at 305-348-2626 to promptly report security and safety deficiencies.

The Department of Housing and Residential Life and the FIUPD work in partnership to provide residents with a number of safety measures. These resources include ongoing educational programs, safety-related policies, educational sanctions for violations of policies, and staff assistance in dealing with security problems and emergencies. The Residential Life staff gives a high priority to the security needs of the residents. Resident Assistants receive training in crisis management, in dealing with critical incidents, and in monitoring the facilities. The Housing and Residential Life staff makes routine checks of floors, buildings and the exteriors of the housing communities. Security concerns are reported to the appropriate people including but not limited to, the FIUPD or the Department of Housing and Residential Life.

Each semester, the FIUPD and the Residential Life staff jointly provide safety programs to all residents. In addition, fire evacuation drills are conducted each semester. This community-oriented policing enables residents and the police officers to become personally acquainted. The assigned officers keep in touch with residents and the Residential Life staff.

Residents are the most important aspect of the cooperative effort to provide a safe and secure community. Residents are encouraged to be aware, be vigilant and keep doors locked at all times. Remember, the safety and security of the housing communities is everyone’s responsibility. To review the housing procedures and policies go online to: housing.fiu.edu

Facilities Management
Facilities Management maintains University buildings and grounds with a concern for the safety and security of all persons and property. Inspections are routinely conducted and repairs are promptly made to ensure that appropriate safety and security standards are maintained. The FIUPD assists Facilities Management personnel by conducting lighting surveys and reporting potential safety and security hazards, including outages. Students, faculty and staff are encouraged to call Facilities Management to report any safety or security hazards at 305-348-4600.

Security Awareness and Programs for Students and Employees
The University is committed to developing primary and ongoing prevention and awareness programs for new employees and students in addition to its current offerings. These programs will concentrate on domestic violence, stalking, sexual assaults, dating violence, and active shooter among other statutorily prescribed matters.

During orientation, students are informed of services offered by the FIUPD. Video and slide presentations outline ways to maintain personal safety and residence hall security. Students are told about crime on-campus and in surrounding areas. Similar information is presented to new employees. Crime prevention programs and sexual assault prevention programs are offered on a continual basis by the FIUPD.

Periodically during the academic year, the FIUPD, in cooperation with other University organizations and departments, presents crime prevention awareness sessions on sexual assault, theft, vandalism, and active shooter as well as educational sessions on personal safety and residence hall security.

A common theme of all awareness and crime prevention programs is to encourage students and employees to be aware of their responsibility for their own security and the security of others.

In addition to seminars, information is disseminated to students and employees through crime prevention awareness packets, security alert posters, displays, videos, and articles and advertisements in University and student newspapers.

When time is of the essence, information is released to the University community through security alerts.

Crime Prevention Programs for Students and Employees
The FIUPD encourages all students and members of the faculty and staff to be involved in crime prevention.

Crime prevention programs on personal safety and engraving of personal property are sponsored by various campus organizations throughout the year. FIUPD personnel facilitate programs for student, parent, faculty, and new employee orientations, student organizations and community organizations. Additionally, the FIUPD conducts programs for housing residents by providing a variety of educational strategies and tips on how to protect themselves from sexual assault, theft and other crimes. Below is a list of the programs designed to inform students and employees about crime prevention.

The FIUPD offers Rape Aggression Defense (R.A.D) training during the Fall and Spring semesters to female students, faculty and staff. This class is a total of 12 hours over the course of four days. It is a self-defense program for women and consists of easy-to-learn techniques that have practical applications. Certified R.A.D. Instructors teach this course.

Self-Defense Awareness & Familiarization Exchange (S.A.F.E.) classes are available to all University students, faculty and staff. S.A.F.E. is a two-hour program that provides women with personal safety information and an introduction to the physical aspects of self-defense. S.A.F.E. is an introduction to the R.A.D. program. Classes are offered year round.

For more information regarding the above programs, contact the FIUPD at 305-284-2954 or online at police.fiu.edu/services.

The Red Zone Program is available to the entire campus community; the red zone is used to describe the first six (6) weeks of the Fall Semester in colleges. During this time, college students in the U.S, especially freshmen and transfer students, are at greater risk of sexual assault. For upcoming event information, please visit go.fiu.edu/shwevents. For information regarding services, please check VEP’s website at vip.fiu.edu or contact then at 305-348-2777 and ask for a Victim Advocate Counselor.

Take Back the Night is a program promoting awareness about the issues of sexual assault and intimate partner/gender-based violence on college campuses, the Women’s Center and the Victim Empowerment Program, together with many other University departments and student organizations, facilitate a series of events during the month of April, which is Sexual Assault Awareness Month.

An annual international affair, “Take Back the Night” serves as both a memorial to people who have been victimized and an empowerment rally to end abuse. The movement began in Europe as a protest against the fear women in San Francisco on the streets at night. In 1976, during the International Tribunal on Crimes against Women, 2,000 women representing 40 countries held a candlelight procession through the streets of Brussels, Belgium. The first rally in the United States took place in San Francisco.

For more information, contact the Women’s Center at 305-348-1506.
THE VICTIM EMPOWERMENT PROGRAM (VEP)

The Victim Empowerment Program provides free and confidential services to assist students, faculty, staff and University visitors who have experienced actual or threatened violence. Specially trained counselors provide victim advocacy and comprehensive supportive services to help overcome the effects of trauma from violence, including (but not limited to): assault; battery; relationship abuse (physical, verbal and/or emotional); sexual and/or attempted sexual battery (acquaintance rape, date rape, stranger rape and molestation); stalking (repeated following or harassment); and hate and/or property crimes. Victim advocates support and inform victims of their right to report all offenses to police. However, police reports are not required to receive services.

The Victim Empowerment Program’s role is to provide emotional support and resources to help overcome the effect of the incident(s) and help students be successful in their academic pursuits. VEP provides the following services:

- 24-hour crisis support, information, referrals and advocacy
- Supportive crisis counseling to individuals who have been recently victimized
- Assistance with exploration of options and accessing community resources
- Accompaniment to court, meetings, hearings and depositions involving the criminal justice system or FIU student conduct process advocating for academic accommodations, if needed
- Speaking with instructors, legal representatives, family members, employers, landlords and other campus or community service providers, upon request
- Victim Advocate Counselors can assist with University issues related to housing, financial aid, DRC and any other accommodations that may be needed.

The Victim Empowerment Program, part of Counseling and Psychological Services, can be reached by calling 305-348-2277. The office is located in the Student Health Service Complex, Suite 270. An appointment can be made for an advocate to meet with you at any FIU campus by calling 305-348-2277. Police reports are not required to receive services. Clients are provided with information and options and are free to decide which, if any, course of action they will pursue.

**Appointments:** Call 305-348-2277 and ask to speak to a Victim Advocate. After hours and weekend crisis services are also available.

**Emergency Walk-in Hours**

Modesto Maidique Campus
Monday – Friday
8 a.m. to 5 p.m.

**Emergency After Hours:**

Call 305-348-2277

**Victimization Education Workshop –**

The staff of FIU VEP offers a series of workshops and events that are scheduled at no cost to the FIU Community, upon request. Go to caps.fiu.edu/requests/ and select Request VEP presentation tab.

**Sexual Assault Prevention Training**

As part of our ongoing commitment to promote a safe and healthy University community, all degree-seeking Students are required to complete a Sexual Assault Prevention course which addresses the critical issues of sexual violence, relationship violence, and stalking. The course includes an assessment of student attitudes towards sexual and relationship violence, social norms; and student history related to these critical issues. For more information, call 305-348-3396 or visit: https://go.fiu.edu/sapt

**Counseling**

Counseling and Psychological Services (CAPS) provides professional psychological services to FIU students. These services include: initial consultation, short-term individual counseling, couples and group counseling, substance abuse screenings, psychological testing, psycho-educational workshops and much more. Services are offered in a warm, caring environment and are available to registered students. For more information, go to caps.fiu.edu. To schedule an appointment please contact one of our two offices:

- Modesto Maidique Campus (MMC)
  Phone: 305-348-2277
  Location: SHC 270
  Hours: Monday – Friday 8 a.m. to 5 p.m.

Off-Campus Security Awareness and Programs

Upon request, the FIUPD provides crime prevention programs emphasizing security measures that these students residing off campus can take to protect themselves. Many students live near campus in privately owned houses or apartments. In Miami-Dade County, there are many law enforcement agencies that have jurisdiction for providing police services to these students. There are no officially recognized student organizations with off-campus facilities and, therefore, no monitoring is required.

**Alcoholic Beverages and Illegal Drug Possession**

The consumption of alcoholic beverages by members of the University community is subject to the alcoholic beverage laws of the State of Florida and FIU policy and regulations. Specifically, it is unlawful for any person to sell, give, serve or permit to serve alcoholic beverages to a person less than 21 years of age. Florida Law and University policy allows for alcohol to be consumed by persons 21 year
The FIU Police Department partners with other local and state law enforcement agencies to provide professional police services to the university community.

The FIU Police

Section 4.2.5 of the Student Code of Conduct states that "No person may use prescription drugs or controlled substances or alcohol and

Substance Abuse Education

Programs are available to assist students and employees who may be in need of drug or alcohol counseling. For students, the professional staff at the Counseling and Psychological Service Center provides free and confidential consultations and community referrals. Additionally, the Office of Employee Assistance is staffed with licensed mental health professionals who are available to help faculty and staff members obtain counseling and referrals to mental health providers in the community. The Healthy Living Program provides alcohol and drug education programs, resource materials and workshops on areas of alcohol and drug abuse.

Weapons

This provision is applicable to all employees, students, and any other individuals visiting or conducting business at the University. The only exceptions to this policy are as follows: Law enforcement officers in the official capacity of their duties; University law enforcement personnel; and Faculty in the performance of instructional or research responsibilities, only with written approval from the Provost and previous notification to the University's Chief of Police.

Any person, except for those exempted above, are prohibited from possessing, storing, manufacturing, or using a dangerous weapon, including any firearm, knife,或其他 weapon designed or intended to propel a missile of any kind by action of an explosion of any combustible material;

2. any stun weapon, including any device that emits a momentary or pulsed output, which is electrical, audible, optical or electromagnetic in nature and which is designed to temporarily incapacitate a person;

3. any knife, including any dirk, bowie knife, switchblade knife, ballistic knife, machete or razor, except a pocket knife having a folding metal blade of less than three inches;

4. any slingshot, spring stick, metal knuckles or blackjack;

5. any flailing instrument consisting of two or more rigid parts connected in such a manner as to allow them to swing freely, which may be known as a nun chakka, nun chuck, nunchaku, shuriken or fighting chain;

6. any disc, of whatever configuration, having at least two rigid blades or points, which is designed to be thrown or propelled and which may be known as a throwing star or oriental dart;

7. any frame, receiver, muffler, silencer, missile, projectile or ammunition designed for use with a dangerous weapon, including any cartridge, pellet, ball, missile or projectile adapted for use in a firearm;

8. any explosive substance or explosive device, if such substance or device is intended to be used as a weapon;

9. any tear gas, mustard gas, phosgene gas or other noxious

of age or older at approved events and locations. It is also unlawful for a person to misrepresent or misstate his or her age or the age of any other person for the purpose of inducing any licensee or his agents or employees to sell, give, serve or deliver any alcoholic beverage to a person less than 21 years of age. Any violation of the proceeding may be cause for disciplinary action and criminal prosecution. FIUPD enforces all state underage drinking laws, as well as all federal and state drug laws.

The unlawful manufacture, distribution, dispensation, possession, use, trade, or sale of a Controlled Substance or alcohol by any Florida International University student or employee on Campus or at any University sponsored or related activity threatens the well-being and health of the University community. Although Florida International University respects an individual's rights, such rights cannot outweigh the need to maintain a safe, productive, and drug-free work and educational environment. Therefore:

1. No person may unlawfully manufacture, distribute, dispense, possess, trade, sell, or offer for sale a Controlled Substance or otherwise engage in the use of Controlled Substances on Campus;

2. No person may report to classes, work, or related assignments under the influence of Controlled Substances or alcohol;

3. No person may use prescription drugs illegally. The legal use of prescription drugs with known capacity of their duties; University law

4. No person may report to classes, work, or related assignments under the influence of Controlled Substances or alcohol;

5. No person may use prescription drugs illegally. The legal use of prescription drugs with known capacity of their duties; University law enforcement personnel; and Faculty in the performance of instructional or research responsibilities, only with written approval from the Provost and previous notification to the University's Chief of Police.

Any person, except for those exempted above, are prohibited from possessing, storing, manufacturing, or using a dangerous weapon, including any firearm, knife,或其他 weapon designed or intended to propel a missile of any kind by action of an explosion of any combustible material;

2. any stun weapon, including any device that emits a momentary or pulsed output, which is electrical, audible, optical or electromagnetic in nature and which is designed to temporarily incapacitate a person;

3. any knife, including any dirk, bowie knife, switchblade knife, ballistic knife, machete or razor, except a pocket knife having a folding metal blade of less than three inches;

4. any slingshot, spring stick, metal knuckles or blackjack;

5. any flailing instrument consisting of two or more rigid parts connected in such a manner as to allow them to swing freely, which may be known as a nun chakka, nun chuck, nunchaku, shuriken or fighting chain;

6. any disc, of whatever configuration, having at least two rigid blades or points, which is designed to be thrown or propelled and which may be known as a throwing star or oriental dart;

7. any frame, receiver, muffler, silencer, missile, projectile or ammunition designed for use with a dangerous weapon, including any cartridge, pellet, ball, missile or projectile adapted for use in a firearm;

8. any explosive substance or explosive device, if such substance or device is intended to be used as a weapon;

9. any tear gas, mustard gas, phosgene gas or other noxious

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or nauseating gases or mixtures of chemicals designed to, and capable of, producing vile, injurious or nauseating odors or gases, if such gas or chemical is intended to be used as a weapon; and 10. any weapon of like kind as those enumerated.

On any property owned, used or under the control of Florida International University in accordance with Florida Statutes Section 790.115 except as provided by Florida Statutes Section 790.26(5).

For purposes of this policy, the University’s campuses and dormitories are not considered to be private residences, homes or places of business but rather property owned by FIU; therefore, individuals licensed to carry firearms are not exempted from the provisions of this policy on those premises. FIU Policy 170.135. See the FIU policy of Firearms and Dangerous Weapons online at policies.fiu.edu/files/32.pdf.

Missing Residential Student Policy

FIU views the safety of the students residing in residential housing as a foremost concern. In pursuit of this, the University will take the following actions regarding a missing residential student. If a member of the University community has reason to believe that a student who resides in on-campus housing is missing, he or she should immediately notify the FIUPD at 305–348–2626. The department will generate a missing person report and initiate an investigation. Missing persons may also be reported to Residential Life Staff, Dean of Students, and the online reporting form found on the conduct webpage (conduct.fiu.edu) or the Panther’s Care webpage (pantherscare.fiu.edu). All reports of a missing student will be reported to the FIUPD.

In addition to registering a general emergency contact, students residing in on-campus housing have the option to privately identify an individual to be contacted by FIU in the event the student is determined to be missing for more than 24 hours. If a student has identified such an individual, FIU will notify that individual no later than 24 hours after the student is determined to be missing. A student’s confidential contact information will be accessible only by authorized campus officials and law enforcement in the course of the investigation.

After investigating a missing person report, should the FIUPD determine that the student is missing, the FIUPD will enter the person as missing in the state and national computer database (Florida Crime Information Center and National Crime Information Center). The student’s emergency contact will be notified no later than 24 hours after the student is determined to be missing. If the missing student is under the age of 18 and is not an emancipated individual, the FIUPD will notify the student’s parent or legal guardian immediately after the FIUPD has determined that the student has been missing for 24 hours, in addition to notifying any additional contact person designated by the student. For more information about FIU’s policy and procedure on Missing Residential Students, go to policies.fiu.edu/files/105.pdf.

Travel Plan

The FIU Police Department encourages students, faculty, and staff to use an extra safety measure when traveling by completing a “Travel Plan” form with the FIU Police.

Since April 1996, travelers have participated in the program by picking up Travel Plan forms, filling out two copies with details of their travel arrangements, returning one copy to the Police Department and sending the second copy to their destination. If the traveler does not arrive as planned, those at the traveler’s destination are asked to notify the Police Department. Investigators will have all necessary information to begin a search immediately. FIU Police Department will keep the Travel Plan form in file for 30 days after the scheduled arrival date.

Forms are available at the FIU Police Department, located in SO II at the Biscayne Bay Campus, and in the PG5 Market Station at Modesto Maidique Campus. Forms may also be obtained from any police officer, or from this web site.

Sex and Gender-based Discrimination, Harassment, and Violence, Including Domestic Violence, Dating Violence, Sexual Assault and Stalking

FIU is committed to a learning and living environment that is free from discrimination based on sex including gender, gender expression, gender identity, and sexual orientation. The University has developed FIU-105, which applies to the entire University Community (i.e., students, student organizations, faculty, staff, affiliated third parties, and visitors) and prohibits discrimination based on sex consistent with Title IX of the Education Amendments of 1972 (Title IX), relevant provisions of the Violence Against Women Reauthorization Act of 2013 (VAWA), the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act), along with all applicable implementing regulations, and other applicable federal and state laws. FIU-105 specifically prohibits sex and gender-based discrimination, harassment, and violence, including acts of sexual assault, dating and domestic violence, and stalking, which may also constitute crimes. While FIU-105 uses different standards and definitions than Florida law, sex and gender-based incidents frequently often overlap with the crimes of rape, sexual assault, stalking, dating violence, and domestic violence.

Individuals who have experienced incidents involving these behaviors are protected by federal laws, specifically Title IX, and the Clery Act, which mandates the contents of this report. FIU educates incoming students and employees about domestic violence, dating violence, sexual assault and stalking through required orientations and training sessions. Additional information can be found by contacting: • FIUPD 305–348–5911 • FIU Victim Empowerment Program 305–348–2277 • Office of Civil Rights and Accessibility 305–348–2785 • National Domestic Violence Hotline 1–800–799–7233 • National Child Abuse Hotline 1–800–743–2437 • National Teen Dating Abuse Hotline 1–866–331–9474

Domestic Violence

As defined by V.A.W.A., is committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. 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.

Dating Violence

As defined by V.A.W.A., is committed by a person: • who is or has been in a social relationship of a romantic or intimate nature with the victim; and • where the existence of such a relationship is 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.

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relationship shall be determined based on the consideration of the following factors:

- The length of the relationship,
- The type of relationship,
- The frequency of interaction between the persons involved in the relationship.

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

Sexual Assault

As defined by V.A.W.A. is

- An offense that meets the definition of rape, fondling, statutory rape as used in the FBI's Uniform Crime Reporting (UCR) program.
- Per the National Incident Based Reporting System User Manual from the FBI UCR Program, A sex offense is "any sexual act directed against the will of another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity."
- Incest: Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- Statutory Rape: Sexual intercourse with a person who is under the statutory age of consent.

Policy Statement Addressing Disclosures to Alleged Victims of violence or non-forcible sex offenses

The University understands and commits its efforts toward successfully dealing with the trauma experienced by victims of violence or sex offenses. Efforts will be directed toward assisting the victim throughout all stages of the investigation, judicial process and/or the on-campus student conduct process which may follow. The same shall be afforded to victims in connection with disciplinary actions involving alleged employee perpetrators. FIU will, upon written request, disclose to the alleged victim of a crime of violence the reports on the results of any disciplinary proceeding conducted by the institution against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as a result of such crime or offense, FIU will provide the results of the disciplinary hearing to the victim's next of kin, if so requested.

The type of relationship, the length of the relationship, the frequency of interaction between the persons involved in the relationship, and the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.

On course of conduct directed at a specific person who would cause a reasonable person to -

- Fear for his or her safety or the safety of others;
- Suffer substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

On date-rape education, risk reduction and University response is available through, but not limited to, the Office of Housing and Residential Life, Victim Empowerment Program and CAPS.

If an individual is a victim of a sexual assault, their first priority should be to get to a place of safety. They should then obtain necessary medical treatment. The FIUPD strongly advocates that a victim of a sexual assault report the incident in a timely manner. Time is a critical factor for evidence collection and preservation. An assault can be reported directly to an FIU police officer, a Residential Life representative, the Victim Empowerment Program, and/or the office of Student Conduct and Academic Integrity. Filing a police report with an FIU police officer will not obligate the victim to prosecute, nor will it subject the victim to scrutiny or judgmental opinions from officers. Filing a police report will:

- Ensure that a victim of sexual assault receives the necessary medical treatment and tests at no expense to the victim.
- Provide the opportunity for collection of evidence helpful in prosecution which cannot be obtained later (ideally a victim of sexual assault should not wash, douche, use the toilet, or change clothing prior to a medical/legal exam);
- Assure the victim has access to counseling services either on or off campus and through community resources.
- Provide the opportunity for collection of evidence helpful in prosecution which cannot be obtained later (ideally a victim of sexual assault should not wash, douche, use the toilet, or change clothing prior to a medical/legal exam);
- Assure the victim has access to counseling services either on or off campus and through community resources.

Interim Protective Measures

When a report is received involving alleged dating or domestic violence, stalking, or sexual misconduct, the University may impose reasonable and appropriate interim protective measures to protect the safety and/or emotional well-being of the parties or witnesses involved and/or to provide academic or other appropriate support. Interim protective measures include, but are not limited to:

- Providing medical services
- Access to counseling services either provided by the University and/or through community resources
- Providing crisis intervention, case management, emotional and/or practical support, and/or safety planning through the Victim Empowerment Program for student and through the Office of Employee Assistance for faculty and staff
- Imposition of a University "No Contact Order" for all or some of the parties involved in the incident
- Imposition of a "No Trespass Order" for all or part of any University property
- 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
- Any other feasible measure(s), which can be tailored to the involved individuals
- Interim suspension of a party involved in the incident.

Bystander Intervention

Bystander intervention means intervening in a potentially harmful situation to prevent any further harm from occurring and to provide support to the affected victim(s). Effective bystander intervention includes recognizing situations that puts someone at risk of potential harm, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene.

How to Effectively Intervene:

- Be aware – Wherever you are, be mindful of your surroundings. Learn your environment and think about
what you would do if there were a threat to someone’s safety.

- **Identify problems** - If you notice a potentially dangerous situation, ask yourself if you can help in any way. Be aware of the people around you and identify people who might have had a little too much to drink.

- **Assume personal responsibility** - If there is a problem, know that you can be part of the solution. Do not sit idly by and accept unacceptable behavior. If you see something that might directly or indirectly hurt another person, call it out or report it to someone who can help.

- **Know how to help** - Everyone at FIU plays a role in keeping each other safe. As an FIU student, faculty, or staff member, you should know the reporting structures available to you and who you can call in the event of an emergency. You also should be intentional about learning other ways to keep the University community safe.

- **Implement the help** - Take action when a potentially dangerous situation occurs, but remember to always keep yourself safe. If you don’t feel comfortable intervening, don’t risk your own safety; call FIUPD or your local police department (for off-campus situations).

### Effective intervention Methods

- **Direct** - directly intervene in the situation
- **Distract** - cause a distraction to diffuse the situation or help someone get away from the aggressor
- **Delegate** - get help from someone who is better equipped to safely intervene or call the police.
- **Delay** - if you can’t safely take action in the moment, you can make a difference afterward by checking on the person or people afterwards by asking how you can help or by offering resources.
- **Document** - if someone is already helping the person or you cannot safely intervene, keep a safe distance from the incident and record or photograph it. Never livestream the video, post online or otherwise use it without the person’s permission. The video can be provided to the victim(s) or the police.

It is also imperative that all students and employees practice positive risk reduction. Risk reduction is defined as options designed to decrease perpetration and bystander apathy; increase empowerment for victims in order to promote safety; and help individuals and communities address conditions that facilitate violence.

### What can my friends and I do to be safe and reduce risk?

- **Have a plan** - Talk to your friends about your plans for the night BEFORE you go. Do you feel like drinking? Are you interested in hooking up? Where do you want to go? How will you be getting home? Having a clear plan ahead of time helps friends look after one another.
- **Go out together** - Go out as a group and come home as a group, never separate and never leave your friend(s) behind.

### Trust your instincts:
If a situation or a person doesn’t seem ‘right,’ trust your gut and remove yourself, if possible, from the situation.

### Diffuse situations:
If you see a friend coming on too strong to someone who may be too drunk to make a consensual decision, interrupt, distract or redirect the situation. If you are too embarrassed or shy to speak out, ask someone else to step in.

### Report Incidents:
Reporting dangerous or harmful incidents helps authorities respond to the situation and identify ways to prevent them from occurring again.

- **Students may receive training in bystander intervention through Step Up!** A pro-social behavior and bystander intervention workshop that educates students to be proactive in helping others. The training addresses the bystander effect and teaches participants how to intervene successfully using 5 Decision Making Steps, the 5 “Ds” and the S.E.E.K. Model (Safe; Early; Effective; Kind). Step Up! received a NASPA Gold award and was identified as a ‘Best Practice’ by the NCAA Sports Science Institute of National and International Scholars.

### The objective of Step Up! is to:
- Raise awareness of pro-social behaviors
- Motivate individuals to help others
- Assist individuals in developing skills and confidence when responding to problems or concerns
- Ensure the safety and well-being of one’s self and others
- To learn more about Step Up! or request a workshop, go to StepUp.FIU.edu.

### Addressing Sex Offenders On Campus

The Federal Campus Sex Crimes Prevention Act (CSPA) (section 1601 of Public Law 106-386) is a law that provides for the tracking of convicted, registered sex offenders enrolled as students at institutions of higher education, or working or volunteering on campus. The law requires institutions of higher education to issue a statement advising the campus community where law enforcement agency information provided by a State concerning registered sex offenders may be obtained. This act also requires sex offenders already required to register in a State to provide notice, to the appropriate state agency, as required under State law, of each institution of higher education in that State at which the person is employed, carries on a vocation, or is a student.

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violence, some or all of the following suggestions may guide you after an incident has occurred:

1. Go to a safe place and speak with someone you trust. Tell this person what happened. If there is any immediate danger, contact FIUPD if you are on campus or call 911 if you are off campus.

2. Consider securing immediate professional support, including counseling, victim advocacy, and medical services, e.g., counseling such as CAPS (MMC: 305-348-2277; BBC: 305-919-5300; victim advocacy such as VEP (305-348-2277); medical services such as Student Health Services (MMC: 305-348-6838, BBC: 305-919-5620, or use the MyHealthInfo Portal to schedule an appointment, etc.) to assist you in the crisis.

3. If you are on campus during regular business hours, you may go to CAPS, which is located at MMC at Student Health Center (SHC) 320, and the Wolfe University Center (WUC) 320, as well as to VEP for support and guidance. These are both confidential resources. After regular business hours, or in any situation where an individual wishes, local resources are also available and may be able to provide confidential assistance:

   Roxy Bolton Rape Treatment Center
   at Jackson Memorial Hospital
   305-585-5185
   1611 N.W. 12th Avenue, Miami, FL 33136

   Florida Council Against Sexual Violence Information Line
   1-888-956-RAPE

   Florida Domestic Violence Hotline
   1-800-550-1119; Florida Relay 711

   Florida Victim Assistance
   1-800-206-6667

   Miami Coordinated Victim Assistance Center (CVAC) 305-285-5900

   Any licensed mental health professional can provide confidential assistance.

4. For your safety and well-being, immediate medical attention is encouraged. Further, being examined as soon as possible, ideally within 120 hours, is important in the case of rape or sexual assault. Comprehensive treatment, including access to Sexual Assault Nurse Examiners and victim advocates are available at Roxcy Bolton Rape Treatment Center at Jackson Memorial Hospital, 305-585-5185, 1611 N.W. 12th Avenue, Miami, FL 33136, https://jacksonhealth.org/locations/roxcy-bolton-rape-treatment-center/. The center is open 24 hours a day, seven days a week to serve sexual assault victims and their non-offending family members. All services are free of charge and completely confidential.

   To preserve evidence, it is recommended that you do not bathe, shower, douche, eat, drink, smoke, brush your teeth, urinate, defecate, or change clothes before receiving medical attention. Even if you have already taken any of these actions, you are still encouraged to have prompt medical care, and evidence may still be recoverable.

   Typically, if police are involved or will be involved, they will obtain evidence from the scene, and it is best to leave things undisturbed until their arrival. They will gather bedding, linens or unlauded clothing, and any other pertinent items that may be used for evidence. It is best to allow police to secure items in evidence containers, but if you are involved in transmission of items of evidence, such as to the hospital, secure them in a clean paper bag or clean bedsheet to avoid contamination.

   If you have physical injuries, photograph or have them photographed, with a date stamp on the photo.

   Record the names of any witnesses and their contact information. This information may be helpful as proof of a crime, to obtain an order of protection, or to offer proof of a campus policy violation.

   To preserve evidence, do not move, wash, or touch any evidence, if possible. Preserving evidence may assist in proving that the alleged criminal offense occurred or that may be helpful in obtaining a protection order. Please Contact FIUPD or local law enforcement to collect/ photograph any evidence, as needed. To report any crime contact FIUPD or 911 in case of an emergency. Please note that an individual is not expected or obligated to file a police report to preserve evidence.

   If you obtain external orders of protection (e.g., restraining orders, injunctions, protection from abuse), please notify FIUPD or the Title IX Coordinator so that those orders can be observed on campus.

5. Even after the immediate crisis has passed, consider seeking support from CAPS, VEP, and/or the Roxcy Bolton Rape Treatment Center.

6. Contact the Office of Civil Rights Compliance and Accessibility and Title IX Coordinator if you need assistance with University-related concerns, such as no-contact directives or other supportive measures. The Victim Empowerment Program will also assist in any needed advocacy for students who wish to obtain protective or restraining orders from local authorities.

   The University is able to offer reasonable academic supports, changes to living arrangements, transportation resources or modifications, safety escorts, no contact directives, counseling services access, and other supports and resources as needed by a victim. The University is able to offer information about legal assistance, visa/immigration assistance, and student financial aid considerations for victims.

   HOW CAN THE LAW HELP?

   Court Assistance

   If you have been a victim of domestic violence, dating violence, sexual violence, stalking, or if you are afraid that you will be hurt, Florida’s domestic violence law enables you to work with the court system to help keep you safe.

   The Victim Empowerment Program staff can assist you with information about the process, safety planning and helping you obtain an injunction. You can also contact your local domestic violence center for assistance with filing for an injunction. The Clerk of the Court is required to assist you in seeking both injunctions for protection and enforcement for a violation of an injunction. Representation by an attorney is not required of either party as per Section 741.30(1)(f) of the Florida Statutes.

   How to file an injunction:

   • Visit your county’s Clerk of Court’s Office;
   • Bring identification;
   • Bring information about where the abuser can be located;
   • Bring any other information on the abuser, such as photos or identification;
   • Bring any papers relating to your case;
   • Tell the clerk that you are interested in filing a petition for injunction for protection against domestic violence, repeat violence, dating violence, or sexual violence;
   • The court clerk will help you in filing
the proper paperwork. By filling out these forms, you will be explaining to the judge exactly what type of protection you need and from whom you need protection;

- After you have completed the paperwork, the court may determine that danger of domestic violence exists. The court may order a temporary injunction, which is good for 15 days. Then a full hearing is held to consider your safety and the safety of your children;

- The abuser must be served with the injunction before it becomes effective. The injunction will tell the abuser what the judge requires and when to return to court for a hearing. This hearing will be within 15 days unless the abuser cannot be served.

- You are able to request notification of service of the injunction and receive notice automatically within 12 hours after the injunction is served.

Counseling

The Counseling and Psychological Services (CAPS) Center provides professional psychological services to FIU students. These services include: walk-in consultation, short-term individual counseling, couples and group counseling, substance abuse screenings, psycho-educational workshops and more. Services are offered in a warm, caring environment and are free to all registered students. For more information, go to caps.fiu.edu.

To schedule an appointment, please contact one of our two offices:

- Modesto Maidique Campus (MMC)
  Phone: 305-348-2277
  Location: SHS 270
  Hours: Monday – Friday 8 a.m. to 5 p.m.

- Biscayne Bay Campus (BBC)
  Phone: 305-919-5305
  Location: WUC 320
  Hours: Monday, Wednesday and Friday 8 a.m. to 5 p.m.

For after-hour needs, call the CAPS Center main number on either campus and follow the prompt to speak with someone immediately—you will be assisted by a licensed clinician in our call center.

Title IX

FIU is committed to the safety and well-being of all members of the University community. Florida International University (FIU) complies with Title IX and strives to create and maintain an education and employment environment that is fair and equitable to each member of the University community.

Sexual harassment is a form of misconduct that undermines the integrity of the University’s education and employment environment. FIU strictly prohibits sexual harassment. FIU encourages anyone who experiences sexual harassment or sex-based discrimination to report such conduct. All members of the University community, particularly especially administrators, faculty, and other individuals have supervisory authority, have an obligation to promote an environment that is free of sexual harassment. At FIU, sexual harassment is prohibited both by law and by FIU-105, Sexual Harassment (Title IX) and Sexual Misconduct. Sexual harassment is defined as: conduct on the basis of sex which occurs in the United States in a University activity or program that satisfies one or more of the following:

- An employee, including faculty, staff, or contractor, conditioning the provision of aid, benefit, or service on an individual’s participation in unwelcome sexual conduct; or

- Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to an education program or activity;

- Sexual Assault, Dating Violence, Domestic Violence, and Stalking, as defined below.

Any complaints or inquiries regarding sexual harassment of any student, faculty member, or staff member should be brought to the immediate attention of the Title IX Coordinator.

Likewise, any complaints or inquiries regarding sexual harassment by any student, faculty member, or staff member should be brought to the immediate attention of the Title IX Coordinator.

FIU will promptly respond to such information to determine appropriate steps for resolving the issue. If, for any reason, a student wishes to report or inquire regarding sexual harassment but feels it would not be appropriate to raise such issues with the Title IX Coordinator, the student may inquire or complaint to any employee with authority to institute corrective measures or any Deputy Title IX Coordinator. If an offender is found to have engaged in harassment, FIU will discipline the offender.

Disciplinary action for violations of this policy can range from anything up to and including termination from employment or dismissal from FIU for serious or repeated violations.

The Title IX Coordinator provides advice and oversight on policies, preventive educational programs, resources and services required under Title IX, and in addition, oversees all complaints of sexual harassment and sexual violence, as well as identifies and addresses any patterns or systemic problems that arise during the review of complaints.

The Title IX Coordinator will offer assistance to parties in the form of supportive measures such as opportunities for academic adjustments; changes in on-campus housing assignment; visa and immigration assistance; changes in working situations; and other assistance as may be appropriate and available on campus or in the community (such as no contact orders, campus safety escorts, transportation assistance, target interventions, etc.).

The Title IX Coordinator can connect the parties with a counselor on- or off-campus as well as a victim advocate. No party is required to take advantage of these services and resources, but the University provides them in the hopes of offering help and support. Similar supports are made available to both parties, upon request.

Civil Rights Compliance and Accessibility (CRCA)

The Office of Civil Rights Compliance and Accessibility (CRCA) is charged with administering the University’s regulations prohibiting discrimination, harassment, and sexual misconduct:

- FIU-105 and FIU-106, CRCA is home to the University’s Title IX, 504, and ADA Coordinator and responds to all concerns relating to discrimination, harassment, and sexual misconduct in a fair and equitable manner. In accordance with FIU-105 and FIU-106, CRCA’s investigation will include interviews of the person bringing the allegations (complainant/ third party), witnesses and the accused party (respondent), as well as analysis of documents and other relevant information.

After a review of the information and facts of a complaint, the parties will be advised of the results of the investigation and/or hearing. Any discipline issued to a student will be subject to procedures as outlined in FIU—105 and FIU-106. Any employee who is found to have engaged in conduct prohibited by University policy will be subject to appropriate disciplinary action, up to and including termination of employment. Any student who is found to have engaged in conduct prohibited by University policy will be subject to appropriate disciplinary sanctions, up to and including dismissal from FIU.

In addition, appropriate corrective measures will be taken when a consultant, vendor, contractor, visitor or other person is found to have engaged in conduct prohibited by FIU-105 or FIU-106. In addition, individuals may be subject to criminal charges.

HOW TO REPORT DISCRIMINATION, HARASSMENT, AND SEXUAL MISCONDUCT: Civil Rights Compliance and Accessibility (CRCA)

Discrimination, Harassment, and Sexual Misconduct should be reported to CRCA via submitting a report at report.fiu.edu.

University Definitions:

FIU prohibits sex and gender-based discrimination, harassment, and violence, including acts of sexual assault, dating and domestic violence, and stalking, which may also constitute crimes. While FIU-105 uses different standards and definitions than Florida law, sex and gender-based incidents often overlap with the crimes of rape, sexual assault, stalking, dating violence, and domestic violence.

Individuals who experience incidents involving forms of discrimination protected by federal laws, specifically Title IX and the Clery Act, which mandates the contents of this report.

Sexual Harassment: conduct on the basis of sex which occurs in the United States in a University activity or program that satisfies one or more of the following:

- An employee, including faculty, staff, or contractor, conditioning the provision of aid, benefit, or service on an individual’s participation in unwelcome sexual conduct;

- Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to an education program or activity.

- Sexual Assault, Dating Violence, Domestic Violence, and Stalking, as defined below.

Discrimination, Harassment, and violence, including acts of sexual assault, dating and domestic violence, and stalking, which may also constitute crimes. While FIU-105 uses different standards and definitions than Florida law, sex and gender-based incidents often overlap with the crimes of rape, sexual assault, stalking, dating violence, and domestic violence.
Attempts or assaults to commit Sexual Assault are also included; however, statutory Sexual Assault and Incest are excluded.

Dating Violence means violence committed by a person (i) who is or has been in a consensual relationship of a romantic or intimate nature with the victim; and (ii) where the existence of such a relationship shall be determined based on a consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

Domestic Violence is defined as violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim by or by any other person against an adult or youth victim.

Stalking is defined as a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others; or suffer substantial emotional distress.

Sexual Misconduct: Conduct, regardless of geographic location, that satisfies one or more of the following, as defined below: Coercion, Domestic Violence, Dating Violence, Gender-based Harassment, Non-Consensual Sexual Touching, Obscene or Indecent Behavior, Revenge Porn, Sex-based Harassment, Sexual Assault, Sexual Coercion, Sexual Exploitation, and Stalking.

Coercion: conduct, intimidation, and/or express 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 of another person;
• Conditioning an academic benefit or employment advantage;
• 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 or sensitive information if the other party does not engage in the sexual contact or takes actions involuntarily.

Domestic Violence: is defined as violence committed by a current or former spouse or intimate partner of the victim, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim by or by any other person against an adult or youth victim.

Domestic Violence: is defined as a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others; or suffer substantial emotional distress.

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• Conditioning an academic benefit or employment advantage;
• 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 or sensitive information if the other party does not engage in the sexual contact or takes actions involuntarily.

Domestic Violence is defined as violence committed by a person who is or has been in a consensual relationship of a romantic or intimate nature with the victim; and (i) where the existence of such a relationship shall be determined based on a consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

Gender-based Harassment: 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.

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 Respondent touching the Complainant, the Respondent making the Complainant touch the Respondent or another person, or the Respondent making the Complainant touch the Complainant's own body.

Obscene or Indecent Behavior is defined as engaging in any of the following:

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.

v. Revenge Porn: publishing 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.

vi. Sexual Coercion: the act of using pressure or force to have sexual contact with someone who has already refused.

vii. Sexual Exploitation: knowingly or recklessly transmitting a sexually transmitted disease or sexually transmitted infection (such as HIV) to another individual without the knowledge and consent of the person exposed.

viii. Stalking is defined as a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others; or suffer substantial emotional distress.

Retaliation: any words or behavior made to intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by this Regulation, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this Regulation. Retaliation may be committed by the Respondent, the Complainant, the Reporting Party, or any other individual or group of individuals.

Consent Florida International University defines Consent as 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 of a position of influence over another can be a factor in determining whether there was consent.  

Retaliation
Both Title IX and the Clery Act provide protections for those who bring allegations of non-compliance with the Clery Act and/or Title IX to the attention of appropriate campus administrators. FIU does not retaliate against those who raise concerns of non-compliance. Any concerns should be brought to the immediate attention of the campus Title IX Coordinator, Ryan M. Kelley, orificr@fiu.edu and/or to officials of the U.S. Department of Education. FIU prohibits retaliation against anyone who in good faith reports a violation of FIU-105 or FIU-106 or provides information in the course of an investigation into an alleged violation of FIU-105 or FIU-106. Under FIU-105, Retaliation is defined as any words or behavior made to intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by this Regulation, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this Regulation. Retaliation may be committed by the Respondent, the Complainant, the Reporting Party, or any other individual or group of individuals.

The Title IX Coordinator is:  
• knowledgeable and trained in University policies and procedures and relevant state and federal laws;  
• responsible for coordinating the effective implementation of Supportive Measures;  
• responsible for responding to concerns raised by the Deputy Title IX Coordinator(s), University Police, or Responsible Employees;  
• responsible for overseeing investigations of alleged violations of this Regulation;  
• responsible for ensuring the effective implementation of this Regulation, including monitoring compliance with all procedural requirements, recordkeeping, and timeframes;  
• responsible for overseeing training, prevention, education efforts, and periodic reviews of climate and culture; and  
• responsible for maintaining all reports of possible violations of this Regulation and reviews such reports and complaints for systemic patterns that need to be addressed.

The University’s Title IX Coordinator is Ryan M. Kelley, Office of Civil Rights Compliance and Accessibility (CRCA) Office number: 305-348-2785 Email: ocrrca@fiu.edu Address: 11200 S.W. 8th Street, PC 3319 Office number: 305-348-2785 The Title IX Coordinator has designated Deputy Title IX Coordinators to assist in fulfilling the Title IX Coordinator duties. The Deputy Title IX Coordinators are:  
• Heidi Lousy, Interim Director, Employee & Labor Relations (ELR) Office number: 305-348-4186, PC 236 email: elr@fiu.edu  
• Kevin Kendrick, Sr. Associate Athletic Director, University Compliance Office number: 305-348-2843, Ocean Bank Convocation Center 154 email: kevin.kendrick@fiu.edu  
• Michelle Horvath, Assistant Dean of Students, Student Conduct and Academic Integrity Office number: 305-348-3939, GC 311 email: mhorvath@fiu.edu

Concerns about the University’s application of this Regulation may be addressed to the following offices below and/or to the Deputy Title IX Coordinators listed above.

FIU Office of University Compliance and Integrity  (305) 348-2216 Email: compliance@fiu.edu  
U.S. Equal Employment Opportunity Commission (800) 669-4000  
U.S. Department of Education, Office of Civil Rights (800) 421-348  
Visit report.fiu.edu to report any form of discrimination, harassment, or sexual misconduct. You may also email, mail, or hand-deliver a report or complaint to the Title IX Coordinator, Ryan Kelley, at Office of Civil Rights Compliance and Accessibility (CRCA) 11200 S.W. 8th Street, PC 220, Miami, FL 33199 phone number: 305-348-2785 email: ocrrca@fiu.edu

FIU-105 Rights of Parties
Parties are provided with a summary of rights, options, supports, and procedures at their initial meeting with the Title IX Coordinator. Upon receipt of a formal complaint, the Title IX Coordinator will initiate a prompt, fair, and impartial process, commencing with an investigation, which may lead to the imposition of sanctions for a Respondent based upon a preponderance of evidence (what is more likely than not).

Procedures detailing the investigation and resolution processes of the University can be found online at: (https://regulations.fiu.edu)
• How to conduct an investigation and hearing process that protects the safety of the parties and promotes accountability
• Allows all parties the same opportunities to have others present during any institutional disciplinary proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice
• Does not limit the choice of advisor or presence for any party in any meeting or institutional disciplinary proceeding; however, the institution may establish regarding the extent to which the advisor may participate in the proceedings, as long as the restrictions apply equally to all parties
• Provides for simultaneous written notification to all parties of:
  • The result of any institutional disciplinary proceeding that arises from an allegation of dating violence, domestic violence, sexual assault, or stalking;
  • The institution’s procedures for the parties to appeal the result of the institutional disciplinary proceeding, if such procedures are available;
  • Any change to the result; and
  • When such results become final

DUE PROCESS RIGHTS OF THE RESPONDENT: The Respondent has the following rights:

i. Reasonable, written notice of the Code charge(s) and the allegations upon which the charge(s) is/are based.

ii. A presumption that no violation occurred.

iii. A fair and impartial hearing.

iv. The right to be accompanied by an Advisor of their choice and expense at any time during the Code process.

v. The opportunity to review all relevant information or evidence to be used in the hearing prior to the hearing.

vi. The ability to participate in the Student Conduct hearing either physically or by contemporaneous alternative means (e.g., Skype, phone).

vii. The opportunity to present, or have your advisor present relevant witnesses and information at the hearing.

viii. The opportunity to question, or have your advisor question witnesses in accordance with the Hearing Procedures.

ix. Not to provide self-incriminating testimony. Invoking the right against self-incrimination will not be considered as a negative factor in the decision of the Hearing Officer or Hearing Body.

x. Receive notification of the decision of the Hearing Body in writing within fourteen (14) Business Days of the hearing.

xi. Appeal the decision via the process established by the University.

SEXUAL HARASSMENT (TITLE IX) AND SEXUAL MISCONDUCT INVESTIGATION AND HEARING PROCEDURES (FIU-105)

Supportive Measures
When an informal or Formal Complaint 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 the broader University community. The University may impose reasonable and appropriate supportive measures when necessary to protect the safety and/or emotional well-being of the parties or witnesses involved and/or to provide academic or other appropriate support. Implementing any supportive measures is within the sole discretion of the University. 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 and/or emotional well-being concerns can be reasonably addressed.

Supportive measures may be afforded to the Complainant, the Reporting Party, the Respondent, and/or other involved individuals as appropriate to ensure their safety and/or well-being. Supportive measures may be requested by the parties at any time regardless of whether any particular course of action is sought by the Complainant while avoiding punishing the Respondent prior to the conclusion of the grievance process. The range of Supportive Measures includes, but is not limited to:

• Arranging for medical services
• Access to counseling services either provided by the University and/or through community resources
• Providing crisis intervention, case management, emotional and/or practical support, and/or safety planning through the Victim Empowerment Program for students and through the Office of Employee Assistance for faculty and staff

ix. Imposition of a University “No-Contact Directive” for all or some of the parties involved in the incident

xii. Rescheduling of exams and assignments

xiv. Providing alternative course completion options

xvi. Change in class schedule, including the ability to drop a course without penalty or to transfer sections

xvii. Change in work schedule or job assignment

xviii. Change in campus housing assignment

xix. Assistance from University support staff in completing housing relocation, if feasible

xx. Voluntary leave of absence from work in accordance with University policies

xxi. Providing an escort to assure safe movement between classes and activities

xxii. Providing academic support services, such as tutoring

xxiii. University-imposed leave or suspension for the Respondent.

xv. 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 Supportive Measures or the failure of another individual to abide by any Supportive Measure to the Title IX Coordinator or designee. Any violation of a Supportive Measure will be investigated and adjudicated under this Regulation.

Advisors
During the grievance process, the Complainant and Respondent may have an advisor of their choice accompany them to any related meeting or proceeding. Advisors have no active role in any meetings or the grievance process except as explicitly provided in this Regulation. Meetings or proceedings may not be unreasonably delayed due to the selection or schedule of an Advisor, and it is the responsibility of the Complainant or Respondent to communicate relevant information to their Advisor and ensure that their Advisor comports themselves in a manner which respects this educational-administrative process. After an appropriate warning, the University reserves the right to stop a meeting or proceeding and remove an Advisor whose presence disrupts the meeting or proceedings, and then begin the meeting or proceedings without the Advisor. During a hearing held pursuant to this Regulation, an advisor will be provided by the University for cross-examination purposes only if the Complainant or Respondent does not already have an Advisor.

Formal Complaint
A Formal Complaint may be filed with the Title IX Coordinator in person, by mail, or electronic mail using the contact information listed for the Title IX Coordinator above. A Complaint may be filed through report.fiu.edu. If the Complainant files a Formal Complaint, the University will analyze whether it is to be dismissed. This analysis occurs prior to the investigation, and at any point in the investigation or grievance process when the grounds for dismissal appear. In all cases, if the Formal Complaint is dismissed, the Title IX Coordinator will promptly and simultaneously provide the parties written notice of the dismissal, the reasons for the dismissal, and an opportunity to appeal.

INVESTIGATION OF FORMAL COMPLAINTS

Criminal Investigations
To initiate a criminal investigation, reports of Sexual Misconduct or Sexual Harassment should be made to FIUPD, or local law enforcement. The criminal process is separate from this grievance process and the Rules of Civil or Criminal Procedure do not apply. The University has an obligation to promptly respond to allegations of Sexual Misconduct or Sexual Harassment and investigate all Formal Complaints while the criminal process is pending. Therefore, the University in its sole discretion may proceed with an investigation under this Regulation before, during, or after any law enforcement investigation or criminal proceedings.

Notice of Allegation
Upon receipt of a Formal Complaint, the Title IX Coordinator or designee will provide the Complainant and Respondent with written notice stating:

• this Regulation and other applicable Regulations or policies;
the allegations of Sexual Harassment or Sexual Misconduct including sufficient details known at the time and with sufficient time to prepare a response before any initial interview. Sufficient details include the identities of the parties involved if known, the alleged conduct constituting Sexual Harassment or Sexual Misconduct, and the date and location of the alleged incident if known;

• the Respondent is presumed Not Responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process;

• the parties may have an advisor of their choice, who may be, but is not required to be, an attorney, and may inspect and review evidence;

• any provision of the Student Conduct and Honor Code or applicable regulations, policies, or procedures that prohibits knowingly making false statements or knowingly submitting false information during the grievance process; and

• an appointment date and time where they will, separately, meet with the Title IX Coordinator for an information session to discuss the grievance process, supportive measures, and any other concerns a party may have. Each party will be provided with at least fourteen (14) Business Days between receipt of the Notice of Allegation and the date of the initial interview except in cases of emergency or where waived by the party.

If, in the course of an investigation, the University decides to investigate allegations about the Complainant or Respondent that are not included in the original Notice of Investigation, the University will provide notice of the additional allegations to the parties.

Appointment of an Investigator
The Title IX Coordinator may designate one or more properly trained individuals to investigate a Formal Complaint, including University or third-party investigators. In the event of a conflict or bias, the University will appoint an alternate individual so that the process is free of conflicts of interest and bias.

The Collection of Evidence
Investigators will gather information from the Complainant, Respondent, and other individuals who have information relevant to the Formal Complaint. The parties will have an equal opportunity to present facts and evidence, identify witnesses, and other incriminatory and exculpatory evidence. The investigator may also interview relevant third parties who, throughout the course of the investigation, are determined to have information that may assist in the review of the formal complaint. The investigator has the discretion to determine the relevance of any witnesses provided by either party, and will determine which witnesses to interview. The investigator will not consider relevant any witnesses who are offered solely for the purpose of providing evidence of a party’s character. If a party declines to provide relevant information, the University’s ability to conduct a prompt, thorough, and equitable investigation may be impaired.

The University will provide to a party whose participation is invited or expected written notice of the date, time, location, participants, and purpose of all investigative interviews at least seven (7) Business Days prior to the investigative meetings, or other meetings except in cases of emergency or unless waived by the Respondent.

Exclusion of Certain Forms of Evidence
The University cannot access, consider, disclose, or otherwise use a party’s records that contain information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege.

If a party chooses to provide evidence that would otherwise be excluded under this subsection, it will be considered directly related evidence subject to the parties’ inspection.

Review of Collected Evidence & Investigatory Report
The Title IX Coordinator, Director of Student Conduct and Academic Integrity, or Director of Employee and Labor Relations will designate as appropriate will provide both parties an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in the Formal Complaint, including the evidence upon which University does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to conclusion of the investigation. Prior to completion of the investigative report, the University must send to each party and the party’s advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties will be given at least ten (10) Business Days to submit a written response. The investigator will consider any written responses prior to completion of the investigative report.

The University will also make all directly related evidence subject to the parties’ inspection and review available at any hearing to give each party equal opportunity to refer to such evidence during the hearing, including for purposes of cross-examination.

The Title IX Coordinator or designee will send the parties and their advisors the final investigative report that fairly summarizes relevant evidence, with at least 10 (ten) Business Days prior to a hearing or determination of responsibility.

Informal Resolution
If a Formal Complaint has been filed, the University has the discretion at any time prior to reaching a determination regarding responsibility to choose to offer and facilitate informal resolution options so long as the parties give voluntary, informed written consent to attempt informal resolution. Informal resolution is not available when a Complainant is a student alleging that a University employee has engaged in Sexual Harassment or Sexual Misconduct.

In offering an informal resolution process, the University will provide the parties written notice disclosing the allegations, the requirements of the informal resolution process including the circumstances under which, upon reaching an agreed resolution, it precludes the parties from resuming a formal complaint arising from the
same allegations; provided, however, that at any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the Formal Complaint. The University will also explain any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared.

The informal Resolution process must be completed within fifteen (15) Business Days of the parties agreeing to pursue such a process. If not completed by that deadline, in the absence of any approved extensions, the Formal Complaint will continue to be investigated and processed for a live hearing as described in this Regulation.

The Hearing Process
Live hearings may be conducted with all parties physically present in the same geographic location or with any (or all) parties, witnesses, and other participants appearing virtually utilizing technology that enables participants to simultaneously see and hear each other. At the request of either party, the University will provide for the live hearing to occur with the parties located in separate rooms with technology enabling the decision-makers and parties to simultaneously see and hear the party or the witness answering questions. At the live hearing, the Hearing Officer will explain each Party’s rights and procedures during the hearing.

The University will provide a written determination regarding the Respondent’s responsibility to the Parties within fourteen (14) Business Days from the conclusion of the hearing. The Decision-Maker will also provide a copy of the written determination to the Title IX Coordinator. Unless an appeal is filed, this written determination shall constitute Final Agency Action.

Disciplinary Sanctions
In reaching a determination regarding sanctions, consideration will be given to any aggravating and mitigating circumstances. The sanctions described below are a description of the range of sanctions available, and not an exhaustive list of all sanctions that may be imposed.

- Student Conduct and Academic Integrity will oversee disciplinary sanctions for students and student organizations. Students or student organizations who are found to have violated this Regulation will be subject to disciplinary sanctions as set forth in the Student Conduct and Honor Code, Title IX Coordinator. Any sanctions will be proportionate to the severity of the violation and the student’s cumulative conduct history. Sanctions include, but are not limited to, reprimand, educational sanctions, counseling assessment, restitutio, disciplinary probation, restrictions, exclusions from university housing, suspension, loss of university recognition, or expulsion. Human Resources will oversee disciplinary sanctions for non-students.
- Faculty and staff who are found to have violated this Regulation will be subject to disciplinary action pursuant to applicable collective bargaining agreements or applicable personnel policies or procedures.

Sanctions include, but are not limited to letters of reprimand, training, performance improvement plans, reassignment, demotion, suspension with or without pay, and termination.

Appeals
- third parties (including contractors and visitors) who are found to have violated this Regulation may be barred from the campus and/or conducting business with the University.

If a party or witness does not submit to cross-examination at the live hearing and to any decision to exclude a question as not relevant. Questions and evidence about the Complainant’s sexual predispersion or prior sexual behavior are relevant, unless such questions and evidence concern the Complainant’s prior sexual behavior are offered to prove that someone other than the Respondent committed the alleged conduct or if the questions and evidence concern specific incidents of the Complainant’s prior sexual behavior with respect to the Respondent and are offered to prove Consent. If a party or witness does not submit to cross-examination at the live hearing, the Hearing Officer and Hearing Body will not rely on any statement of that party or witness in reaching a determination regarding responsibility.

The Hearing Officer and Hearing Body will not draw an inference about the determination regarding responsibility based solely on a party’s or witness’s absence from the live hearing or refusal to answer cross-examination or other questions.

The University will create an audio or audiovisual recording, or transcript, of any live hearing. Live hearings will be closed to the public. The Written Determination Regarding Responsibility
The University will provide a written determination regarding the Respondent’s responsibility simultaneously to the Parties within fourteen (14) Business Days from the conclusion of the hearing. The Decision-Maker will also provide a copy of the written determination to the Title IX Coordinator. Unless an appeal is filed, this written determination shall constitute Final Agency Action.

Disciplinary Sanctions
In reaching a determination regarding sanctions, consideration will be given to any aggravating and mitigating circumstances. The sanctions described below are a description of the range of sanctions available, and not an exhaustive list of all sanctions that may be imposed.

- Student Conduct and Academic Integrity will oversee disciplinary sanctions for students and student organizations. Students or student organizations who are found to have violated this Regulation will be subject to disciplinary sanctions as set forth in the Student Conduct and Honor Code, Title IX Coordinator. Any sanctions will be proportionate to the severity of the violation and the student’s cumulative conduct history. Sanctions include, but are not limited to, reprimand, educational sanctions, counseling assessment, restitutio, disciplinary probation, restrictions, exclusions from university housing, suspension, loss of university recognition, or expulsion. Human Resources will oversee disciplinary sanctions for non-students.
- Faculty and staff who are found to have violated this Regulation will be subject to disciplinary action pursuant to applicable collective bargaining agreements or applicable personnel policies or procedures.

Sanctions include, but are not limited to letters of reprimand, training, performance improvement plans, reassignment, demotion, suspension with or without pay, and termination. Third parties (including contractors and visitors) who are found to have violated this Regulation may be barred from the campus and/or conducting business with the University.

Remedies
In some cases, the Hearing Officer or Hearing Panel may find that remedies are needed for a Complainant when a Respondent is found not responsible for violating this Regulation. Remedies are designed to restore or preserve the Complainant’s equal access to the University’s education program or activities. As an example of the range of remedies available, remedies may include similar individualized services as defined in Supportive Measures; however, remedies need not be non-disciplinary or non-punitive and need not avoid burdening the Respondent. Remedies do not include damages or other financial awards, or other relief that would impose an undue hardship on the University.

The Title IX Coordinator is responsible for the effective implementation of any remedies. When a determination indicates that remedies will be offered to the Complainant, the Complainant should contact the Title IX Coordinator to arrange for appropriate remedies.

Appeals
Both parties will be notified and provided with the opportunity to appeal a determination or dismissal based on the following grounds only:

- Procedural irregularity that affected the outcome of the matter;
- New evidence that was not reasonably available at the time of decision making.
Privacy and Confidentiality

The University will keep information and actions taken in accordance with this Regulation confidential to the extent possible under the law, meaning it will only disclose information to individuals with a legitimate need to know in order to review, investigate and resolve reports of Sexual Misconduct or Sexual Harassment, or as permitted or required by law.

The University may release information about Sexual Misconduct or Sexual Harassment in certain circumstances without permission in order to warn and protect the University Community. Retaliation and Obstruction are prohibited during any portion of the grievance process. If a member of the University community believes that Retaliation or Obstruction may have been taken against them or others, they should report the behavior to the Title IX Coordinator or investigator.

The situation will be reviewed and a response will be provided to the employee or student who alleged the Retaliation or Obstruction. Charging an individual with a violation for making a materially false statement in bad faith in the grievance process under this Regulation does not constitute Retaliation, provided, however, that a determination regarding responsibility, alone, is not sufficient to conclude that any party made a materially false statement in bad faith. Exercising any rights secured by the First Amendment does not constitute Retaliation.

Crime Statistics

Pursuant to 20 U.S.C. Section 1092(f) and 20 U.S.C. section 1092g of the Emergency Planning, Assistance, and Mutual Agreement Assistance Act of 1970, as amended, the University of Southern California provides the following information compiled from a campus security and crime report.

Crime Statistics Report

The University of Southern California has compiled a report detailing crime statistics on its campus for the year 2021.

The report includes statistics on
- Violent crimes
- Property crimes
- Arson
- Criminal threatening
- Burglary
- Rape
- Robbery
- Kidnap
- Rape

The report is available on the University’s website at [www.edu/u-s-c.edu](http://www.edu/u-s-c.edu).
Hate Crimes
2019: One non-campus vandalism incident characterized by religious bias took place at the FIU Wolfsonian Museum in Miami Beach.

2020: There were no hate crimes reported to FIUPD during this reporting year.

2021: One on-campus stalking incident as characterized by racial bias took place at MMC.

Unfounded Crimes
2019: Four unfounded Motor Vehicle Thefts, one unfounded Burglary and one unfounded Dating Violence incident.

2020: Three unfounded Motor Vehicle Thefts

2021: Two unfounded vehicle thefts and one unfounded burglary.

Crime Statistic Updates
2020 statistics have updated following the recent submission of data from Student Conduct and Academic Integrity which had not been previously included.
Security and Fire Safety Reports
Environmental Health & Safety

Environmental Health & Safety’s mission is to support and guide the University community in maintaining a reasonably safe and healthy environment through compliance with environmental health and safety standards. The Fire Prevention Office strives to reduce fire incidents or other threats to the safety or well-being of the University community. Lastly, the Fire Prevention Office endeavors to provide a safe environment for University faculty, staff, students and all those for whom we provide services.

The Fire Prevention Office actively promotes fire safety through guidelines, statutes, and standards adopted by the State of Florida. The Fire Prevention Office reduces the risk of fires by implementing a comprehensive safety approach to all fire safety measures. Fire safety applications for on-campus housing includes:

- Possession of alcohol stoves, hibachis, hot plates
- The use of grills is not permitted under any covered walkways, landings, or balconies
- Storage of grills is not permitted in student living units or surrounding areas

The Fire Prevention Office oversees the enforcement of Florida Statutes and NFPA standards through the inspection of buildings.

FIU’s Fire Prevention Office provides training in order to educate the housing community on prevention and actions in the event of a fire. Fire safety trainings are required for all Resident Assistants and Resident Life Coordinators. The training is comprised of a “hands-on” fire extinguisher training segment, a emergency evacuation segment that includes the use of the Evac-Trac, and a lecture segment that broadly covers various aspects of fire safety.

The Fire Prevention Office conducts fire inspections in preparation of any fire incident and to avoid any possible malfunction in the event of such an incident. Fire drills are conducted in all high-hazard buildings to identify any deficiencies that can be corrected for the safety of the University community. Life safety inspections are completed in the presence of the Florida State Fire Marshal. The University then rectifies violations found as per the Florida Fire Prevention Code.

The Department of Environmental Health & Safety uses an outside contractor to annually inspect and service all fire extinguishers. All of these inspections assure FIU that its systems and procedures are functional, are of the highest quality and are easy to follow for our University faculty, staff and students.

FIU’s Procedures for Student Housing Evacuation in the Case of a Fire

In the case of a fire-related emergency, there are procedures that are enforced to benefit the safety and well-being of all students, faculty and staff. The procedures are as follows:

- In the event of a fire, the University expects that all campus community members will evacuate by the nearest exit, closing doors and activating the fire alarm system (if one is present) as they leave. Once safely outside a building, it is appropriate to contact the FIU Police Department emergency number at 305-348-5911. Students and/or staff are informed where to relocate to by staff if circumstance warrants at the time of the alarm. In the event fire alarms sound, University policy is that all occupants must evacuate from the building, closing doors as they leave. Training is provided to students and employees in fire extinguishment, however, it is strongly recommended that rather than attempting to fight the fire, the occupant should activate the fire alarm and exit quickly and safely.

- At no time should the activation of the alarm delay exiting from the building.

- For federal regulation, FIU is required to annually disclose statistical data on all fires that occur in on-campus student housing facilities. Listed below are the non-emergency numbers to call to report fires that have already been extinguished in on-campus student housing. These are fires for which you are unsure whether the appropriate personnel at the University may already be aware. If you find evidence of such a fire or if you hear about such a fire, please contact one of the following:
  - FIU Police Department (305) 348-2626 Non-emergency
  - FIU University Safety Officer (305) 348-0170
  - FIU Fire Prevention Office (305) 348-0490

FIU’s Fire Prevention Office is committed to fire safety and works diligently in making improvements when required.
### Fire Statistics 2019*

<table>
<thead>
<tr>
<th>Buildings</th>
<th>Number of Fires</th>
<th>Cause of Fire</th>
<th>Number of Persons Injured</th>
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*Value of property damage is estimated

### Fire Statistics 2020*

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*Value of property damage is estimated

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**Greek Housing #1 has not been on campus student housing since Fall 2018**

**Greek Housing #2 has not been on campus student housing since May 2018**

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### Fire Statistics 2021*

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*Value of property damage is estimated

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**Greek Housing #1 has not been on campus student housing since Fall 2018**

**Greek Housing #2 has not been on campus student housing since May 2018**
On-campus Student Housing Facility Fire Safety Systems 2019

<table>
<thead>
<tr>
<th>Building*</th>
<th>Address</th>
<th>Number of Fire Drills</th>
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<th>Smoke Detector Type</th>
<th>Horns and Strobes</th>
<th>Smoke Detectors</th>
<th>Fire Sprinklers</th>
<th>Fire Extinguishers</th>
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<td>227 Yes</td>
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* All buildings are made from concrete block and steel. **Fire alarms report to campus police 24/7. ***Officers respond to all alarms. Staff*** trained staff includes: all resident assistants and resident life coordinators. *** Training includes: fire extinguishers, evacutrac, fire alarm, & fire sprinklers.

On-campus Student Housing Facility Fire Safety Systems 2020

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<tr>
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<td>No</td>
<td>No</td>
<td>No</td>
<td>227 Yes</td>
<td>0</td>
</tr>
</tbody>
</table>

* All buildings are made from concrete block and steel. **Fire alarms report to campus police 24/7. ***Officers respond to all alarms. Staff*** trained staff includes: all resident assistants and resident life coordinators. *** Training includes: fire extinguishers, evacutrac, fire alarm, & fire sprinklers.

On-campus Student Housing Facility Fire Safety Systems 2021

<table>
<thead>
<tr>
<th>Building*</th>
<th>Address</th>
<th>Number of Fire Drills</th>
<th>&quot;Fire Alarms&quot;</th>
<th>Smoke Detector Type</th>
<th>Horns and Strobes</th>
<th>Smoke Detectors</th>
<th>Fire Sprinklers</th>
<th>Fire Extinguishers</th>
<th>Trained Staff***</th>
<th>Number of Fires</th>
</tr>
</thead>
<tbody>
<tr>
<td>BAYVIEW HOUSING</td>
<td>3000 Ne 151st st 2</td>
<td>Yes 100%</td>
<td>System</td>
<td>Yes</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>227 Yes</td>
<td>0</td>
</tr>
</tbody>
</table>

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Florida International University
Police Department

Emergency Phone Numbers:
24 Hours – 7 Days a Week

Modesto A. Maidique Campus: 305-348-5911
885 S.W. 109th Avenue, PG-5 Market Station
Miami, FL 33199

Biscayne Bay Campus: 305-919-5911
3000 N.E. 151st Street Building SO II
North Miami, FL 33181

Miami Beach Urban Studios: 305-673-7900
Wolfsonian Museum: 305-673-7900
Downtown Brickell: 305-579-6111
Pembroke Pines: 954-436-3200

Need help on campus?
Dial 305-348-2626
For Emergency Dial 305-348-5911

Emergency off campus?
Dial 911

Telecommunications Relay Services: 711

http://police.fiu.edu