



Florida Agricultural and Mechanical University Sexual Misconduct Policy

I. INTRODUCTION

Florida A&M University is committed to providing an educational and work environment free from discrimination and harassment on the basis of sex, sexual orientation, gender identity, and gender expression. Sexual misconduct is any sexual activity that occurs without the clear, knowing and voluntary consent prior to and during such sexual activity, or that occurs when a person is unable to give consent. Sexual misconduct of all forms, including, but not limited to: sexual harassment, sexual violence, dating violence, domestic violence, sexual exploitation, and stalking are all prohibited by Florida A&M University whether by faculty, staff, administration, students, visitors, or others.

Title IX protects all students from sex-based discrimination, including sexual violence. University Regulations protect male and female students, undergraduate, graduate, and professional students, students with disabilities, students that are gay, straight, lesbian, bisexual, and transgender, part-time and full-time students, students of different races, and international students.

UNIVERSITY REGULATIONS PERTAINING TO SEXUAL HARRASSMENT AND SEXUAL VIOLENCE:

- Regulation 10.103 Non-Discrimination Policy and Discrimination and Harassment Complaint Procedures <http://www.famu.edu/regulations/Regulations%20of%2010.103.pdf>, and
- Regulation 2.012 Student Code of Conduct, <http://www.famu.edu/regulations/2.012%20Student%20Code%20of%20Conduct%20%20%20%20%20%20%20%20%204-14-14.pdf>.

To eliminate sexual misconduct in our community, everyone must take an active interest and responsibility. Together we need to change our attitudes about sexual misconduct and be clear about our own responsibility to ensure that we are engaging in consensual sexual activity.

WHAT IS CONSENT?

- Consent is an outward demonstration indicating that an individual has freely chosen to engage in sexual activity. Consent is not inferred from silence, passivity, lack of resistance, or lack of active response.
- A current or former dating or sexual relationship, by itself, does not imply consent.
- Consent cannot be obtained from intimidation, use or threat of physical force, or coercion.
- There is no consent from an individual that is unconscious, incapacitated due to alcohol or drugs, asleep, or otherwise unaware of where they are or how they became engaged in sexual activity.

WHAT TO DO IF YOU BELIEVE YOU EXPERIENCED SEXUAL MISCONDUCT

- Do not blame yourself. It is never the victim's fault that another person decided to commit sexual misconduct.

- Seek safety.
- It is normal to experience a range of emotions.
- You may contact the police, the University's Title IX Coordinator, file a complaint with the Office of Student Conduct and Conflict Resolution for student disciplinary action, or talk confidentially with the University's Counseling Center.

STEP UP!

- If you see a situation that you feel may lead to sexual misconduct, intervene.
- If someone is being sexually aggressive, possessive, or threatening, get help. Alert your friends, the authorities of the establishment, or the police.
- Be aware excessive alcohol consumption is often associated with sexual misconduct. Remember that alcohol and drug use are not a green light for sexual contact and never excuse engaging in sexual assault.
- Boycott media and challenge assumptions that promote sexual violence.

II. FILING A REPORT

Any member of the University community may file a report of sexual misconduct and the University strongly urges any community member impacted by sexual misconduct to file a report. By reporting you make the University aware of the behavior so that prompt action can be taken to address the situation. The University will take seriously every allegation or report of sexual misconduct received. The University's response is intended to ensure that all parties involved receive appropriate support and fair treatment, and that allegations of sexual misconduct are handled in a prompt, thorough, and equitable manner. **If the alleged perpetrator is an employee, file with the Office of Equal Opportunity Programs. If the alleged perpetrator is a student, please file with the Office of Student Conduct.**

III. BRINGING A FORMAL COMPLAINT

A formal administrative complaint is a written complaint filed with the Title IX Coordinator in the Office of Equal Opportunity Programs or the Office of Student Conduct and Conflict Resolution. A written complaint will lead to an investigation of the sexual misconduct and can result in disciplinary action. A formal criminal complaint can be filed with the University's Department of Public Safety or other local law enforcement agency. A person may file an administrative complaint with the University and a criminal complaint with law enforcement at any time. The University and the criminal justice system work independently from one another. The individual bringing the complaint retains considerable, although not total, control as the process unfolds.

IV. INFORMAL REMEDIES

Remedies may include safety planning, academic accommodations, housing relocation, safety planning, and/or issuing a no contact order. Requesting informal remedies are handled through the University's Office of Student Conduct and Conflict Resolution, Title IX Coordinator, and/or the Victim Advocate. Informal remedies do not preclude filing a formal complaint or formal discipline.

V. RETALIATION

The University strictly prohibits retaliation against and intimidation of any person because of his or her reporting and incident of sexual misconduct. Complaints of retaliation or intimidation may be reported to the Office of Equal Opportunity Programs, Office of Student Conduct and Conflict Resolution, or the Department of Public Safety.

VI. REQUESTS FOR CONFIDENTIALITY

Anyone filing a complaint may request that the Office of Equal Opportunity Programs or the Office of Student Conduct and Conflict Resolution not disclose his or her identity to anyone else. While such a request may limit the University's ability to investigate and respond to the reported misconduct, the Office of Equal Opportunity Programs and the Office of Student Conduct and Conflict Resolution will consider the request in light of the University's commitment to provide a safe and non-discriminatory environment for all students and will honor the request whenever possible. If the request for confidentiality cannot be honored, the reporting individual will be contacted. Whether or not the University is able to grant a request for confidentiality, University personnel will only reveal information about the matter to those who need to know in order to carry out their duties and responsibilities.

VII. CONFIDENTIAL SOURCES

With few exceptions, every employee at the University is considered a "Responsible Employee." A Responsible Employee must report any incident, in detail, of sexual misconduct which they become aware to the Title IX Coordinator. A Confidential Source is not required to report, with identifying information, any incident of sexual misconduct to the Title IX Coordinator. Therefore, the University will not investigate the reported incident. Confidential Sources available at the University are any employees at:

Student Health Services (850) 599-3777
1700 Lee Hall Drive, 116 Foote-Hilyer Administration Center, Tallahassee, Florida 32307

Office of Counseling Services (850) 599-3145 101
Sunshine Manor, Tallahassee, Florida 32307

VIII. COMMUNITY RESOURCES

Tallahassee Police Department	911 (in case of emergency) or (850) 891-4200 (non-emergency)
Leon County Sheriff's Office	911 (in case of emergency) or (850) 606-3300 (non-emergency)
Refuge House	(850) 681-2111 (24 hour hotline)
Tallahassee Memorial Hospital	(850) 431-1155 (general)
Capital Regional Medical Center	(850) 325-5000 (general)

IX. UNIVERSITY RESOURCES

Department of Public Safety 850-599-3256 <http://www.famu.edu/publicsafety>
The FAMU Police are available to respond to emergency calls, to report a crime and for crime investigations.

Office of Counseling Services 850-599-3145 <http://www.famu.edu/counseling>
The Office of Counseling Services provides confidential counseling services and referrals. They also provide a victim advocate who is available to support students that have been victims of a crime, including sexual assault. Victim advocates can be reached after hours through the FAMU Department of Public Safety.

Office of Equal Opportunity Programs 850-599-3076 <http://www.famu.edu/EOP>
The Office of Equal Opportunity Programs investigates complaints of discrimination and harassment, including sexual assault for the university community.

Title IX Coordinator 850-599-3076 <http://www.famu.edu/EOP>
Carrie Gavin is the Title IX Coordinator at FAMU. This office is responsible for investigation of sex based discrimination, harassment, and violence.

Student Health Services 850-599-3777 www.famu.edu/shs
SHS provides medical services to students. With a sexual assault nurse examiner (SANE) on staff, the clinic will address health concerns related to an assault including STI/STD testing, and emergency contraception. Evidentiary examinations (rape kits) are performed at Tallahassee Memorial Hospital.

Dean of Students 850-599-3098
The Dean of Students has oversight for many areas including housing, student organizations and the Office of Student Conduct and Conflict Resolution.

Office of Student Conduct and Conflict Resolution 850-412-5667 www.famu.edu/judicialaffairs
Student Conduct has the responsibility of enforcing the Student Code of Conduct to ensure that all students have an opportunity to live and learn in a safe and scholarly environment.

FAMU Compliance and Ethics Hotline 866-445-4968 <https://www.compliancehelpline.com/famu.jsp?reloadPage=1>
The FAMU Compliance hotline allow you to anonymously report by phone or online, suspected issues of misconduct or violations of university regulations.