

Title IX Frequently Asked Questions

What is Title IX?

Title IX of the Education Amendments Act of 1972 is a federal law that states: "No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance."

Who must comply with Title IX?

Title IX applies to all educational institutions, both public and private, that receive federal funds.

Does Title IX apply only to athletics?

No, Title IX applies to every single aspect of education.

Does Title IX apply to employees?

Yes, all university students, employees, and visitors are protected under Title IX regardless of gender, sexual orientation, sexual identity, race, religion, national origin, and any other protected group status.

What is Sexual Misconduct?

Sexual misconduct includes all forms of non-consensual sexual activity and unwelcome sexual conduct including:

- Sexual violence (rape/sexual battery/sexual assault);
- Relationship violence (domestic violence and dating violence);
- Stalking;
- Sex- and gender-based discrimination (including gender identity, gender expression, and sexual orientation);
- Sexual harassment; and other forms of sexually exploitative behavior.

Refer to [FIU 105](#) for more detailed information.

What is Consent?

According to [FIU 105](#), consent is defined as an affirmative act or statement by each person that is informed, freely given and mutually understood. It is the responsibility of each person involved in any sexual activity to ensure that he or she has the affirmative consent of the other or others to engage in the sexual activity. Consent must be ongoing throughout a sexual activity and can be revoked at any time.

How do I file a report?

A report may be made, verbally or in writing (including via email) by bringing the matter to the attention of: the [Title IX Coordinator; Deputy Title IX Coordinators; the University Police Department \(FIU PD\)](#); or any employee. Depending on who your complaint is against (a student or an employee), you would file your report with either [Student Conduct and Conflict Resolution \(Student Conduct\)](#) or Equal Opportunity Programs & Diversity (EOPD).

Students

- If your complaint is against a student- Student Conduct
- If your complaint is against an employee- EOPD

Employees

- If your complaint is against a student- Student Conduct
- If your complaint is against an employee- EOPD

What if I want to remain anonymous?

Your confidentiality will be protected to the maximum extent possible, but anonymity may hinder an investigation into your complaint.

Can I report a Title IX violation anonymously?

Yes, you may file an anonymous complaint using our Ethical Panther Reporting Line, Convercent, by calling 844-312-5358 or online at <https://compliance.fiu.edu/hotline.html>

Will my complaint remain confidential?

The privacy of parties is a priority for FIU. However, sometimes, information must be disclosed in order to fully investigate a complaint. If you have concerns regarding confidentiality, discuss these concerns with the Title IX coordinator or Deputy Title IX Coordinators.

My friend told me he/she was assaulted. What can I do to help?

Be supportive, listen to what he or she has to say, and encourage your friend to report.

How do I get confidential support?

Students

[Victim Empowerment Program](#), [FIU Student Health Services](#), and/or [Counseling and Psychological Services](#)

Employees

[Office of Employee Assistance](#)

Confidential disclosure does not generate a Title IX report or criminal report, unless the disclosing party specifically requests that a report be filed. Confidential assistance is available any time regardless of when the incident occurred.

What happens after a report is made?

The University will take appropriate measures to investigate, eliminate the inappropriate conduct, address its effects, and prevent reoccurrence.

What are the rights of the parties of an investigation?

The rights of both parties during the investigation and adjudication process includes a fair, impartial and prompt investigation and resolution of the allegations.

What do I do if I think someone is retaliating against me?

Report the retaliation immediately to the Office of Equal Opportunity Programs & Diversity. The person you feel is retaliating against you may face a charge of retaliation in addition to the original charge.

Is FIU committed to preventing sexual violence?

The University is committed to responding promptly and effectively when it learns of any form of discrimination based on sex. The University responds to reports of sexual misconduct, including sexual harassment and sexual violence, as part of its efforts to stop the harassment and prevent the recurrence of possible sex discrimination. Any individual who has questions or concerns regarding possible discrimination based on sex should contact a Deputy Title IX Coordinator or Shirlyon McWhorter, the University's Title IX Coordinator at 304 348-2785 or eopd@fiu.edu.