University Rule to Prohibit Sexual Harassment

The University takes allegations of sexual harassment seriously. FIU requires that all employees—faculty and staff—receive training on sexual harassment awareness and prevention provided by the Office of Equal Opportunity Programs. FIU’s rule defines sexual harassment as:

any unwelcome sexual advances, requests for sexual favors or other verbal or physical conduct of a sexual nature which 1) makes submission to or rejection of such conduct either an explicit or implicit basis for employment and/or academic decisions affecting the individual; or 2) unreasonably interferes with the individual’s employment or academic performance by creating an intimidating, hostile or offensive environment.

Faculty have a great deal of power over students, junior faculty members, and staff members, therefore, faculty should use the utmost sensitivity when interacting with students, staff, and each other. All faculty members, male and female, must monitor their own behavior carefully. If you observe someone behaving in a harassing way (examples of such behavior are included in the regulation), remind that individual of the kinds of behavior that constitute sexual harassment and let him/her know that the University has a strong policy against such behavior. If a student, staff member, or faculty member comes to you with allegations of sexual harassment, see that he/she receives a copy of the University Sexual Harassment Policy and refer him/her to the Office of Equal Opportunity Programs.

This rule includes both an informal and a formal procedure for handling sexual harassment complaints; the choice of procedure will depend on the nature of the complaint and the wishes of the complainant. Sexual Harassment complaints are filed with the Office of Equal Opportunity Programs. There are strict timelines in both the informal and formal procedures, so be sure to read the entire rule carefully before initiating a complaint. In the event that a claim of sexual harassment is found to be frivolous or malicious, appropriate University sanctions will be taken against the complainant.

Dating a student in your class, or a student whom you advise, or whose work you will be supervising or evaluating in any manner (for example, as a member of the student's thesis or dissertation committee) creates a de facto conflict of interest according to the University’s Sexual Harassment rule, which states:

The University discourages amorous or sexual relations between employees and students. Such relationships, even when consensual, may be exploitive, and imperil the integrity of the educational process or work environment...The University requires the resolution of any conflict of interest created by these relationships.

In addition the policy statutes that:

Whenever a conflict of interest situation arises or is reasonably foreseen, the employee in a position of authority must resolve any potential conflict of interest by taking necessary steps,
including removing himself or herself from evaluative decisions concerning the other individual. If he or she is unable to resolve personally the conflict of interest, he or she is required to inform the immediate supervisor promptly and seek advice and counsel in dealing with the conflict...Failure to resolve potential or actual conflict of interest...may result in disciplinary action...

Copies of the Sexual Harassment Policy can be obtained from the Office of Equal Opportunity Programs.