

**Sexual Violence, Dating Violence,  
Harassment and Discrimination by Sex  
(VAWA - Title IX)**

Prevention and awareness program



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## Introduction

The Ana G. Mendez University (UAGM) are committed to the prevention, safety and welfare of the university community in situations of sexual violence, dating violence, harassment, sexual harassment and gender discrimination. UAGM prohibits any conduct of this nature in all its manifestations. The measures and actions needed to prevent this behavior will be taken, in compliance with the provisions of Title IX, Federal Civil Rights Act which prohibits discrimination for sex in education programs and activities and in compliance with the UAGM Student Regulations.

Sexual violence is any sexual act committed against a person's will or when the person is unable or incapable of giving consent. The reasons why a person may be incapable of giving consent may be: if the person is a minor, by the use of drugs or alcohol or any mental or other disability. Among the acts of sexual violence are: rape, sexual abuse and sexual coercion. Sexual violence may arise by employees, students, teachers and third parties. If you are a victim of sexual violence, harassment or gender discrimination, you have rights and support resources are available to you at the university.

The UAGM not excluded from participation or denied benefits, or discriminate against any person because of age, race, color, sex, sexual orientation, gender identity, national origin, disability, social status, political affiliation, political or religious beliefs or for being victim or be perceived as a victim of domestic violence, sexual assault or stalking or being military, ex-military, serving or have served in the Armed Forces of the United States hold a veteran status, or any other protected category.





## **(Violence Against Women Reauthorization Act – VAWA)**

The issue of violence is referred to in the amendments to the Clery Act through Violence Against Women Reauthorization Act (VAWA-Pub. Law 11-4, 2013), which requires higher education institutions to include in their annual crime statistics reports (ASR), incidents of domestic violence, sexual violence, dating violence and harassment. In addition, it is required to include procedures and programs on those statistics.

### **Definitions**

#### **Sexual Violence**

It refers to any sexual act committed against a person's will or when the person is unable or incapable of giving consent. Sexual assault includes rape, sexual coercion, harassment, stalking, date rape, sexual abuse, among others. Some of these manifestations may occur physically or verbally, through social networks or other electronic means, as defined below:



- **Violation:** An unwanted, coerced or forced penetration. The attacker enters the vagina, mouth or anus of a victim either with a part of their body or an object, or the person is forced to enter the vagina, mouth or anus of the perpetrator.
- **Sexual Coercion:** Continuous presence of sexual behavior that is aggressive. This behavior can range from trying to incite and persuade someone to have sex, until the forced sexual contact.
- **Harassment:** conduct directed at a specific person that would cause a reasonable way: fear for their safety or that of others, or substantial suffering or emotional distress.

**Stalking:** Engaging in a pattern of persistent misconduct led to intimidate a specific person to the effect that this or any member of your family could suffer damage to his person, property or incurring such a pattern of conduct, knowing that a person He could reasonably feel intimidated

- **Violation in a date (date rape):** unwanted, coerced or forced sexual penetration that occurs between people who know. It can be carried out using physical or emotional force, drugs or alcohol.
- **Sexual Abuse:** Engaging in sexual conduct in the presence of a child and/or used a minor, voluntarily or involuntarily, to perform sexual behavior aimed to satisfy the lust or any act of sexual assault, lascivious acts, trade in people for sexual acts, obscene exhibitions, obscene suggestion, production of child pornography, possession and distribution of child pornography, use of a minor for child pornography; shipping, transportation, sale, distribution, publication, exhibition, or possession of obscene materials.

## **Sexual harassment**

Sexual harassment is defined as any unwanted sexual approach, requests for sexual favors and other verbal or physical conduct of sexual nature, which the employee or student must meet to obtain a benefit of employment or studies, or whose conduct has the purpose or effect of unreasonably interfering with work performance or study of a person, so mainly by creating an intimidating, hostile or offensive environment.

The UAGM not encourage, not tolerate, in any way or allow sexual harassment at work or study environment. UAGM's policy and affirmative duty to maintain a work environment free of sexual harassment studies for the benefit of all its members, supervisors, teachers and students, including prospective employees and visitors. Any staff member or student who engages in conduct constituting sexual harassment will be found in open violation of the rules and policies UAGM as well as federal and local laws, and will be subject to disciplinary measures that may lead to the separation, expulsion or dismissal of UAGM institutions. Sexual harassment of associates, students, potential employees and visitors by supervisors, other staff, co-workers or job candidates and third parties, is absolutely prohibited.

If you believe you have been the victim of sexual harassment, you should notify the harasser that the behavior is offensive, unwelcome and require do not repeated in the future. Every member of the student community that has been considered a constitutive act of sexual harassment should notify the Campus Director or his representative and/or security officer to enable him to take immediate action in this regard. It is the duty and obligation of every student to report any act of unwanted sexual nature addressed to





The UAGM reiterates its commitment to maintain a workplace free of all types of study discrimination and sexual harassment, which will not be tolerated. ([Refer to the Sexual Harassment Policy RH-12-214-003](#)).

## **Healthy Relationships**

- All relationships must be based on mutual consent. This means that both partners have expressed their agreement with something; that is, they have said they are willing to experience YES.
- Accept your partner's decision when he says NO

- Always remember that forcing a person to have sex against their will is a crime that has serious consequences.
- Make it clear what your expectations are in a sexual relationship.



## **Safety Measures:**

### **In your home or housing:**

- Be sure to lock up the doors.
- When you move or lose the keys, change the locks.
- At night, keep the curtains closed.
- Never reveal that you're alone to who call you by phone or knock on the door.
- Warn family members to do not provide information by telephone to unknown.
- Ask for identification of any person who makes repairs in your residence and requests information from the company for which they work.
- Keep accessible the keys to open the doors of the house, car or workplace.

### **When walking or exercising:**

- Avoid walking or exercising in lonely places, little lighting, alleys and vacant buildings.
- Visit parks or facilities where they are more people.
- Walk in the opposite direction to traffic, so you can see cars approaching
- Change your routine often because someone may be watching you.
- Be alert.

### **In the parking lot or using your vehicle:**

- Park in well-lit and close the car with keys
- Keep your car in good condition and with sufficient fuel
- While driving, keep doors locked and windows closed
- If you suspect someone is following you, go to a place lighting and crowded and call the police.
- Avoid making stops in dark locations or isolated.
- Never give transportation in your car to strangers
- Never request or accept transportation of people unknown

### **When using social networks:**

- Be discreet, does not announce details of your personal life to strangers or recent known.

### **To prevent date rape**

- Do not accept drinks that have been opened before
- Keep your drink with you at all times
- Do not take drinks from other people
- If a friend shows symptoms of being drugged or being under the influence of alcohol, do not leave it alone
- Trust your instincts, if you feel uncomfortable where you are, withdraw the area

## **Procedure in case of being a victim of sexual violence**

### **Any victim of sexual assault should:**

1. Find a safe place and identify their location
2. Ask for help immediately
  - Contact Campus Director or his representative and/or security officer
  - Call 9-1-1
  - If you are wounded or unable to move to a safe place, seeks help from the nearest person

### **Recommendations in case of being a victim of sexual assault**

- Do not clean yourself, do not swim and if possible, do not change your clothes
- Do not alter the physical setting where the incident occurred to accumulate evidence
- Act as quickly as possible and protect yourself from potential physical and emotional effects of aggression
- Seek medical attention immediately to the emergency room of the nearest hospital and ask for a thorough assessment
- If you witness or have knowledge of any act or incident of sexual violence at the University or in activities related to it, you should immediately notify security personnel of the institution, personally or by telephone.



## **Domestic violence**

Domestic violence refers to a consistent pattern of behavior, using physical force or psychological violence, intimidation or persecution against a person by their spouse, former spouse, a person with whom he cohabits or has cohabited, who holds or has held a consensual relationship, or a person with whom has fathered a daughter or son, regardless of gender, marital status, sexual orientation, gender identity or immigration status of any of the people involved in the relationship, to cause physical harm to himself, property or to another person, or to cause serious emotional harm (Florida Statutes Chapter 741, Domestic Violence, Texas Penal Code, Title 5, Chapter 22, Section 22.0, Family Law Code 71.01 et al).

## **Dating Violence**

Dating violence refer to violence 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 a consideration of the following factors: the length, type and frequency and interaction between the persons involved in the relationship.

## **Commitment and Responsibility to the student community.**

In harmony with our core values, respect, integrity and decent treatment to others, the UAGM reaffirms its commitment to protect the lives and dignity of students, promoting an educational environment free of risks to the safety and health of all university community. It also recognizes that violence in a place of study, in all its manifestations, undermines the integrity of the family and the preservation of civilized coexistence in our educational institutions.

### **I. Handling of cases of domestic violence or stalking**

1. Students that understand of being a victim of domestic violence or harassment in the university or in activities related to it shall immediately notify the Campus Director or his representative and/or the security officer.
2. Any witness, student, associate and/or teacher in knowledge of an act of domestic violence or harassment in the University or in activities related to it, shall refer the student or notify immediately to the Campus Director or his representative and/or security officer.

## **Protection Orders**

A protective order is a court order that prohibit the aggressor enter your house or approach or contact you in any way. It aims to ensure the

protection of the victim or survivor of domestic violence and protection of children, family and property. A protection order may contain provisional measures regarding the custody of their children, alimony, child relations and economic aid for the applicant, among others.



**To request a protective order should go to:**

**Dallas, Texas:**

Family Violence Division of the Office of District Attorney Frank Crowley  
Court, 133 North Industrial Blvd. 10th Floor  
Phone: (214) 653-3528

**Florida, (Tampa Bay, South Florida y Orlando):**

Fill the request for protection order "Writ for Protection against Domestic Violence" in the circuit court of their choice.

You can apply at the county you live (even if you have lived there for less than 1 day), where the abuser lives or where the case of domestic violence occurred.

To find a nearby court, go to the website for the location of prosecutors or in the phone book see Section/County website.

If the victim is a student and get a restraining order issued by the Court, it must submit a copy of the document to the campus Director or his representative of the University along with a photo of both parties, on consent of the complainant and a copy of your class schedule. Thus, the institution may establish a safety plan and provide support services. The student is responsible for immediately notifying any situation or change that could affect the security plan.

If you notice the aggressor in the facilities of the institution or its surroundings, please inform campus security officer and call 9-1-1 immediately.

## **Preventive measures**

Among the preventive measures implemented by the institution to maintain a safe university environment are:

1. Security Officer trained in handling incidents of violence, physical and electronic surveillance.
2. Active Registration of incidents in the institution.
3. Adequate lighting in parking lots and grounds of the institution.
4. Preventive rounds on the premises of the institution.
5. Accessible phone numbers in case of emergency
6. Partnerships with Police.
7. Orientation to the university community about healthy lifestyles, safety, prevention and education, among others.

If you are a victim of domestic violence or stalking, the institution shall take all necessary steps to ensure your safety and that of the members of the university community. If necessary, we will contact the support resources in the community such as state or municipal police or other agencies and organizations that provide guidance and protection to victims of domestic violence or stalking.



## SERVICES AND COMMUNITY SUPPORT RESOURCES



**DALLAS COUNTY AND ADJACENT AREAS  
National Domestic Violence Hot Line - 800-799-SAFE**

**WOMEN'S SHELTERS**

Brighter Tomorrows	972.262.8383
Genesis Shelter	214.942.2998
Mosaic Family Services	214-823-4434

**LEGAL ASSISTANCE AND PROTECTION**

Attorney General's Office/ Child Support	214.761.0029
Dallas Bar Association	214.969.7066
Lawyers Against Domestic Violence	214.748.1234

**DALLAS COUNTY D.A.'S OFFICE.**

Counseling Information	214.653.3723
Family Violence Counselor – Irving	972.721.6552/6553
Family Violence Division	214.653.3528
Protective Orders	214.653.3528
Family Violence Counselor	214.671-4304

**SUPPORT SERVICES**

Rape Crisis Center	214.590.0430
Suicide Crisis Center	214.824.7020

**COUNSELING**

Child Protective Service	800.252.5400
Mental Health/Mental Retardation after hours	214.330.4777
Mental Illness Court	214.653.7485

**FLORIDA**

Domestic Violence Hotline Florida:	1-800-500-1119
TDD:	1-800-621-4202
Florida Relay 711	
National Domestic Violence Hotline	1-800-799-SAFE (7233)
TTY	1-800-787-3224
Sexual Assault National Hotline	(800)656-HOPE

## **Sex Offender Registry**

Anyone can access the register of sex offenders of any of the 50 states through the website <https://www.fbi.gov/scams-safety/registry>. This page contains information of the public record of persons convicted of certain sex crimes, child abuse or attempts, so they can take steps to protect yourself and the people from harm precautions.

FERPA (Family Educational Rights and Privacy Act) prohibits institutions not to disclose information related to the sex offender registry.

## **Title IX**

Title IX of the Education Amendments of 1972 is a federal civil rights law that prohibits discrimination based on sex in education programs and activities. The same applies to public and private elementary and secondary schools, school districts, educational institutions and universities that receive federal funds. Under Title IX gender discrimination can include violence and sexual harassment. This law protects all students, regardless of the sex of the person committing the act of sexual violence or the victim. All students are protected by Title IX, regardless of disability, foreign nationality, immigration status or sexual identity or orientation.

## **Victim Rights**

- Report the incident to the institution and request that all complaints of discrimination on grounds of sex, be investigated and resolved quickly and fairly
- Use support services available inside and outside the Institution
- Option to report incidents of sexual violence to the University or the local police. Even if you decide that the police investigate, the university is not exempt from the obligation to promptly and effectively respond to your complaint.<sup>16</sup>

- Receive immediate assistance, including changing classes if necessary.
- Receive reasonable accommodation or other type of accommodation (tutoring, counseling, vocational counseling, health, psychological, etc.)
- Reveal any retaliation by employees of the University, the alleged perpetrator (s) or other students. Strong measures will be taken if such reprisals occur, according to institutional regulations
- Know the status and course of the investigation
- Present witnesses and evidence
- The right to receive written notification of the results of your complaint and any appeal, including any related penalties with your case
- Appeal Process equally accessible for both parties

deberás visitar al Consejero (a) Académico de la Universidad. Los Servicios de consejería son confidenciales y libre de costos.



## **Disciplinary Actions**

UAGM students incurred in conduct constituting sexual violence, domestic violence, harassment, sexual harassment or gender discrimination, as previously defined, in activities sponsored by the institution, is exposed to severe disciplinary sanctions, including suspension or expulsion from the institution as applicable. Disciplinary actions will be addressed in accordance with UAGM Student Regulations.

If it appears that the above acts comes from persons outside the UAGM, reasonable corrective action will be take.

## **Complaints**

Any student who understands that has been discriminated against on grounds of sex or has been or is the victim of sexual violence or sexual harassment is entitled to file a complaint through the **Campus Director**.

For more information about your rights, or if you think that the University has violated federal law, you can call the US Department of Education, Office for Civil Rights at 1-800-421-3481 or send a message to [OCR@ed.gov](mailto:OCR@ed.gov).

If you want to file a complaint online, you can do so at: <http://www.ed.gov/ocr/complaintintro.html>.



## TELEPHONE DIRECTORY

Metro Orlando Campus

**407-207-3363**

South Florida Campus

**954-885-5595**

Tampa Bay campus

**813-932-7500**

Dallas Area Campus

**469-341-7300**

