



If you or someone you know has been hurt by sexual assault, domestic violence, dating violence, or stalking, New York Film Academy is here to help. You have the right to live, learn, and/or work in a safe and welcoming environment. Violence is unacceptable, and New York Film Academy's *Sex-based Discrimination and Sexual Misconduct Policy* prohibits sexual assault, domestic violence, dating violence, and stalking. This document outlines steps to take depending on what services you want or need.

Unsure of where to start?

You may want more information or to talk to someone confidentially as you decide what you'd like to do moving forward. You can access crisis counseling, information, and support by connecting with the resources listed below.

First Steps: Things to Consider

Are you danger?

If yes, call 911.

Do you need medical attention?

You can receive medical attention at any medical facility; however, certain facilities have specially-trained staff to help survivors of sexual assault. The following location has sexual assault nurse examiners:

**Jackson Memorial Hospital
Roxy Bolton Rape Treatment Center
1611 NW 12th Avenue
Institute Annex, 1st Floor
Miami, FL 33136
305-585-7273**

It is important to preserve evidence that may be useful in obtaining a protection order or in a proceeding with a criminal investigation, should you choose to do so. Completing a forensic exam does not require you to file a police report or report to the institution, although we encourage these reports if your are comfortable doing so. Medical exams can also address other physical needs or trauma and assess for sexually transmitted infections or pregnancy. If possible, please do not bathe, douche, smoke, use the toilet or clean the location where the incident occurred. Save items you were wearing, sheets, or towels in a paper bag. Text messages, records of phone calls, emails, pictures, notes, and gifts can all be pertinent for a report of sexual assault, dating violence, domestic violence or stalking. Your immediate and long-term safety is what's most important. The resources and options outlined below may be helpful as you decide what next steps are a good fit for you.

CONFIDENTIAL RESOURCES ON CAMPUS

NYFA Counseling Services:

420 Lincoln Rd, 3rd Floor

Hours by appointment. Email: vivina.eglueta@nyfa.edu

305.534.6009

Confidentiality is defined as the intention to be kept secret. New York Film Academy Therapists are the only employees who may maintain confidential disclosures, but only within the course of their duties.

Privacy is defined as being confined to or intended only for persons immediately concerned. When incidents of sexual misconduct are disclosed, the Deputy Title IX Coordinator is considered to be someone who is "immediately concerned". Therefore any disclosure made to any NYFA employee, aside from the school therapist(s), will be shared with the Deputy Title IX Coordinator.

Quick Guide: Available Resources

ON CAMPUS	OFF CAMPUS
<p>Counseling & Mental Health 420 Lincoln Rd, 3rd Floor vivina.eglueta@nyfa.edu 305.534.6009</p>	<p>Counseling & Mental Health Jackson Memorial Hospital, Roxy Bolton (RTC) 1611 NW 12th Avenue, Institute Annex, 1st Floor Miami, FL 33136 305-585-7273</p>
<p>Legal Assistance 420 Lincoln Rd, 2nd Floor, Admin. Office SBtitle9@nyfa.edu 305.534.6009</p>	<p>Victim Advocacy Coral Gables Police Department 2801 Salzedo St Coral Gables, FL 33134 kcastellanos@coralgables.com 305.460.5471</p>
<p>Visa & Immigration Services 420 Lincoln Rd, 2nd Fl, International Affairs Office sbinternational@nyfa.edu 305.534.6009</p>	<p>Health Jackson Memorial Hospital, Roxy Bolton (RTC) 1611 NW 12th Avenue, Institute Annex, 1st Floor Miami, FL 33136 305-585-7273</p>
<p>Student Financial Aid 420 Lincoln Rd, 2nd Fl, Student Services Office financialaid@nyfa.edu 305.534.6009</p>	<p>Legal Assistance Florida Council Against Sexual Violence legal@fcasv.org 850.297.2000</p>

For additional off campus services, visit:

www.miamidade.gov/assistance/conseling_services.asp

IF YOU NEED MEDICAL ATTENTION

New York Film Academy does not have a health or medical center on campus. If you are in need of medical attention, please visit any one of the locations listed below. New York Film Academy will not provide transportation from campus but can assist you in securing transportation and/ or accompanying you, if you desire. The School Director or Title IX Coordinator can assist you with your transportation needs.

Hospitals & Medical Centers with sexual assault forensic examiners	Hospitals & Medical Centers
Jackson Memorial Hospital Roxy Bolton Rape Treatment Center 1611 NW 12th Avenue Institute Annex, 1st Floor Miami, FL 33136 305-585-7273 24/7 Crisis Helpline: 305.585.7273	Mount Sinai Medical Center 4300 Alton Road Miami Beach, FL 33140 Emergency Room: 305.250.0769
Nancy J. Cotterman Center Sexual Assault Treatment Center 400 NE 4th Street Fort Lauderdale, FL 3301 954.357.5775 24/7 Crisis Helpline: 954.761.7273	Westchester General Hospital 2500 SW 75th Avenue Miami, FL 33155 305.264.5252

MAKING A REPORT

You may choose to report to law enforcement, you may choose to report through our campus disciplinary process, you may report to both, or you may choose to access neither of these options. New York Film Academy will protect your identity in publicly available information, such as within our annual security report or in warnings sent to the campus community. You also can access the accommodations listed on page 7 regardless of whether you choose to report. Accommodations can be kept confidential as long as it does not limit our ability to provide them to you. If we would need to share information in order to provide an accommodation, we would notify you of what information needs to be shared, why, and with whom prior to sharing the information.

On Campus

There are people on and off campus who can support you in reporting to law enforcement if you choose to do so.

You can contact the **Dean of Campus** or **Title IX Coordinator** at 305.534.6009. Each can assist you in notifying law enforcement and can help connect you to other people and resources on our campus.

For confidential resources and support, contact the **School Therapist** at vivina.eglueta@nyfa.edu.

Regardless of whether or not you report to the police, you can report to New York Film Academy by contacting:

During regular business hours, Monday - Friday
9:00 a.m. to 6:00 p.m.:

Deputy Title IX Coordinator: 305.534.6009
420 Lincoln Rd, 2nd Floor, Admin Office
SBtitle9@nyfa.edu

School Director: 305.534.6009
420 Lincoln Rd, 2nd Floor, Admin Office

Outside of business hours, you can report to any New York Film Academy employee, who will then report the information to the Deputy Title IX Coordinator.

Or an anonymous report can be made any time online via the NYFA HUB: www.nyfa.edu/title_ix

Please see the **campus disciplinary** process section for more information on pursuing an investigation under campus policy.

Orders of Protection

New York Film Academy complies with Florida law in recognizing orders of protection or restraining orders, which are called "Injunctions for Protection" in Florida, by encouraging any person who obtains an injunction from Florida or any state within the United States to provide a copy to the Office of the Title IX Coordinator. Depending on the nature of the incident, New York Film Academy

Law Enforcement

In an emergency, dial 911.

If you want to contact **Miami Beach Police Department**, directly, you can do so by calling 305.673.7776.

Please note that what law enforcement agency to report to can vary depending on the specifics of your case, but New York Film Academy can help you figure out where to go and will assist you in reporting to law enforcement.

A police report can be made over the phone or in person, but must be filed in the jurisdiction in which the crime occurred. The Deputy IX Coordinator can help you identify the jurisdiction and appropriate precinct. Reports made over the phone may be followed up by the officer meeting you in person to finalize the report and examine the crime scene. After the report has been filed, make sure to ask for your case number. You will need this number to follow up on the investigation, file a claim with your insurance agency, and request a copy of your report. While it is free to file a report, you may have to pay to get a copy.

Many survivors find law enforcement to be a great resource. Others choose not to report to law enforcement. We always encourage reporting, but know that only you can determine if doing so is the right decision for you.

Regardless of whether or not you report to the police, there are campus options, including resolution through the New York Film Academy process, available to you.

may be able to issue a no contact agreement to prevent contact between two individuals. Below is information on the kinds of injunctions available, how to get help with filing an injunction, information on locating an Intake Center and appropriate court house locations based on jurisdiction, the hearing process and other applicable information. If your questions are not answered below, contact the Miami-Dade County Domestic Violence Hotline at (800) 500-1119 or contact the University Police Department.

A **no contact agreement** is a contract issued by New York Film Academy that prohibits communication (verbal, written, 3rd party contact, or cyber communication) between two individuals (or more) in order to protect the educational and/or working environments by eliminating a hostile environment. A no contact agreement is not a disciplinary sanction and does not become part of the conduct record, unless the agreement is violated. A no contact agreement can be issued with or without the presence of a formal report. To request a no contact agreement, please contact the Deputy Title IX Coordinator at 305.534.6009 or SBtitle9@nyfa.edu .

An **injunction for protection** is issued by the court to limit the behavior of someone who harms or threatens to harm another person. It is used to address various types of safety issues, including, but not limited to situations involving domestic violence. There are four types of injunctions that you may qualify for under Florida Statute 784.046. You may file an injunction for protection against domestic violence, repeat violence, dating violence or sexual violence. The intake counselor will provide you with information to determine what criteria matches your particular circumstances.

There are several court intake locations in the community (listed below) where Intake Unit staff are available to assist persons with filing for an injunction. They will also help with referrals to social service agencies in the community, safety planning, and procedural information about the court process. There are procedures in place which make it possible to obtain an injunction in Miami-Dade County 24 hours a day, seven days a week. For any questions, call the 24-Hour Miami-Dade County Domestic Violence Hotline at (800) 500-1119.

Intake Locations	
<p>Lawson E. Thomas Courthouse Center 175 N.W. 1st Avenue Mezzanine Floor Miami, FL 33128 305.349.5813</p> <p><u>Regular Intake Hours:</u> 9 a.m. - 7 p.m., Monday through Thursday 9 a.m. - 4 p.m Friday</p>	<p>Hialeah Courthouse 111 East 6th Street Hialeah, FL 33010 305.520.4002</p> <p><u>Regular Intake Hours:</u> 9 a.m. - 4 p.m., Monday through Friday</p>
<p>North Dade Justice Center 15555 Biscayne Boulevard Miami, FL 33160</p> <p><u>Regular Intake Hours:</u> 9 a.m. - 4 p.m., Monday through Friday</p>	<p>South Dade 10710 S.W. 211 Street Miami, FL 33189</p> <p><u>Regular Intake Hours:</u> 9 a.m. - 4 p.m., Monday through Friday</p>

The injunction process begins when you file for an injunction at one of the Intake Locations listed above. The Intake Unit staff will help you complete all the necessary paperwork, which is taken to a judge to review. If the judge decides the sworn allegations contained in the paperwork meet the requirements of Florida law for the issuance of an injunction, the judge will enter a Temporary Injunction, which will be valid for 15 days. A hearing will be set within 15 days, and the Sheriff's Office will attempt to personally serve the person who the injunction is filed against (the respondent) with the injunction paperwork. The Temporary Injunction can require the respondent to have no contact with the person filing the injunction (the petitioner), stay away from the petitioner's home and workplace, vacate a shared residence, award temporary custody of minor children and require the surrender of firearms.

At the court hearing, the judge will decide whether to grant a Permanent Injunction after taking testimony from the parties and witnesses, and considering any evidence which is presented. If a Permanent Injunction is granted, it will be effective until it is changed or ended by the judge at either party's request, after notice and hearing, or until a specific date set by the judge (i.e., one year, three years, five years, etc.). The Permanent Injunction can require the respondent to have no contact with the petitioner, stay away from the petitioner's home and workplace, award custody, visitation, child and spousal support, and require the surrender of firearms. The Permanent Injunction can also order the respondent to attend a batterers' intervention program and victims and children can be referred to support groups and counseling programs, free of charge.

New York Film Academy complies with New York State Law in recognizing orders of protection. If you obtain an order of protection from any U.S. state, provide a copy to the School Director or Title IX Coordinator to develop a Safety Action Plan. This plan is to help reduce risk of harm while on campus and may include, but not limited to, a change to classroom locations, academic assistance, etc.

REQUESTING ACCOMMODATIONS & INTERIM MEASURES

Regardless of whether you choose to report to local police or New York Film Academy, there are specific options available to you, if requested and reasonably available. These options and who to contact to access them are outlined below.

Area Requesting Assistance	Who/ How to Contact
Living Accommodations	Housing Coordinator 420 Lincoln Rd, 2nd Floor, Front Desk Monday - Friday, 9:00 a.m. to 5:00 p.m yves.aripse@nyfa.edu , 305.534.6009

Area Requesting Assistance	Who/ How to Contact
Academic Accommodations	Dean of Campus 420 Lincoln Rd, 2nd Floor, Admin Office Monday - Friday, 9:00 a.m. to 6:00 p.m. maylen.dominguez@nyfa.edu , 305.534.6009
Transport Accommodations	Dean of Campus 420 Lincoln Rd, 2nd Floor, Admin Office Monday - Friday, 9:00 a.m. to 6:00 p.m. maylen.dominguez@nyfa.edu , 305.534.6009
Working Accommodations	Dean of Campus 420 Lincoln Rd, 2nd Floor, Admin Office Monday - Friday, 9:00 a.m. to 6:00 p.m. maylen.dominguez@nyfa.edu , 305.534.6009
Additional protective measures, including an institutional "no contact" agreement, which is enforceable through the Title IX Office	Deputy Title IX Coordinator 420 Lincoln Rd, 2nd Floor, Admin Office Monday - Friday, 9:00 a.m. to 6:00 p.m. SBtitle9@nyfa.edu , 305.534.6009

Campus Disciplinary Process: Rights & Options

To make a report against a student or employee, contact:

Liliana Brown, Deputy Title IX Coordinators

305.534.6009, SBtitle9@nyfa.edu

You have the right to:

- A prompt, fair, and impartial process from the initial investigation to the final result (completed within the timeframes laid out by our policy in a manner that is transparent, provides timely notice of meetings and equal access to information to both the complainant and the respondent, and conducted by officials without a conflict of interest or bias for either party that receive annual training on how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability)
- Have others present during any institutional disciplinary proceeding, including the opportunity to be accompanied to any related meeting or proceeding by an advisor of your choice
- Notification, in writing, of:
 - » The result of any institutional disciplinary proceeding from your report of dating violence, domestic violence, sexual assault, or stalking
 - » New York Film Academy's procedures to appeal the results

- » Any change to the results
- » When the result become final

* The respondent is afforded the same rights

New York Film Academy will use the procedures set for by the *Sex-based Discrimination and Sexual Misconduct Policy*, outlined below, in response to complaints (reports) of sexual assault, dating violence, domestic violence, stalking, or other forms of Prohibited Conduct.

1. Once an allegation has been reported, the Title IX Coordinator will contact the Complainant to explain their reporting options and resources on and off campus, supportive measures, and to extend an offer to meet in-person. This first meeting is called an intake and serves to provide an opportunity for the Title IX Coordinator to gather more information about the incident and assess the need for supportive measures.
 - Supportive measures may be taken prior to an investigation or in the absence of an investigation. The Complainant may ask questions about the policy and investigative process during intake.
 - A Complainant has the option to request their name not be shared with a Respondent, to request that no investigation be pursued, or to request no student conduct action be taken. The Title IX Coordinator is responsible for determining the appropriate manner of resolution that is consistent with the Complainant's request to the degree possible.
2. If the Complainant and Respondent agree on informal resolution, the Title IX Coordinator will determine the best course of action to end the reported behavior, prevent reoccurrence, and remedy the effects, without completing a formal investigation. Informal resolution may take various forms, and may include individualized training or broad based programming, advisory discussions with Respondent to address the reported conduct, adjustments made to reduce interactions between the parties, mediation, etc.
 - A Complainant or Respondent reserve the right to request a formal resolution at time, even after an informal resolution has been reached.
3. If the Complainant chooses formal resolution, NYFA's investigation process will be initiated and a notice of investigation will presented to the Complainant and Respondent. The The notice of investigation will include the following information: the identity of the Complainant and Respondent, the specific policy provisions that may have been violated, alleged conduct that may constitute a policy violation, the investigation process, the name of Investigator assigned to the case (if not the Title IX Coordinator), and applicable support resources and/or referrals.
 - New York Film Film Academy has a strict retaliation policy that protects any individual participating in an investigation. Retaliation includes but is not limited to threats, intimidation, harassment and/or negative actions related to the participation of the investigation.
 - The adjudication and resolution of a Complainant will generally be completed 60 calendar days from the date the complaint was made.
 - The standard of evidence that will be used in all cases related to this policy is a **preponderance of evidence standard**. Evidence which is of greater weight or more convincing than the

evidence which is offered in opposition to it and not based on the amount of evidence made available.

4. The Title IX Coordinator or Investigator will meet separately with the Complainant, Respondent and identified Witnesses. To the extent possible, the Title IX Coordinator will interview the Complainant, Respondent, or Witnesses either in-person and ask all parties for all information related to the allegations, including documented communications between parties, receipts, photos, videos, or other relevant information.
5. At the conclusion of the fact-finding stage, the Title IX Coordinator will provide the Complainant and Respondent with individual and separate opportunities to review and respond to redacted versions of the information collected. The Information Review is an opportunity for the parties to access all information gathered to date, such as the Title IX Coordinator's typed interview notes and documentary evidence.
 - The Complainant and Respondent can each bring a written statement to the Information Review, can share their responses to the information being reviewed, and will be given a reasonable deadline by which to request that the Title IX Coordinator gather additional relevant information, if applicable in the form of: (a) requests for additional documentation from Witnesses, (b) new Witnesses, or (c) additional documentation under the control of NYFA.
 - The Title IX Coordinator may ask questions during the Information Review, including questions submitted by the other party. The Title IX Coordinator may modify or exclude questions that they find to be unfairly prejudicial, confusing, argumentative, misleading, unnecessarily repetitive, not probative, or speak only to a party's character or non-relevant sexual history.
6. Following the conclusion of Information Review, the Title IX Coordinator will prepare the investigate report, which will include an analysis of all disputed information identified throughout the process, an analysis of policy, and conclusion of whether or not there is a preponderance of evidence that the Respondent violated NYFA policy. The Title IX Coordinator will send the Investigation Report, for review, to a reviewing Title IX Coordinator at one of NYFA's other campuses to make a determination regarding the Respondent's responsibility for violations of NYFA policy.
 - Sanctions are determined based on the severity and pervasiveness of the complaint, and any prior conduct violations may also be taken into consideration. Sanctions may include; a warning, disciplinary probation, deferred suspension, suspension, deferred expulsion, expulsion, revocation of awarding degree of certificate, or educational sanctions.
7. A Final Outcome Letter is provided, in writing, to the both the Complainant and Respondent to communicate the findings, any imposed sanctions, and the rationale for the decision(s). The Final Outcome Letter will also state the deadline by which they must request an appeal based on one or more relevant criteria, as outlined in this policy.

The information listed above is an outline and is provided to give you a good understanding of New York Film Academy's resolution process for sexual assault, dating violence, domestic violence, and stalking complaints. Some cases may require additional steps and/or for the steps to followed in a different sequence. **For any questions regarding this process set forth in the *Sex-based Discrimination and Sexual Misconduct Policy*, please contact the Title IX Coordinator.**