

the school or college offering the professional program may modify the requirements of this article through a written bylaw adopted by the voting faculty of the school and approved by the Faculty Senate.

#### Article 3. Relationships between Individuals Involving Evaluative Responsibilities or other Power Differences

Even in cases of relationships not precluded by Articles 1 and 2, members of the General Faculty, (including for these purposes research and teaching assistants) regardless of their rank, title or full or partial pay status, shall not enter into or continue amorous relationships with any individuals, over whom they have evaluative authority. When such amorous relationships already exist or develop it is the responsibility of the General Faculty member to immediately recuse themselves from all evaluative responsibilities concerning the other individual, whether student, faculty member, or employee. In the case of a General Faculty member who has an otherwise permissible amorous relationship with a graduate student, the faculty member must cease all academic, professional, and other activities affecting the student. These steps should be taken in a way that does not disadvantage the affected student. Furthermore, the more powerful individual shall promptly report the situation to their Dean or other supervisory authority, who will act to help determine the best means of resolving such actual, apparent, or potential conflicts while maintaining the confidentiality of the information reported.

#### Article 4. Consequences of Violating this Policy

A member of the General Faculty who engages in an amorous relationship contrary to Articles 1, 2, or 3, will be subject to disciplinary action. In the case of a member of the University Faculty, the matter shall be referred to the Committee on Professional Conduct pursuant to Section B4.9 of the Faculty Manual. Members of the General Faculty who violate these policies and who are not members of the University Faculty are subject to termination. Teaching or research assistants who violate this policy are subject to termination of their position and their case will be referred for possible additional action under the appropriate Honor Code. Enforcement action under this Article does not preclude action also being taken under the Faculty Policy on Sexual Harassment contained in the Faculty Handbook section of the Faculty Manual.

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### **DANGEROUS ITEMS: FIREARMS, FIREWORKS, and WEAPONS**

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Firearms, fireworks, and smoke bombs are illegal and prohibited. Combustibles, ammunition, torches, gasoline canisters and other explosives are prohibited without the written approval of a University official.

Weapons are prohibited on campus. A “weapon” includes:

- A. Any item or instrument which is defined as an illegal weapon under city, state, or federal law;
- B. Any item designed to inflict a wound, cause injury, or incapacitate another person or animal;
- C. Any item used to harass, threaten, intimidate, physically abuse, or assault;
- D. Any item the University deems dangerous or an item that has been used in a dangerous manner.

The following are examples of what are considered weapons and are therefore strictly prohibited:

Guns, slingshots, cross-bows, bows and arrows, nun chucks, spears, switchblades, brass knuckles, billy clubs, fighting or throwing knives, martial arts weapons, toy weapons that appear to be real, BB guns, pellet guns, dart guns, stun guns, air guns, homemade guns, paint guns, instruments that eject projectiles. A “gun” includes, but is not limited to, rifles, pistols, or any variation, and BB’s, pellets, darts, or any other ammunition.

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### **FREEDOM OF EXPRESSION: DEMONSTRATION, OUTSIDE SPEAKERS, AND POLITICAL CAMPAIGN POLICIES**

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As one of the most diverse campus communities in the nation, the University of Miami is committed to a Culture of Belonging where all members of the community have a sense of connection to their University, feel valued, and have opportunities to make valuable contributions. As such, the University supports the free exchange of diverse and competing ideas and opinions in many formats and media. In support of diversity of thought and the free, respectful exchange of ideas, the University campuses welcome the sharing of ideas and opinions, and the protest and challenge of ideas and opinions. However, the University of Miami reserves the right to use its sole discretion to refuse any request for the use of University space or facilities deemed inconsistent with the values and mission of the University including those events that may cause a disruption or cause danger to the health and safety of others or cause violence.

**Demonstration Policy.** All students and student organizations must comply with the requirements and policies governing demonstrations. Failure to abide by the policies and directives will result in disciplinary action for the organizations and/or individuals involved.

A demonstration is defined as, any public display of support for, or in opposition to, any person, group, organization, cause, institution, idea, or policy. A demonstration shall not include mere attendance at any scheduled University-sponsored activity, even if badges, armbands, distinctive clothing, or similar symbols of opposition are displayed. Peaceful and orderly demonstration is considered to be one of the many legitimate avenues for the free expression of ideas. Accordingly, the University supports and protects the rights of students, and recognized student organizations, to demonstrate and publicly proclaim their views, however unpopular. This policy is intended to uphold the right of free speech of both demonstrators and speakers, while also safeguarding the right of others to see and to listen.

The University of Miami supports the rights of individual students and student organizations to demonstrate, provided such activities do not disrupt normal academic or administrative activities, or infringe upon the rights of others. The right to express ideas freely carries with it certain responsibilities, among which is the obligation to refrain from interfering with the rights of other members of the academic community to pursue legitimate educational objectives. Persons engaging in activities on University property are subject to, and expected to, comply with all applicable University policies and procedures and all applicable laws, including any State Statutes and relevant County and Municipal ordinances.

The safety and well-being of members of the Campus community collectively and individually, must be protected at all times; thus the University maintains the right to regulate and monitor the time, place, and manner in which activities occur on Campus, and to evaluate and assess related security costs for any demonstration.

#### Procedure for Gaining Approval for a Demonstration

Recognized University organizations and full or part-time students who wish to schedule a demonstration, rally, protest or equivalent activity, may request the space through the Dean of Students Office on their respective campus and the appropriate venue manager. Any such request must be made no less than four business days in advance of the activity. The required Demonstration Registration Form can be accessed and completed in OrgSync.

Demonstrations may be held at locations on Campus with the approval of the Dean of Students Office on their respective campus on a first-come, first-served basis, based on availability after an assessment that such demonstrations will not otherwise interfere with scheduled University use, or fail to comply with the guidelines applicable to all demonstrations. Once the required form is completed and submitted in a timely manner, it will be reviewed by the Dean of Students Office and appropriate representatives of the proposed venue, UMPD and the Vice President for Student Affairs office. No demonstration can take place without final approval from the Dean of Students Office.

#### Demonstration Guidelines and Responsibilities

Persons may not:

- display, threaten to use, or attempt to use firearms, explosives, or other weapons or dangerous items on University property.
- engage in threatening or physically abusive behavior, or cause or threaten to cause physical injury to another person.
- have signage on posts or sticks that may present a safety risk.
- set fire to, or damage by any other means (e.g., including by use of any hazardous or noxious substance), any University building, or any property (e.g., books, papers, records, electronic medium) of the University, or of others.
- block or otherwise interfere with the free flow of vehicular, bicycle, or pedestrian traffic. The right of way on streets and sidewalks must be maintained, unless the closure is authorized in writing by the Dean of Students Office on the respective Campus involved.
- block or otherwise interfere with ingress or egress of Campus buildings, exterior patios, plazas or gathering places, or adversely occupy or take over any building or part thereof.
- obstruct, disrupt, or attempt to obstruct or disrupt any event including classes or any other activity sponsored by the

University or by any users authorized to use University facilities. Use of indoor or outdoor public address systems and amplified sound, or the use of signage within buildings requires prior approval from the Dean of Students Office on the respective campus involved.

Demonstrations are also subject to Florida Statute 877.13 and the City of Coral Gables Code, which can be found in the Appendix of this manual.

#### Permitted Demonstrations and Sanctions

Members of the University of Miami community generally may articulate their dissent or disagreement with a particular speaker through symbolic protests, including but not limited to distributing literature outside the meeting, holding signs, wearing clothing or buttons, standing in the back of the room, so long as they do not interrupt the speaker's ability to communicate or the audience's ability to view or hear the speaker.

Individuals participating in any demonstration, whether sponsored or not, are accountable for compliance with this policy. Sponsoring organizations and other related entities are also responsible for compliance with this policy. Upon a violation of these guidelines, University officials may direct demonstrators (a) to comply with these guidelines, (b) to cease and desist their activities, and/or (c) to leave the premises or Campus. Demonstrators or spectators who are alleged to be in violation of these guidelines should, if at all possible, first be warned by University officials and given the opportunity to cease and desist. If they fully comply with this request and no crime or violation of University of Miami policies, procedures, or Students Rights and Responsibilities has been committed, no adverse actions will be taken.

UMPD is fully authorized to protect persons and property and may disperse persons at any event they determine is violent or has the potential to escalate to violence of persons or property.

Students who knowingly violate this policy governing Demonstrations on Campus, or fail to cease and desist after being warned to do so, are subject to conduct action, arrest, and/or other action by appropriate authorities. Student organizations charged with violating this policy will be referred to the appropriate Dean of Students Office. Sanctions for failing to abide with policy guidelines may include termination of the demonstration and prohibition of future demonstration activities, and may include University conduct action for groups and/or individuals.

#### Outside Speakers Policy

The University of Miami is committed to providing a forum for free and open expression of divergent points of view by Campus speakers. Use of University facilities by outside speakers is not an endorsement by the University of any speakers' views. In keeping with University policy, all undergraduate, law, graduate and medical school student organizations must observe all policies and registration requirements related to hosting an outside speaker. While the University is committed to providing a forum for freedom to express divergent points of view by campus speakers, in those circumstances where the University believes the event may cause a disruption or cause danger or violence, the University may deny or withdraw an invitation to speak.

#### Procedure for Gaining Approval to Host an Outside Speaker

Registered student organizations, after consultation with their advisor(s), may invite speakers of their choice to University campuses. Student organizations seeking to sponsor programs and events involving outside speakers must indicate the presence of the speaker via their event reservation form at least 10 business days prior to the program or event. If a group would like to bring an outside speaker to an event that already has a confirmed reservation (including regular weekly meetings), it is the responsibility of the student organization to update the reservation to include the presence of the outside speaker by notifying the venue in writing. Student organizations are encouraged to complete the reservation form early in the planning stages as the University must approve the time, place and manner of each outside speaker. The form will be reviewed for approval by the appropriate University administration. As a condition of final approval, the University may require that the sponsoring organization make certain changes involving the event, including, but not limited to a change in venue, scheduled time, or security arrangements, as deemed necessary by the University. The Department of Student Activities & Student Organizations – in consultation with the University of Miami Police Department – may require that additional security be present to ensure the safety of the speaker and program participants. The costs of security measures

are the responsibility of the sponsoring organization.

#### Outside Speaker Guidelines and Responsibilities

1. Admission - In addition to the student members of the sponsoring student organization, outside speaker events are generally only open to University students, faculty, staff and trustees. Exceptions to this policy must be approved by the Vice President for Student Affairs, or, if applicable, by the appropriate academic Dean (Law, Marine Science, Graduate, Medicine) in consultation with the Vice President for Student Affairs. Admission charges, if any, or suggested donations which are used as a condition of admission, must be included in all publicity for the event.
2. Advertising/Publicity - All student organizations seeking to sponsor an outside speaker must include in any advertising promotional materials, and other literature distributed, the name of the sponsoring organization(s), sufficient information about the speaker(s), and the nature of the presentation. Deceptive advertising, soliciting, recruiting practices, or the use of third party promoters are prohibited. No publicity for an outside speaker or program may be released prior to approval of the Registration Form. Unauthorized use of the University's name is strictly prohibited.
3. Advisors - The student organization Advisor(s) or designee (designee must be a full-time faculty or staff member) of the sponsoring organization must be present for the duration of the event.
4. Contracts - All contracts for speakers must be submitted to the Department of Student Activities & Student Organizations for processing and execution. Execution of a contract does not signify endorsement by the University of any speakers' views. Unauthorized persons are prohibited from entering into any contract on behalf of the University. Any contract entered into on behalf of the University without proper authorization shall be deemed void. Any student or student organization that enters into, or attempts to enter into, a contract on behalf of the University, may be referred to the Dean of Students Office.
5. Security - The Department of Student Activities & Student Organizations – in consultation with the University of Miami Police Department – may require that additional security be present to ensure the safety of the speaker and program participants. Such factors including, but not limited to, expected attendance, location and nature of the presentation will be considered. The costs of security measures are the responsibility of the sponsoring organization.
6. Venue - The venue manager for the location where the event is to occur must indicate their approval for the use of the location prior to the submission of the registration form. The sponsoring student organization is responsible for informing the venue manager if they would like to make any changes to their space reservation and related details before the event occurs.

#### Failure to Comply with Outside Speakers Policy

Students who knowingly violate this policy governing outside speakers, or fail to cease and desist after being warned to do so, are subject to conduct action and/or other action by appropriate authorities. Student organizations charged with violating this policy will be referred to the appropriate Dean of Students Office. Sanctions for failing to abide with policy guidelines may include termination of the event, and prohibition of future outside speaker activities, and may include University conduct action for groups and/or individuals.

#### Political Campaigning Policy

Officially registered student organizations may table on behalf of one or more political candidates. The activity must be overseen by current university students at all times, and groups must remain within their assigned spaces. Solicitation at unauthorized locations around campus - including in residence halls, classroom buildings, and other public areas - is a violation of the University solicitation policy and is prohibited. The decision to support one or more candidates lies entirely with the student organizations. Student groups are not obligated to provide equal access to all candidates if they do not wish to do so.

Campaign staff that wish to reserve tables without the support of a registered student organization may do so, but will be required to pay reservation fees as outlined at [www.miami.edu/scc](http://www.miami.edu/scc).

Voter registration of University of Miami students may only be conducted by officially registered University political organizations and the "Get Out the Vote" initiative coordinated by the Office of the Vice President for Student Affairs. Groups

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registering students to vote must follow specific guidelines related to the distribution and collection of voter registration forms. Groups must meet with a representative from the Office of the Vice President for Student Affairs to review and accept these policies prior to beginning any voter registration efforts.

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## EMERGENCY EQUIPMENT AND PROCEDURES

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Designated fire escapes, ground level fire doors, fire hoses and extinguishers, and alarm equipment are to be used only in emergencies. The blocking of, tampering with, damage caused to, the destruction of, or the misuse of these emergency devices is prohibited and may result in criminal prosecution and/or University disciplinary action.

Directions for evacuation of University buildings, including all residential areas, in cases of emergency are posted throughout each building. All students are required to participate in building evacuations. During building evacuations, students may not return to buildings until the police, fire department, or appropriate University staff member gives authorization.

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## HAZING

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The University of Miami has an absolute prohibition on hazing. Hazing is defined as an action or situation created on or off campus which recklessly or intentionally harms, damages, or endangers the mental or physical health or safety of a student for the purposes of, including, but not limited to, initiation or admission into or affiliation with any organization operating within the University of Miami. Hazing includes, but is not limited to:

- A. pressuring or coercing a student into violating University rules or local, state or federal law,
- B. brutality of a physical nature, such as whipping, beating, branding, forced calisthenics, exposure to the elements,
- C. forced/encouraged consumption of any food, liquor, drug, or other substance, or other forced/encouraged physical activity that could adversely affect the physical or mental health or safety of the student,
- D. any activity that would subject the student to extreme mental stress, such as sleep deprivation,
- E. forced/encouraged exclusion from social contact,
- F. forced/encouraged conduct that could result in extreme embarrassment,
- G. forced/encouraged activity that could adversely affect the mental health or dignity of the student, or
- H. any other activity which is inconsistent with the regulations and policies of the University of Miami (*continued*)

It is not a defense to a charge of hazing that:

- 1. The consent of the alleged victim had been obtained;
- 2. The conduct of activity that resulted in the death or injury of a person was not part of an official organizational event or was not otherwise sanctioned or approved by the organization; or
- 3. The conduct or activity that resulted in death or injury of the person was not done as a condition of membership to an organization.
- 4. The conduct or activity was not done to intentionally cause physical or emotional harm.

Students who are complicit to hazing will be charged with violating the university's complicity policy.

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## HEALTH AND SAFETY

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Students who engage in conduct that endangers their personal health or safety or the personal health or safety of others, may be required to participate and make satisfactory progress in a program of medical or psychological evaluation and/or treatment if they are to remain at the University. The determination as to the student's participation and progress is to be made by the Dean of Students, or their designee, with the assistance of the Director of the Student Health Center, the Director of the Student Counseling Center, and the Chief of the University of Miami Police Department, or their respective designees (this body comprises the Student Assessment Committee). The University reserves the right to require the withdrawal of a student whose continuation in school, in the University's judgment, is detrimental to the health or safety of the student or others.