



**The U.S. Department of Energy**  
**TITLE IX COMPLIANCE REVIEW REPORT**  
**of the**  
**Department of Electrical and**  
**Computer Engineering**  
**University of Florida**

*Fiscal Year 2017*



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# TITLE IX COMPLIANCE REVIEW REPORT

## Department of Electrical and Computer Engineering University of Florida

### I. Introduction

The Office of Civil Rights (OCR) of the U.S. Department of Energy (DOE or the Department), conducted a Title IX compliance review of the University of Florida's (University or UFL) Department of Electrical and Computer Engineering (ECE), for the academic years 2011-2012 through 2015-2016. OCR conducted the review on February 23-24, 2016, pursuant to Title IX of the Education Amendments of 1972 (Title IX), as amended, 20 U.S.C. Section 1681, *et seq.*, and DOE's implementing regulations at 10 C.F.R. Parts 1040 and 1042. This document constitutes a report of findings and is based on a review of records and other data provided by the University, information obtained from the University and the ECE's websites, and information obtained through interviews of students, faculty, and administrators of the ECE's graduate programs, the University's Title IX Coordinator, and other University administrative officials.

#### A. Background

DOE supports a diverse R&D portfolio at colleges, universities, and research institutions across the United States, providing funding to more than 300 institutions each year. The funding provided by DOE supports the work of thousands of principal investigators, graduate students, and post-doctoral researchers. During the three-year period preceding this review, DOE provided a total of \$20,475,712 in financial assistance to UFL, for the period FY 2014 through FY 2015.

The Title IX statute along with DOE's Title IX implementing regulations, prohibit recipients of federal financial assistance, such as universities and colleges, from discriminating on the basis of sex in any of their educational programs or activities. 20 U.S.C. § 1681(a); 10 C.F.R. § 1042.100. In addition, DOE regulations require the Department to periodically conduct compliance reviews of recipients of DOE financial assistance to ensure compliance with the nondiscrimination requirements of Title IX. 10 C.F.R. §§ 1042.605, 1040.101 (a).

Additional statutory authority requiring DOE to conduct compliance reviews is found in the American COMPETES Act, Pub. L. No. 110-69, § 50101, 121 Stat. 572, 620 (2007), first enacted in 2007 and reauthorized in 2011. The Act states that DOE should: (1) implement the recommendations contained in a July 2004 Government Accountability Office (GAO) report titled, *Gender Issues: Women's Participation in Sciences has Increased, but Agencies Need to Do More to Ensure Compliance with Title IX*; and (2) conduct at least two Title IX compliance reviews annually of recipients of DOE financial assistance.

#### B. Objective

The objective of the Title IX compliance review conducted at UFL's ECE was three-fold: (1) to determine whether male and female applicants and students have equal access to the opportunities and benefits of the department's graduate programs; (2) to determine whether the ECE is in compliance with the requirements of the Title IX statute and the DOE Title IX implementing regulations; and (3) to identify and document best practices and governance pursued by the University and the ECE, with the goal of promoting equality among male and female students and applicants.

## **A. Scope**

The OCR elected to review the graduate programs for academic years (AY) 2011–2012 through 2015–2016. To determine whether graduate applicants and students, regardless of their sex, had equal access to the opportunities and benefits offered by the Department, the OCR evaluated the following areas and/or practices of the ECE’s graduate programs: (1) student enrollment; (2) recruitment and outreach efforts; (3) admissions policies; (4) leave of absence and re-admission policies; (5) financial assistance opportunities; (6) graduate examination and writing requirements; (7) academic climate; (8) student safety; and (9) on-campus child care services.

To determine whether the University was in compliance with the requirements of the Title IX statute, as well as the DOE Title IX implementing regulations, the OCR evaluated the following: (1) whether the University has properly designated a Title IX Coordinator; (2) whether the University has taken proactive steps to notify the campus community about its nondiscrimination policies related to the Title IX statute; and (3) whether the University has adopted and published grievance procedures that provide for the prompt and equitable resolution of Title IX-related complaints, including sex discrimination and sexual harassment complaints.

## **B. The Review Process**

The University of Florida was selected using neutral criteria with the baseline criteria being that the UFL is one of many higher education institutions having received financial assistance from the DOE. Additionally, the department narrowed the institutions to be considered for review geographically to the southeast United States and eliminated institutions that had undergone a Title IX review in the past five years. An initial data request was sent to the University and arrangements were made with the University’s Title IX Coordinator for a site visit by DOE, which occurred on February 23–24, 2016.

A site visit team conducted its Title IX review on the UFL campus on February 23–24, 2016. OCR held an opening session with university administrators and representatives including: the University President, the University Provost, Title IX Coordinator, Deputy Title IX Coordinator, the Dean of the College of Engineering, the Chair of the Department of Electrical and Computer Engineering, Associate Dean for Academic Affairs, the Director of Graduate Programs, the Associate Dean for the Graduate School, and the University Counsel. At the opening session, OCR explained the purpose and process to be followed for the visit, as well as the legal and historical background about the Title IX Compliance Review.

Following the opening session, nine university administrators, including the Title IX Coordinator, were interviewed. In addition, a total of twenty faculty members, four female and sixteen male, were interviewed. The team also interviewed fifty-eight students including undergraduate and graduate students.

## **II. The UFL Electrical and Computer Engineering Program**

The Herbert Wertheim College of Engineering is UFL’s largest professional school, housing nine departments (including the ECE Department), twenty centers and institutes, and offering fifteen separate degree programs. The ECE Department has 750 undergraduate students and 400 graduate students. The graduate program of the ECE Department offers Master of Engineering, Master of Science, and Doctor of Philosophy degrees. The ECE Department also offers a combined BS/MS and BS/Ph.D. degree program to qualified students.



At the time of the review, the Dean of the College of Engineering, was the first female to hold that position at the UFL. The Dean of the College of Engineering is an executive leadership position that oversees all aspects of the University's graduate and undergraduate Engineering programs, including (but not limited to) academic, student, faculty, and financial affairs.

**A. The Graduate School at UFL**

The UFL Graduate School is responsible for establishing general standards of graduate work for the University; it oversees the conferral of Master's degrees and Doctoral degrees, as well as two professional programs, an Educational Specialist degree, and several Graduate Certificate programs. The individual colleges and schools are responsible for the operation of their respective graduate programs. The Dean of Graduate School's title is Associate Vice President and Dean of the Graduate School.

**B. Student Enrollment in the Department of Electrical Engineering and Computer Science (ECE)**

The ECE Department's graduate student enrollment data for the four most recent academic years are shown below in Table 1. During academic year 2015–2016, there were 256 graduate students enrolled in the ECE Department's graduate program. Of those students, 73% were male and 27% were female. During the onsite review, the compliance review team interviewed approximately 8% of these students. Table 1 on the next page summarizes the total graduate school enrollment for the time period under review.

**Table 1: ECE Graduate School Enrollment Data (Ph.D.)**

Academic Year	Total Enrolled	Male	% Male	Female	% Female
2012-2013	221	173	78%	48	22%
2013-2014	109	88	81%	21	19%
2014-2015	204	140	69%	64	31%
2015-2016	256	188	73%	68	27%

**Highlights:** Table 1 shows the gender representation of ECE graduates in the four-year period from 2012 to 2016. During this period, female representation increased from twenty-two percent to twenty-seven percent. During this same time period, male enrollment declined by five percent.

**C. Faculty and Administrators**

The ECE Department has fifty-one tenured/tenure-track faculty members. The compliance review team interviewed twenty members of the ECE faculty, four female and sixteen male, on a variety of topics, including the admissions process, the faculty's awareness of Title IX policies and resources, Title IX-related training, the academic climate, and campus safety.

### **III. Recruitment and Outreach Programs**

DOE Title IX implementing regulations prohibit recipients of federal financial assistance from discriminating on the basis of sex in the recruitment of students. 10 C.F.R. § 1042.310. To determine whether the ECE Department was in compliance with this provision, the OCR reviewed the department's recruitment and outreach activities.

The University reported that it engages in a wide array of outreach and recruiting efforts:

- a. Recruitment and information sessions for undergraduates currently attending the UFL;
- b. Attendance at national conferences (e.g., the Society of Women Engineers, Society of Hispanic Professional Engineers, and the National Society of Black Engineers);
- c. Recruiting visits to other colleges and universities;
- d. Emails through university name exchanges and GRE lists;
- e. Campus visits for top Ph.D. candidates.

#### **A. The Engineering National Graduate Institutional Name Exchange (ENGINE)**

The Director of Graduate Recruiting and Undergraduate Research within the College of Engineering reported that the University has implemented the Engineering National Graduate Institutional Name Exchange (ENGINE), a program he initiated at the University in 2015. ENGINE is a national consortium of more than 100 educational institutions that offer engineering degrees and that seek to recruit students to their graduate engineering programs. The ENGINE program expands and diversifies the pool of student applicants for the Nation's educational institutions because it has the largest database of undergraduate students available for recruitment, including domestic underrepresented minorities and female students. Since the inception of the ENGINE program in 2015, the University's total number of female domestic applicants to the graduate Engineering program has increased by approximately twenty-seven percent. Since the inception of the program, the total number of female domestic applicants to the Ph.D. program has increased by approximately twenty-six percent and has more than doubled since 2014.

#### **B. Annual Recruitment Activities**

The University reports that its efforts for 2012-2013 focused on UFL information sessions for its undergraduate students, advertised through the Institute of Electrical and Electronic Engineers (IEEE), the Society of Women Engineers (SWE), and Eta Kappa Nu (an international electrical and computer engineering honor society). In 2013-14, the College of Engineering performed site visits to other universities, including the University of Puerto Rico, University of Texas at Austin, Texas A&M University, University of Virginia, and North Carolina State University. The ECE admissions coordinator also participated in a number of school fairs, such as the Big Ten Graduate School Fair, Rose-Hulman University School Fair, Tau Beta Pi Graduate School Fair, and national conferences sponsored by the Society for the Advancement of Chicano and Native Americans in Science, SWE, and the Society of Hispanic Professionals.

In 2014, UFL established the new position of Director of Graduate Student Recruiting to oversee outreach and recruitment for the College of Engineering. Under this Director, the University has engaged in a



number of recruitment and outreach related activities, including the creation of a recruiting database (used as the main source of contact with prospective graduate engineering students), the creation of a Graduate Recruiting Shared Network Drive, and the creation of a Graduate Recruiting website and brochure for off-campus and out-of-state recruitment. The College of Engineering also availed itself of other information resources, including the GEM National Consortium fellowship database that connects its students with some of the largest private scholarship pool for underrepresented minority students interested in pursuing graduate degrees in STEM fields. Other databases utilized by UFL and the ECE include the Tau Beta Pi National Engineering Honors Fraternity Scholarship applicant pool, and the Ronald E. McNair National Scholarship pool.

In addition to the use of the databases referenced above, as well as participation in national conferences, the University implemented a Ph.D. application fee waiver program for prospective Ph.D. engineering students and the College of Engineering created a spring visit for Ph.D. applicants to the ECE program. Female ECE graduate students who were members of the Society of Women Engineers were asked to reach out to potential female recruits, and the Engineering Graduate Student Council (EGSC) was created to assist the College of Engineering with its recruitment activities.

During 2014-2015 academic year, the ECE Department enhanced its spring visit schedule to expose more prospective students to its research and it hosted a research information session for UFL ECE students. The following academic year, the College of Engineering launched ENGINE, a national consortium of engineering institutions that exchange lists of undergraduate students from 165 Engineering schools and colleges. According to UFL, more than 11,000 names were exchanged, making it the largest active prospective graduate engineering database in the United States.

Other initiatives pursued during this time period included the creation of a Graduate Recruiting brochure for off-campus and out-of-state recruitment, and the launching of a Junior Preview campus visitation program for juniors. The Junior Preview waives the application fee, and it offers students a new Preferred Ph.D. Admissions Program track. In addition, it assigns prospective students a faculty advisor and a student mentor. The university reports that 14 of the 28 participating students are female or members of underrepresented minority groups.

It is reported by the University that the ECE Department restructured its spring visit schedule to enable students to meet more faculty, and to set-up follow-on meetings with individual faculty. Skype sessions with faculty were also used as a means for prospective students and faculty to interact in the month preceding the spring visit.

For academic years 2012 through 2015, ECE invited a total of 121 students (104 males and seventeen females) to participate in their spring visits. Over that time period, ninety students attended these sessions (seventy-seven males and thirteen females). Twelve females were offered admission and three accepted and enrolled. Seventy-six males were offered admission and twenty-four accepted and enrolled. For academic year 2013-2014, the ECE departmental staff and faculty attended many conferences and departmental events. The ECE department provided a breakdown of the male and female participants for six of those events. In total, eighty-five of the individuals whom it came into contact with were male and seventy-four were female.

For academic year 2014-2015, the College of Engineering offered newly admitted Ph.D. students the opportunity to apply for a Research Institute Fellowship. The College of Engineering has six Research Institutes, and each provides six one-time \$6,000 stipends as a signing bonus, providing a total of thirty-six stipends. The application is brief (one page long) and the Directors of each Research Institute make



the final selection (with collaboration and assistance of various faculty advisory boards). There were fifteen ECE Ph.D. students (six females and nine males) who applied for Research Institute Fellowships for the fall 2015. Three female students and five male students were offered fellowships.

Over sixty percent of the students who were interviewed as part of this review reported that they had participated in at least one outreach or recruitment event. Many of the students reported that they initiated contact with a faculty member based on their research interests. In fact, more than eighty-one percent of the students that were interviewed stated that they enrolled in UFL's ECE program because they were attracted to a particular research project or a particular field of study offered by the program. In addition to their research interests, some students sought admission on the basis of the reputation of one or more ECE faculty members. In several instances, students reported that faculty members were encouraging and helpful in both the application process itself and in securing funding.

The University compiled and reported data on its outreach and recruitment efforts. The data supplied by the University indicates that seventy-seven students attended the ECE's spring visit events during academic years 2012-2016, including thirteen females. Nine attendees enrolled in the program, including one female. The Senior Honors lunch event in 2012-2013 yielded one female enrollee. Seventy-four female student contacts were made during conferences, site visits, and departmental events in 2013-2014. There were fifty-nine female attendees for the research information sessions and the Society of Women Engineers events held in academic years 2014-2015.

There is no direct evidence of gender disparity in the University's outreach and recruitment efforts.

### **Promising Practice**

DOE finds the ENGINE program launched by the College of Engineering to be a promising practice. This program has helped universities to increase and diversify their applicant pools for their Engineering programs. Challenges remain for the College in continually finding ways to increase the yield of these recruiting efforts.

### **Finding**

The DOE found no direct evidence of discrimination based on sex in the recruitment and outreach efforts of the ECE Department. Therefore, DOE finds that the recruitment and outreach efforts of the ECE Department comply with the nondiscrimination requirements of the Title IX statute and the DOE Title IX implementing regulations. However, the University may want to evaluate its process for inviting Ph.D. candidates to spring visits to ensure that both sexes are provided an equal opportunity to participate.

## **IV. Admissions**

DOE Title IX implementing regulations prohibit recipients of financial assistance from discriminating on the basis of sex in the admission of applicants. 10 C.F.R. § 1042.300. In determining whether a person satisfies a criterion for admission, or in making any offer of admission, recipients are prohibited from the following: giving preference to one person over another on the basis of sex; applying numerical limitations upon the number or proportion of persons of either sex who may be admitted; otherwise treating one individual differently from another on the basis of sex. *Id.*

### **A. Admissions Process**

Applicants visit the Office of Admissions Graduate webpage for application procedures. Applicants that meet the minimum standards for admission are referred to the Graduate Admissions Committee of the academic unit to which they applied. In addition to several standard ECE Department forms, an official transcript, GRE test scores, CV, three letters of recommendation, and a statement of purpose are required to be considered for admission. Students who are denied admission to the Ph.D. program are automatically considered for admission to the Department's Master's program.

### **B. Graduate Admissions Committee**

Procedurally, the ECE Department makes a final admissions decision once an applicant has been approved by the Dean of the Graduate School. Table 2 below tabulates data (provided by ECE) concerning the composition of the Graduate Admissions Committee by sex.

**Table 2: Graduate Admissions Committee Composition (Male and Female Faculty)**

<b>Academic Year</b>	<b>Total Committee</b>	<b>Male</b>	<b>Female</b>
2012-2013	10	6	4
2013-2014	9	7	3
2014-2015	10	6	4
2015-2016	10	7	3

### **C. Graduate ECE Department Admissions Data**

The school sets numerical limitations on admissions annually based on the number of applicants, graduation rates, together with enrollment targets that are set by the University and the College of Admissions. The ECE states that its admissions decisions are made using a "holistic" process that looks to consider all of the materials in a student's application, including his/her academic record, test scores, reference letters, and statement of purpose. There is no standard process used for ranking the applicants.

Data on the number of applicants, admissions, and enrollments for academic years 2012-2013 through 2015-2016 were provided by the ECE Department. Table 3 on the following page tabulates results of applications, admissions, and enrollment data, along with the overall numbers and percentages for men and women.



**Table 3: Applied, Admitted, Enrolled**

Academic Year	Applied					Admitted					Enrolled				
	Total	M	%M	F	%F	Total	M	%M	F	%F	Total	M	%M	F	%F
2012-2013	669	506	76%	163	24%	35	30	86%	5	14%	42	32	76%	10	24%
2013-2014	398	318	80%	80	20%	30	28	93%	2	7%	24	22	92%	2	8%
2014-2015	317	257	81%	60	19%	74	56	76%	18	24%	37	30	81%	7	19%
2015-2016	332	278	84%	54	16%	58	48	83%	10	17%	41	36	88%	5	12%

Although our review did not uncover evidence of disparate treatment in the admission's process, for each of the academic years under review, the number of male student applicants, admits, and enrollees greatly exceeded the number of female applicants, admits, and enrollees. The contrast was greatest in academic year 2013-2014. In that year, 80 females applied for admission, but only 2 were admitted and enrolled; men were 93% of those admitted that year. As shown in Table 3 above, the number of female admits and enrollments improved in the two years prior to our review. In the academic year 2014-2015, females accounted for 19% of the total applicants; 24% of the females who applied for admission were admitted and 19% enrolled. In academic year 2015-2016, 16% of the total applicants were female; 17% of these females were admitted and 12% enrolled.

Analysis of the data provided to us by ECE reveals that:

- In academic year 2012-2013, 506 males applied for admission; 30 (6%) were admitted. In the same year, 163 females applied for admission; 5 (3%) were admitted.
- In academic year 2013-2014, 318 males applied for admission and 28 (8%) were admitted. In the same year, 80 females applied and 2 (2%) were admitted.
- In academic year 2014-2015, 257 males applied for admission and 56 (22%) were admitted. In the same year, 60 females applied and 18 (30%) were admitted.
- In academic year 2015-2016, 278 males applied for admission and 48 (17%) were admitted. In the same year, 54 females applied and 10 (19%) were admitted.

For the two most recent academic years under review, women were admitted at a higher percentage rate

than males. While this trend is promising, several administrators and faculty stated that increasing the number of female applicants and admits remains a serious challenge, as there are fewer female applicants, and there exists tremendous competition amongst universities and graduate engineering programs for qualified female applicants.

#### **D. Numerical Limitations**

According to UFL administrators, constraints placed on the total number of admissions possible in a given year are based upon the number of applicants, graduation rates, as well as enrollment targets set by the University and the College of Admissions.

#### **E. Student and Faculty Evaluation of the Admissions Process**

Faculty and students reported that the factors that are considered as part of the admissions process are as follows: GPA, prior course of study, prior research, GRE scores, TOEFL scores, and references. All of the students who were interviewed described the admissions process as consistent with their expectations and past experiences as students, and all of the students interviewed believe the admissions process to be fair. None of the students or faculty believed that gender was considered as a factor in the admissions process.

#### **Finding**

DOE found no direct evidence of discrimination based on sex in the UFL's or the ECE Department's graduate program admissions process or its admissions decisions. DOE found no direct evidence of preference being given on the basis of sex, nor in the application of numerical limitations that favor one sex over another. More generally, there is no direct evidence that one sex is treated differently or more favorably than another. DOE therefore finds that the University is in compliance with the nondiscrimination provisions of the Title IX Statute and the DOE implementing regulations with respect to admissions.

#### **V. Requirements for Completion of a Graduate Degree in the ECE**

The DOE Title IX implementing regulations state that no person shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any academic, extracurricular, research, occupational training, or other education program or activity operated by a recipient of financial assistance. 10 C.F.R. § 1042.400. The ECE Department offers the Master of Engineering, Master of Science and Doctor of Philosophy Degrees. DOE evaluated the ECE's requirements for obtaining Master's and Ph.D. degrees by reviewing the ECE's administration of the oral candidacy examination, the dissertation defense, and the dissertation approval process to determine whether the ECE complies with this general provision of nondiscrimination on the basis of sex.

##### **A. Master's Degree**

Only students with Bachelor's degrees in engineering can be awarded the Master of Engineering (M.E.) degree. The Master of Science (M.S.) is awarded to a student with an undergraduate degree in science or engineering. A GPA of 3.0 or better is required for the award of a Master's Degree.

From 2011 through 2015, 743 students were awarded Master's degrees in Electrical and Computer



Engineering. Of those students, 549 (80%) were male and 149 (20%) were female.

Master's Degree requirements for the M.S. non-thesis option requires a written final examination, which tests the student's knowledge in their declared area of study. The final exam is a separate assignment, given in addition to the program's required course work and exams. The M.E. non-thesis option does not require a final written examination. The thesis option requires the student to pass an oral final examination, and to complete a minimum of 30 credit hours, a minimum 18 hours of which must be Electrical and Computer Engineering courses. A supervisory committee supervises and approves the student's graduate program, and administers the oral final examination. The committee for the thesis option is chaired by the student's academic advisor and at least two other graduate faculty members.

The maximum allowable time to degree completion for a Master's Degree is seven years. The typical Master's degree completion time is two to three years.

The ECE Department also offers a combined Bachelor's and Master's Degree. Students may begin the Master's program in their senior year, provided the student has a minimum GPA of 3.3.

## **B. Ph.D. Degree**

A minimum of 90 credit hours is required for the Ph.D. degree, with students completing a minimum of twenty-four dissertation hours. Ph.D. hours include hours accumulated in the Master's program, and other approved coursework. Additional requirements include two semesters of seminar work, supervised teaching, special topics, research for the doctoral dissertation, hours towards the concentrated study, and the written and oral qualifying examinations.

All Ph.D. students are required to have a faculty advisor during their first year of study and an appointed supervisory committee. The chair of the committee must be a graduate faculty member from the ECE Department.

Similar to the Master's Degree, ECE doctoral candidates have seven years to complete their program of study. However, the dissertation research extends the time required to complete the degree. Doctoral students are expected to complete their degree within five years of completing the Department's Qualifying Examination, which usually occurs at the end of the second year. Hence, the typical student finishes the Ph.D. program in four to seven years.

### **1. Written and Oral Examinations**

In order to advance to candidacy, students must pass the Department's comprehensive examination, which has both written and oral components, and is administered by her/his supervisory committee. The comprehensive exam covers coursework as well as a review of the students' dissertation topic. The student is advanced to doctoral candidacy once the dissertation topic has been approved by the committee, and the student has passed the written and oral portions of the comprehensive examination.

#### **a. Written Component**

The written qualifying examination is designed to test the student's knowledge of the following subjects: Digital Logic, Signals and Systems, Electronic Circuits, Solid State Devices, Electromagnetism and Energy Systems, Microprocessor Applications, Computer Organization and Architecture, and Data Structures & Operating Systems. Within this range of topics, students select three areas in which they



will be tested on. The objective of the test is to assess the student’s basic knowledge, problem solving, reasoning, and written communication skills, as a precursor to beginning research for the doctoral dissertation.

The examination is given once per year, and students must take it during their first year in the doctoral program. If the student fails the exam, it may be retaken. A student must petition the Graduate Petitions Committee to take the exam again after a second failure.

b. Oral Component

The oral examination requires the student to present his or her written research proposal and to answer questions posed by the supervisory committee. The oral examination must be completed at the end of second semester of the student’s doctoral program. If a student fails the oral examination a second attempt will typically be afforded. However, the Graduate School must approve any further attempts.

2. Final Examination and Dissertation and Defense

The Ph.D. candidate must give an oral defense of his or her research within six months of graduation. Written copies of the Dissertation must be provided to the Supervisory Committee members in advance. Immediately following the oral defense, the candidate will also provide the Student Services Office with the original Final Examination Report Form, Publishing Agreement and the signed signature page of the dissertation. An electronic copy of the dissertation must also be submitted to the Graduate School.

3. Doctoral Degrees Awarded

**Table 4: Ph.D. Degrees Awarded by Sex**

Academic Year	Total Degrees Awarded	Male	Female
2011-2012	49	37	12
2012-2013	33	26	7
2013-2014	42	34	8
2014-2015	33	31	2
2015-2016	23	22	1

One hundred and eighty (180) students were awarded their doctoral degree by ECE from 2011 through the summer of 2015. Of those students, 150 (83%) were male and 30 (17%) were female. During the most recent academic years, only three females were awarded a doctoral degree. Fifty-six (56), or 95% of the doctoral degrees were awarded to males. More females were awarded doctoral degrees in the three earlier academic years under review than in the more recent years.

The ECE Department reported that no students had “dropped out” in the past five years and that no students failed the final dissertation oral defense or the thesis defense at the master’s level.

## **Finding**

DOE found no direct evidence of discrimination based on sex in the UFL's or the ECE Department's administration of any of the processes for candidacy for the Master's and Doctoral degree programs. DOE therefore finds that the University is in compliance with the nondiscrimination provisions of the Title IX and DOE implementing regulations with respect to administration of those processes.

## **VI. Financial Assistance, Assistantships, Incentives, and Awards**

DOE Title IX implementing regulations state that, in providing financial assistance to any of its students, a recipient shall not, on the basis of sex, provide different amounts or types of such assistance, limit eligibility for such assistance, apply different criteria, or otherwise discriminate. 10 C.F.R. § 1042.430. DOE evaluated the different types of financial assistance made available by the ECE to its students in order to determine compliance with this provision.

### **A. Assistance in General**

The Graduate School offers new students a range of financial assistance in the form of tuition waivers, research and teaching assistantships, fellowships, healthcare coverage, and monthly stipends. When they apply for the program, applicants for the Department's graduate programs are automatically considered for assistantships and fellowships based on available ECE funding. However, there is a separate process for students applying for other sources of funding.

The ECE Department offers graduate students a research assistantship, teaching assistantship, or fellowship. A teaching assistantship supports the ECE teaching mission, and a research assistantship provides students a way to be involved in faculty research.

There are 51 tenured/tenure-track faculty members who are part of one or more research laboratories, and who can hire research assistants. The five major research areas of the ECE Department are as follows: (1) Computer Engineering; (2) Signals and Systems; (3) Electronics; (4) Devices; and (5) Electromagnetics & Energy Systems.

The Graduate School provides a minimum stipend of \$18,000 to teaching assistants and \$25,000 to research assistants. Tuition and fee waivers may also be granted, but are dependent upon the availability of funding.

### **B. Selection Process**

The ECE Department reports that it does not have a formal process to award teaching and research assistantships. Rather, the process for selection is handled informally. The Associate Chairman of the ECE Department selects the students who are to receive the teaching assistantship. Faculty members select the students who are to receive research assistantships based upon their research needs and the availability of grant funding. Over eighty percent (80%) of the students who were interviewed reported that they had contacted one or more faculty members directly to express their interest in obtaining an assistantship. Half of these students reported that they were recruited by a faculty researcher.

### **C. Distribution of Assistantships and Fellowships**

The number of research assistants and teaching assistants varies each year, and appointments are one



semester in duration. During the spring of 2016, ECE had 225 research assistants and teaching assistants. At the time of the review, the ECE Department employed 195 graduate students as research assistants. Twenty-three (12%) of the research assistantships were awarded to females. Women were awarded thirty-three (15%) of research and teaching assistantships combined.

Eighty-three percent of the students who were interviewed were current research assistants, and the remaining twenty-seven percent had teaching assistantships.

### **Finding**

The Department found no direct evidence of discrimination based on sex in the UFL's or the ECE Department's financial assistance awards practices. Furthermore, there is no direct evidence that one sex is treated differently or more favorably than another in the application of eligibility requirements or criteria, or in the types of assistance awarded. There is no direct evidence of preference being given on the basis of sex. As there is no direct evidence of discrimination based on sex, DOE therefore finds that the University is in compliance with the nondiscrimination provisions of the Title IX statute and the DOE implementing regulations with respect to its financial assistance awards practices.

## **VII. Leave of Absence and Re-Admission Policies and Procedures**

The DOE Title IX implementing regulations state that "no person shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any academic, extracurricular, research, occupational training, or other education program or activity operated by a recipient that receives Federal financial assistance." 10 C.F.R. § 1042.400. The Department evaluated the ECE's leave of absence and re-enrollment policies to determine whether they comply with this general provision of nondiscrimination on the basis of sex.

### **A. General Leave of Absence Policies**

- The ECE Department follows the University's general policies regarding leave of absence, re-entry, and maternity/paternity leave. The University uses a standard application form for re-admission. While the ECE Department follows the general policies of the University, the ECE Department requires the Ph.D. student to obtain prior permission to take leave. The ECE's written leave of absence policy states the following:
  - "A doctoral student who will not be registered at UF for a period of more than one semester needs to request written permission from his/her faculty advisor for a leave of absence for a designated period of time. A copy of the written permission memo must be taken to the Student Services Office and placed in the student's file."
- A graduate assistant may take a leave of absence if a disability arises, or if the student is unable to perform their required duties due to injury illness, jury duty, military service or injury, illness, or death of an immediate family member; other factor can include the taking of professional licensing examinations related to the student's degree or qualifying examinations, as well as traveling to conferences or other special events for professional development.
- As a matter of University policy, if a graduate student needs to take time off for family or medical reasons, the time for completion of their degree will be tolled and will not count towards the maximum time allowed for completion of the degree.

## **B. Re-admission**

If a graduate student will be absent for more than two semesters in succession, he or she must comply with the following requirements in order to be considered for re-admission:

- Master's students must have a minimum GPA of 3.00;
- PhD candidates must have a GPA of 3.5;
- The student's GRE scores must satisfy the ECE program requirements; and
- Three letters of recommendation provided by ECE Department faculty members.

ECE Department policy states that re-admission to the program is not guaranteed. In response to the Data Request for information on the number and sex of applicants for re-admission, the University responded that the ECE Department did not have any available data, but that it believed that the ECE Department received fewer than ten re-admission requests per year.

## **C. Parental Leave Policies**

The University has written parental leave policies that are applicable to faculty and post-doctoral associates in the ECE Department. The policy is applicable in the case of the birth or adoption (or pending adoption) of a child, and exceeds the mandated 12 weeks prescribed by the federal FMLA.<sup>1</sup> These employees are granted up to six months of parental leave upon request. The leave also covers a two week period prior to the birth or adoption of a child. In addition to parental leave for the birth or adoption of a child, the University provides 12 weeks of leave to foster a child, provided that a documented foster care relationship is shown to exist.

Pursuant to a Collective Bargaining Agreement,<sup>2</sup> graduate assistants, graduate research assistants and associates, and graduate teaching assistants and associates who are in their second semester or beyond are entitled to six (6) weeks of unpaid leave during any 12-month period for the birth, adoption, or fostering of a child.<sup>3</sup>

### **Finding**

DOE found no direct evidence of discrimination on the basis of sex in the administration of the leave of absence, re-admission, and parental leave policies of the University or the ECE Department. DOE therefore finds that the leave of absence, re-admission, and parental leave policies outlined above comply with the nondiscrimination requirements of the Title IX statute and the DOE Title IX implementing regulations.

The University may want to exempt from ECE's written leave of absence policy Ph.D. students who are requesting leave due to birth of a child and/or parental leave. The University may also want to begin tracking requests for re-admission to ensure that the re-admission process does not have the effect of denying benefits to, discriminating against, and/or excluding students from participation ECE programs.

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<sup>1</sup> The Family and Medical Leave Act (FMLA), effective August 1993, provides certain employees with up to 12 workweeks of unpaid, job-protected leave a year for certain family and medical reasons.

<sup>2</sup> *Agreement Between University of Florida Board of Trustees And Graduate Assistants United, United Faculty of Florida, 2014-2017.*

<sup>3</sup> Article 8, Collective Bargaining Agreement, *supra*.



## **VIII. Title IX Statutory and Regulatory Requirements**

### **A. Title IX Coordinator, Nondiscrimination Policies, and Notification Requirements**

DOE regulations implementing the Title IX statute are found at 10 C.F.R. §§1040 and 1042. The Title IX statute requires each recipient of Federal financial assistance to designate at least one employee to coordinate and carry-out its Title IX compliance responsibilities, and to notify its students and employees of the name, office address, and telephone number of the designated employee (or employees) appointed to administer its Title IX grievance process. This information should be disseminated through newspapers and magazines operated by the recipient, and by memoranda or other written communication distributed to each student and employee of the University.

DOE implementing regulations require recipients to prominently include a statement of its policy of nondiscrimination on the basis of sex in each announcement, catalog, or application form that it makes available to students and employees, or which is otherwise used in connection with the recruitment of students and employees. 10 C.F.R. §1042.140(b).

Recipients are also required to adopt and publish grievance procedures that provide for the prompt and equitable resolution of student and employee complaints that allege actions prohibited by the Title IX statute. 10 C.F.R. Section 1042.140(b). The U.S. Department of Justice (DOJ) recommends that grievance procedures include both informal and formal processes, and that they also provide complainants with information on their right to file a discrimination complaint with an appropriate Federal agency, if there is no satisfactory resolution of the complaint.<sup>4</sup>

### **B. The Title IX Coordinator**

The Title IX Coordinator for UFL leads the University's efforts to prevent discrimination and harassment, including sexual harassment; this individual reports to the Senior Vice President and Chief Operating Officer, with access to the President and Board of Trustees, as needed. At the time of this review, the University's Title IX Coordinator was situated within the Human Resources Office of the Employee of Labor Relations. The Title IX Coordinator was interviewed by the site visit team and was available to the team during the entire visit.

The University's position description for the Title IX Coordinator describes her responsibilities as monitoring, supervising, and overseeing all Title IX compliance, including coordinating training, education, investigation, communications, and administration of complaint procedures for faculty, staff, students, and third parties. The Title IX Coordinator also coordinates all campus-based programs to monitor and implement compliance with Title IX and VAWA/Campus SaVE Act and other legislation related to sex discrimination, together with other guidance and directives from the U.S. Department of Education's Office for Civil Rights.

The position description further details the Title IX Coordinator's duties, which include the following:

- Creating and disseminating educational materials that inform members of the campus community of Title IX rights and responsibilities;

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<sup>4</sup> See *Title IX Legal Manual*, Civil Rights Division, U.S. Department of Justice (2001) (stating that Title IX also prohibits sexual harassment, and that this prohibition is derived from Title IX's general prohibition against sex discrimination).



- Ensuring compliance with Title IX through policies, procedures, and practices;
- Coordinating training for students, employees, and responsible persons about Title IX and internal grievance procedures;
- Maintaining websites regarding Title IX;
- Receiving and processing inquiries and complaints from students, faculty, staff, and administrators regarding harassment and discriminatory behaviors;
- Determining Title IX jurisdiction;
- Coordinating with investigators, reviewing documents, and other relevant materials;
- Monitoring compliance with all requirements and timelines specified in the complaint and grievance procedures;
- Maintaining grievance files, reports, and records regarding complaints;
- Analyzing data to determine patterns and risk factors;
- Monitoring policy and procedures to ensure compliance with state and federal laws and regulations;
- Monitoring issues of financial assistance awards, recruitment and outreach, admissions and enrollment policies and practices as they relate to Title IX;
- Preparing annual statistical reports on sexual harassment and Title IX matters.

There are additional individuals designated to receive, investigate, and process Title IX complaints, reports of sexual harassment, sexual assault, or any sexual misconduct during the academic years 2011 through 2015. They include the Dean of Students, the Human Resources Officer, Deputy Title IX Coordinators in the Administration Office, Office of Agriculture and Natural Resources, Office of Criminal Investigations, Health Science Center, Housing Office, Office of Student Affairs, University Athletics, and Youth Conference Services. The ECE Department does not have a specific individual who is also designated to receive, investigate, and process Title IX complaints.

In addition, the University maintains a webpage entitled, *Title IX at the University of Florida*.<sup>5</sup> The site provides a list of Title IX confidential resources to include: the University Police Department Victim Advocates, counselors and mental health providers, physicians and local rape crisis providers. A list of Title IX responsible employees names the following: the President, Provost, Associate Provosts, Assistant Provosts, Senior Vice Presidents, Vice Presidents, Associate Vice Presidents, Directors, Title IX Coordinator, Deputy Title IX Coordinators, Deans, Associate Deans, Housing RAs, Resident Hall staff, Resident Life Coordinators, Supervisors and Managers, Faculty Advisors, International Student Advisors, Staff Advisors, Academic Advisors, Student Conduct and Conflict Resolution staff, HR Liaisons/Managers/Administrators, Athletic Director, Associate Athletic Director for Student Affairs, Student Advisors, Head Coaches, Ombudsman, Director of Employee and Labor Relations, Employee Relations Managers, Director of Recreational Sports, and Law Enforcement First Responders and Campus Security Authorities.

### **C. Nondiscrimination and Sexual Harassment Policies**

The University has adopted nondiscrimination and harassment policies and procedures. The nondiscrimination policy governs programs and activities that take place on or off campus, as well as same sex incidences of misconduct. The University's literature states that UFL has zero-tolerance for illegal discrimination or harassment, sexual harassment, sexual assault, dating violence, domestic

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<sup>5</sup> Available at <https://titleix.ufl.edu/>

violence, or stalking.

#### 1. Nondiscrimination Policy Statement<sup>6</sup>

The UFL's nondiscrimination policy statement, including prohibition against sexual harassment and sexual misconduct, is published on the webpages of the Office of Institutional Equity and Diversity, the Office of the Provost, Office of the Dean of Student Conduct and Conflict Resolution, Multicultural and Diversity-LGBT Affairs, and within the UFL's Regulations.

**The policy statement reads as follows:**

(1) The University shall actively promote equal opportunity policies and practices conforming to laws against discrimination. The University is committed to nondiscrimination with respect to race, creed, color, religion, age, disability, sex, sexual orientation, gender identity and expression, marital status, national origin, political opinions or affiliations, genetic information and veteran status as protected under the Vietnam Era Veterans' Readjustment Assistance Act. This commitment applies in all areas to students, Academic Personnel (AP), Technical, Executive, Administrative, and Managerial Support (TEAMS) staff, University Support Personnel System (USPS) personnel, and Other Personnel Services (OPS) employees. This commitment intends to reflect the University's belief that educational and employment decisions and access to University activities should be based on individuals' abilities and qualifications and not on irrelevant factors, as well as that the University values broad diversity within our community and is committed to diversity and eliminating discrimination.

(2) It is the policy of the University that each employee and student be allowed to work and study in an environment free from any form of discrimination or harassment as defined in University regulations or law.

(a) Sexual harassment is a form of sex discrimination under Title VII of the Civil Rights Act of 1964. Sexual harassment is defined as unwelcome sexual advances, or requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

1. Submission to such conduct or request is made either explicitly or implicitly a term or condition of an individual's employment or academic status;
2. Submission to or rejection of such conduct or request by an individual is used as the basis for employment or academic decisions affecting such individual; or
3. Such conduct or request has the purpose or effect of unreasonably interfering with an individual's work or academic performance or of creating an intimidating, hostile work-related or academic environment.

(b) Sexual misconduct is a form of sex discrimination. Sexual misconduct is defined as physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent. For the purposes of this regulation sexual misconduct includes sexual violence, sexual exploitation, non-consensual sexual contact and non-consensual sexual intercourse. Sexual violence includes rape, sexual assault, sexual battery and sexual

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<sup>6</sup> Available at <http://regulations.ufl.edu/wp-content/uploads/2012/09/1006.pdf>



coercion.

(c) Disciplinary Action.

1. Any employee or student of the University who is found to have harassed or discriminated against another employee or applicant for employment or student, will be subject to disciplinary action up to and including dismissal or expulsion.
2. Any employee or student in a supervisory capacity who has actual knowledge by direct observation or by receipt of a complaint of sexual harassment or sexual misconduct involving any of those employees he or she supervises or over whom he or she has managerial authority, and who does not investigate, and, if appropriate, take corrective action or report the matter directly to the Director of Employee and Labor Relations, shall be subject to disciplinary action up to and including dismissal or expulsion.

(3) Complaints and Appeal Procedures. Any employee or student who believes that he or she is a victim of discrimination or harassment, including without limitation sexual harassment and sexual misconduct as defined above or retaliation for filing a claim of discrimination, may pursue informal resolution of the complaint or may file a formal written complaint in accordance with University of Florida Regulations 1.0063 and 4.012. Employees and students may contact the Director of Employee and Labor Relations to seek assistance in informally resolving the complaint or in filing a formal complaint or grievance.

2. Sexual Harassment Policy

UFL policy and information concerning sexual harassment is found on the webpages of the Office of Institutional Equity and Diversity, the Office of the Provost, Office of the Dean of Student Conduct and Conflict Resolution, and within the UFL Regulations.

The University's stated policy is that it provides an educational and working environment for its students, faculty, and staff that is free from sex discrimination and sexual harassment. In accordance with federal and state law, the University prohibits discrimination on the basis of sex, including sexual harassment. The University states that sex discrimination and sexual harassment are not tolerated, and individuals who engage in such conduct are subject to disciplinary action. The University encourages students, faculty, staff, and visitors to promptly report sex discrimination and sexual harassment. This policy applies to visitors, applicants for admission to, or employment with, the University, students, and employees of the University who allege sex discrimination, including sexual harassment, by University employees, students, visitors, or contractors.

All members of the university community have the responsibility to report sexual harassment; therefore, any employee or student who has knowledge of sexual harassment is strongly encouraged to report it promptly. Employees with supervisory responsibility and faculty who have knowledge of sexual harassment are required to promptly report the matter and may be disciplined if they do not. Students should report incidents of harassment to the Director of Employee Relations, unless the matter concerns student-on-student sexual harassment. In that case, students should report the incident to the Dean of Students, Office of Student Conduct and Conflict Resolution.

### 3. Harassment Prevention Training

All UFL employees, including faculty, are required to complete harassment prevention training every two years. Newly hired employees must complete the training within the first 30 days of being hired.<sup>7</sup> The Title IX Coordinator reports that training is conducted on-line using the People-Soft system, and that new employees must complete the training within the prescribed time period or risk being locked out of their employee account.

New students are required to take online training on sexual harassment, sexual violence, and assault. Participation is tracked and a student's registration is placed on hold if the student does not take the mandatory training. In addition, the summer orientation program for students includes several presentations on Title IX, bystander intervention, sexual violence, and victim advocacy.

The DOE review team asked all interviewed faculty and students whether they had received any Title IX-related training. Students reported that they receive training as graduate assistants and teaching assistants, and that the training is mandatory for new hires. Faculty members reported that they had received sexual harassment training every two years. Students, faculty and administrators also reported that the University provides information during new student and new faculty orientations.

#### **D. Notification Requirements of Title IX**

DOE reviewed the information and materials submitted by the University in response to its data request, and also reviewed the University's webpages and catalogs to determine whether the University complies with the notification requirements of the Title IX statute and the DOE implementing regulations. Notices of the nondiscrimination policies are published at various locations on the University's website. On the website there is a webpage under the Human Resources Services section which provides information on Title IX, with links to additional information, including a brochure on Victim Rights, a list of Title IX resources and responsible employees, and reporting channels.<sup>8</sup>

The Title IX Coordinator and the Deputy Title IX Coordinator's contact information – including addresses, phone and fax numbers, email addresses – are listed on the University's webpages. Also listed are contacts for the University Police Department, Counseling and Wellness Center, Office of Victim Services, and the Employee Assistance Program. The webpage also lists a confidential/anonymously hotline service for students who are not comfortable with reporting their concerns through University's administrative process; this service is available 24 hours a day, every day of the year.

The University has also published a brochure, entitled *Prevent, Recognize, Report*. The cover of the brochure states that the University has “zero tolerance for domestic violence, dating violence, stalking, sexual misconduct, sexual harassment and other types of interpersonal relationship violence.” The brochure explains the rights of students and the resources and options that are available to them. The brochure lists the names and contact information of the Deputy Title IX Coordinators, of victim advocates, options for reporting incidents, a list of victim rights, and an overview of the student conduct and complaint process, among other things. Other notification tools include:

(1) Campus Clarity “Think About It” Module; (2) a “It’s on Us” Pledge;<sup>9</sup> and (3) a “It’s on Us” video.<sup>10</sup>

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<sup>7</sup> *Job Requirements*, available at <http://jr.ufl.edu/learn-grow/job-requirements/preventing-sexual-harassment/>

<sup>8</sup> *Title IX at the University of Florida*, available at <http://hr.ufl.edu/working-at-uf/support/title-ix-at-uf/>

<sup>9</sup> Available at <https://www.itsonus.org/>

<sup>10</sup> Available at <http://m.ufl.edu/video/detail?id=JAHub1wELYk&feed=t&b=%5B%7B%22t%22%3A22Video>



Graduate students and faculty of ECE were interviewed concerning their awareness of Title IX policies and the Title IX Coordinator at the University. Over 90% of the students interviewed as part of this review stated that they had some basic knowledge of Title IX, and that it prohibited discrimination in the University's programs and activities on the basis of sex. Many of the students indicated that they had researched Title IX in anticipation of being interviewed by the DOE team. These students also indicated that they knew the University had a Title IX Coordinator. Ninety percent of the students stated that they would know how to contact the Title IX Coordinator if it became necessary. All of the faculty expressed confidence in their ability to contact the Title IX Coordinator.

The review team asked all faculty and students whether they had received any Title IX-related training. Many students reported that they receive training as graduate and teaching assistants, as the training is mandatory for all new hires. Students, faculty, and administrators also reported that the University provides Title IX-related information during new student and new faculty orientations. However, many students and faculty could not recall if they had received periodic Title IX-related training.

All of the faculty members who were interviewed reported that they were familiar with the Title IX statute and that they could identify the Title IX Coordinator. None of the individuals interviewed, however, had previously had cause to communicate with the Title IX Coordinator. All but one faculty member had participated in anti-discrimination or sexual harassment training, and all indicated that they were aware that the university had nondiscrimination and anti-harassment policies.

### **Finding and Recommendation**

DOE finds that the University has complied with the requirement to designate a Title IX Coordinator and to inform students and faculty of the name, address and other contact information of the responsible employee. The Department also finds that the University has adopted nondiscrimination policies, including anti-harassment and sex harassment policies, and has complied with the notification and publication requirements of the Title IX statute.

Although there is a basic knowledge about Title IX, anti-discrimination, and harassment by faculty and students in UFL's ECE Department, the University community would benefit from periodic Title IX anti-discrimination and sexual harassment prevention training, as a way of reinforcing current knowledge and awareness. Faculty receive Title IX training every two years, the Department believes that Administrators and students would also benefit from periodic Title IX training. DOE therefore recommends that the University develop and implement a plan for periodic anti-discrimination and sex harassment training for all students, faculty, and university employees.

#### **A. Title IX Complaint Process and Procedures**

The University is required to adopt and publish grievance procedures that provide for the prompt and equitable resolution of Title IX complaints. 10 C.F.R. § 1042.135(b). Since the Title IX statute prohibits sex discrimination and sexual harassment, grievance procedures must provide for the prompt and equitable resolution of these types of complaints.

The Title IX Coordinator oversees the University's Title IX complaint process. The University offers several reporting options, depending on whether the complainant is a student, an employee (including faculty member, graduate assistant, or other student employee), or a third party or campus visitor.



If the alleged offender is another student, students should report discrimination, harassment, sexual harassment, sexual assault, sexual violence, stalking, relationship violence or retaliation to the Dean of Students, within the Student Conduct and Conflict Resolution Office. If the alleged offender is someone other than a student, the report should be made to the Deputy Title IX Coordinator.

In addition to the options outlined above, students may report incidents to any University official, administrator, or supervisor. Faculty and employees should report incidents of discrimination, harassment, and other misconduct to the Deputy Title IX Coordinator for Employees and Faculty in the Employee Relations Office. Any official who has knowledge of, or receives a written or oral complaint, must promptly report the matter to the Title IX Coordinator or the Deputy Title IX Coordinator.

The University employs an online reporting service for managing Title IX complaints online.<sup>11</sup> When this system is utilized, the information reported is relayed to the appropriate office to investigate. The service is confidential and anonymous, and is available 24 hours a day, 365 days a year. Students may also call a specified telephone number to speak with a trained interviewer, who documents the conversation and allegations. The student does not have to give his/her name, and the call is not recorded or traced. A report number is assigned, and the information provided is then relayed to the appropriate official.

The University's Victim Advocates service is confidential and free to all UFL students and employees who are victims of a crime. The advocates assist with the filing of criminal and conduct charges, and they serve as advisors and/or support persons during any proceeding or meetings with university officials; moreover, they sometimes assist with finding alternate living arrangements, academic accommodations (e.g., class changes), transportation, etc.

Criminal processes involving incidents of sexual assault are initiated with the UFL Police Department.

#### 1. Filing a Complaint

The University utilizes a standard Complaint Form for initiating the complaint process. These forms are available in the Office of the Title IX Coordinator, the Office of Student Conduct or online on the offices' websites.

Furthermore, any employee or student who believes that he or she is a victim of discrimination or sexual harassment, sexual misconduct, or retaliation for filing a claim of discrimination, may pursue informal resolution of the complaint or may file a formal written complaint in accordance with University of Florida Regulations 1.0063 and 4.012. Employees and students may contact the Director of Employee and Labor Relations to seek assistance in informally resolving the complaint or in filing a formal complaint or grievance. *Regulations of the University of Florida- 1.006 (3)*.

According to the Deputy Title IX Coordinator and Director of Student Conduct – the administrator responsible for handling complaints filed by students – it is the practice of his office to contact the student within 24 hours of the complaint being filed. Students typically file complaints on-line or they come into the Office of Student Conduct. In his interview, this administrator stated that the University begins its investigation immediately after the case is filed. He also stated that there are five University staff persons that investigate complaints, including a member of University law enforcement. Typically, an investigation and adjudication are concluded within a sixty-day time period.

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<sup>11</sup> Available at <https://www.reportlineweb.com/Welcome.aspx?Client=UF>

The Deputy Title IX Coordinator reported that most complaints involve student-on-student dating violence or sexual assault, and that the incidents mostly occur off-campus. However, in the case of complaints against faculty or university employees, a formal grievance process is utilized. The grievance procedures are intended to afford students fair and expeditious resolution of their complaints. Students are encouraged to discuss the issues with the Dean of Students Office or Ombudsman's Office prior to invoking the formal grievance process.

University policy prohibits retaliation against an individual for reporting sex discrimination, sexual violence or sexual harassment, or who participates in an investigation. Any person who retaliates is subject to disciplinary action, including dismissal or expulsion from the University.

ECE graduate students interviewed as part of this review were not familiar with the complaints process. However, when asked how they would file a complaint if they need to, most students replied that they would search online for the information. Other students replied that they would first consult with the Department Chair. Many of the faculty were also unfamiliar with how to file a Title IX complaint. However, they were confident that they could direct a student to the correct office or official if or when it became necessary to do so.

## 2. Title IX Related Complaints/Concerns

The Title IX Coordinator reported that in AY 2011-2012 there were 34 Title IX complaints filed at UFL; in AY 2012-2013, 50 complaints were filed; in AY 2013-2014, 29 complaints were filed; in AY 2014-2015, 34 complaints were filed; and in AY 2015-2016, 17 complaints were filed. At the time of this review, there were approximately 15 to 30 open complaints. There were two cases that originated within the ECE Department over the time period covered by this review. One case of stalking was closed on October 9, 2014, because the complainant did not wish to move forward. The second case involved a student accused of filming female students in the locker room. The University was notified of the police report of the incident on March 3, 2015. On March 4, 2015, the University imposed an interim suspension against the accused, and holds were placed on the students account. On March 5, 2015 a Charge Letter was issued to the student citing the allegations and setting a date for an information meeting. The accused did not attend the meeting. The accused student was subsequently charged and convicted in criminal court and deported to his native country in November 2015. The University reports that the student has not been registered at the University since the spring of 2015.

## 3. Investigations and reviews by the U.S. Department of Education

In FY 2017, the U.S. Department of Education opened an investigation into the University's Title IX complaint processes and procedures. That investigation and compliance review is ongoing as of the time of the issuance of this report. For this reason, the DOE will defer to the findings and recommendations of the U.S. Department of Education with respect to the University's compliance with Title IX as it relates to its complaint processes and procedures.

### **No Finding**

Due to the ongoing review by the U.S. Department of Education, the Department makes no finding regarding the University's complaint processes and procedures.



## **IX. The Environment/Climate**

As noted previously, DOE Title IX implementing regulations state that “no person shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any academic, extracurricular, research, occupational training, or other education program or activity operated by a recipient of Federal financial assistance.” 10 C.F.R. §1042.400. Consistent with this provision, the DOE evaluated the academic climate within the ECE, as well as campus safety, gender bias and sexual harassment, and availability of child care, to determine whether either of these aspects had the effect of denying benefits to, discriminating against, and/or excluding students from participation ECE programs.

### **A. Academic Climate/Gender Bias**

Students were asked whether or not their sex affected any aspect of their academic life. They were also asked to comment on any effects gender in classroom dynamics between male and female students, as well as between students and faculty. All of the students, male and female, stated that their sex had not affected their academic experience in any negative manner. Most of the interviewees did not believe the sex of the student had any affect in their interactions with the faculty or other students in the classroom. Many students expressed positive feelings about their classroom experiences, as well as a belief that they had not encountered any barriers due to their sex. The majority of the students reported that their faculty advisor was supportive and helpful to their professional development. Furthermore, the students were not aware of any gender bias or sexual harassment in the ECE program.

Although many students report positive experiences with their professors, two students mentioned a negative experience with one particular faculty member. The students felt that this faculty member may be hindering students by putting them on new projects as older projects were winding down, thereby preventing them from graduating earlier. When asked about this practice, a female professor who works with the same professor stated that it was hard to believe that the professor was holding anyone back. Three other students who were interviewed stated that the professor was their advisor. They reported that they had not had any such problem with the professor.

Faculty members were also asked to provide their views on the academic climate as it relates to the students' sex. Though most of the faculty expressed the view that there were no differences in the interaction of students based upon sex, one female professor expressed the view that male students did not respect female faculty in the same way that they respected male faculty and that she felt that male students often intimidate female students which discourages them from participating in certain academic opportunities.

### **B. Campus Safety**

The UFL police have primary responsibility for campus safety and crime prevention. The University has several programs that are designed to prevent crime and foster safety on campus, including emergency blue light call boxes, transportation and escort services, and campus and email alerts.

The Emergency Blue Light security measure is an outdoor emergency no-dial telephones strategically placed on campus grounds and parking lots. In addition all elevators in academic buildings have emergency phones directly linked to the UFL Police Dispatch Center.

The Student Nighttime Auxiliary Patrol (SNAP) is a free, nightly safety and transportation service offered by the University. The staff is comprised of UFL students who have undergone background checks and a driving test. The staff are equipped with police radios and their communications are monitored by the UFL Police Department. The service is available from 6:30 p.m. until 3:00 a.m. nightly during the fall and spring, and from 8:30 p.m. until 3:00 a.m. during the summer. Students may summon the service by calling or using the services smart phone app.

For the academic years 2011 through 2013, the UFL Police reported a total of fifteen incidences of rape, three robberies, eleven aggravated assaults, twenty-eight burglaries, twenty domestic violence calls, three dating violence calls, and thirteen incidences of stalking.<sup>12</sup>

The review team asked graduate students to comment on campus safety. Most of the students, as well as faculty members who were interviewed, expressed the view that the UFL campus was a safe environment. Six of the students stated that they do not walk about the campus after dark. These students were aware of some reports of assault that had taken place in the area. When asked specifically whether or not the student felt safe working in the laboratories in the evenings and on weekends, all of the students reported that they felt safe. Most of the students who were interviewed were aware of the safety mechanisms put in place by the University. The interviewees were also familiar with campus escort service.

### **C. Family Friendly Initiatives**

#### **1. Child Care**

The University offers childcare through a service called “Baby Gator” which has three locations on campus. Two of the locations are available to students at a discounted rate. The Baby Gator service has flexible child care hours during the times of year when students have exams. All of the students who were interviewed were asked whether or not they had children, or knew of students who did have children. Most of the students did not have children and some were aware of others who did. Many of the students were aware that the University offered childcare services, whether or not that student had a child.

#### **2. Lactation Rooms**

The University promotes work/life balance for its employees and encourages departmental administrators to support breastfeeding employees by providing appropriate accommodations, to include a flexible work schedule and privacy during normal business hours. In addition, the University has setup four lactation rooms on campus that are available to all students, faculty, and staff. Three additional rooms are planned for 2017.

#### **3. Gender- Neutral and Family Restrooms**

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<sup>12</sup> The reporting process for Title IX is such that any Responsible Employee, including University Police Department personnel, must report all sexual assault allegations to the Title IX Office unless the victim does not wish to go forward with criminal charges, and the Victim Advocate has the information, and is working with the victim, and the victim specifically requests confidentiality be maintained. The Title IX Coordinator and the University Police Department communicate daily.



The University has installed approximately thirty-five gender-neutral, family and single stall restrooms throughout the campus, including locations in Larsen Hall and the Computer Science and Engineering buildings. There is also an interactive Google Map feature on the UFL's website and Google Sheet spreadsheet that shows the list of restrooms in alphabetical order by building and links to the UFL campus map.

### **Promising Practices**

The Department finds that the University's Student Nighttime Auxiliary Patrol (SNAP) and the Emergency Blue Light security service are promising practices. Most of the students were aware of these programs, and many reported that they had used and were pleased with the services provided.

The Department finds that the provision of lactation rooms by the University, in order to promote work/life balance, is a promising practice.

### **Finding**

None of the students who were interviewed believed that the academic climate had the effect of denying benefits to, discriminating against, and/or excluding students from participation in ECE programs, and most felt that the program was supportive. DOE has found no evidence of discrimination on the basis of sex with respect to the academic climate within the ECE, campus safety, gender bias, and the availability of child care, nor any evidence of environmental aspects that have had the effect of excluding students from participation in the ECE programs or activities.

### **Conclusions and Recommendations**

The Department finds that the University and the ECE Department have met the basic requirements of the Title IX statute and the DOE Title IX implementing regulations as follows:

1. The Department finds that the University has satisfied the requirements to designate an employee who is responsible for implementing Title IX and notify the University community of the name, address, telephone number and other contact information of the Title IX Coordinator.
2. The Department finds that the University has satisfied the requirement to prominently include a statement of its policy of nondiscrimination on the basis of sex in announcements, catalogs, or application forms, and recruitment materials.
3. The Department finds that the University has complied with the requirement to adopt and publish Title IX grievance procedures.
4. The Department finds no direct evidence of discrimination based on sex in the recruitment and outreach efforts of the ECE Department. However, the University may want to evaluate its process for inviting Ph.D. candidates to spring visits to ensure that both sexes are provided equal opportunity to participate.
5. The Department finds no direct evidence of discrimination based on sex in the UFL's or the ECE Department's graduate program admissions process or in the admissions decisions. There is no direct evidence of preference being given on the basis of sex, or evidence of one sex being treated differently or more favorably than another. The Department finds no direct

evidence of discrimination based on sex in the UFL's or the ECE Department's administration of any of the processes for candidacy requisites for the Master's and Doctoral degree programs.

6. The Department finds no direct evidence of discrimination based on sex in the UFL's or the ECE Department's financial assistance awards practices. There is no direct evidence that one sex is treated differently or more favorably than another in the application of eligibility requirements or criteria, or the types of assistance awarded.
7. The Department finds no direct evidence of discrimination on the basis of sex in the administration of the leave of absence, re-admission, and parental leave policies of the University or the ECE Department. However, the University may want to exempt from ECE's written leave of absence policy Ph.D. students who are requesting leave due to birth of a child and/or parental leave. The University may also want to begin tracking requests for re-admission to ensure that the re-admission process does not have the effect of denying benefits to, discriminating against, and/or excluding students from participation ECE programs.
8. The Department finds no evidence of discrimination on the basis of sex with respect to the academic climate within the ECE, campus safety, gender bias, and the availability of child care, nor any evidence of environmental aspects that have had the effect of denying benefits to, discriminating against, and/or excluding students from participation ECE programs.

Although DOE finds that the University has met the basic requirements of the Title IX statute and DOE's implementing regulations, the execution at the departmental level in ECE could be improved. Most of the students who were interviewed were aware of the identity and contact information for the Title IX Coordinator. However, many of these students had only a rudimentary knowledge of Title IX and discrimination and sexual harassment complaint procedures. Students would benefit from a more substantive understanding of the statute and the complaints process. Therefore, the Department recommends that the University identify methods of increasing awareness of Title IX and implement specific and continuing steps for notifying applicants for admission, students, and employees, about Title IX's prohibition against sex discrimination.

In addition to any steps that the University might undertake to improve awareness of Title IX, the University community would also benefit from periodic Title IX anti-discrimination and sexual harassment prevention training for administrators and students, so as to reinforce such knowledge and awareness. (Bi-annual Title IX training is already required for faculty.)

The Department also recommends that the University monitor and evaluate its methods of communication in order to ensure the effectiveness of its notification processes and Title IX and anti-discrimination and sexual harassment prevention training.

The Department has also identified promising practices that the University has implemented, including the following: (1) the ENGINE program launched by the College of Engineering helps UFL, as well as other universities, to increase and diversify their applicant pools for their Engineering programs; (2) the University's Student Nighttime Auxiliary Patrol (SNAP) and the Emergency Blue Light security service provide a level of security and safety for students and employees; and, (3) lactation rooms provided by the University promote work/life balance. The Department commends the University for implementing these practices.



On January 10, 2017, the University informed the Department that it has implemented the following practices since DOE conducted its Title IX Compliance Review:

- Began incorporating Title IX introduction and training through our new student orientation called Preview that all new students and their families receive.
- Adopted a new Title IX training course through EverFi Corporation that will begin in the spring of 2019 and be offered and required for all students.
- Developed and began offering and requiring an entirely new Title IX and Sexual Harassment training to all employees in the fall of 2018. Thus far, over 14,000 employees have taken the training.
- Implemented a completely new face-to-face training program in 2018 to all Student Affairs employees. All have been trained.
- Completely revamped a Title IX website to include information and resources for support throughout the Title IX process.
- Will be launching a Train-the-Trainer model of implementation of a nationally recognized By-Stander Intervention Model called “Green Dot”.
- Participated in a national Association of American Universities Sexual Assault Prevention Climate Survey study in 2016 and will again in March, 2019.
- Provided face-to-face training to every student athlete and athletic employee in Title IX and violence prevention.
- Provided over 40 face-to-face departmental trainings for employees regarding Title IX and sexual harassment prevention.
- Implemented a new case management system that allows us to manage our cases, track our “hot spots” and analyze our data for strategic training purposes.
- Completely updated and re-wrote our Student Conduct Code to include clearer definitions and provide clarity around the process.
- Adopted Maxient, a nationally recognized case management system for all Student Affairs conduct cases.
- Moved the Title IX Offices and services into a centrally located, completely brand new suite of offices in order to provide easier and more discreet access for students and faculty than the previous location provided.

The Department requests that within ninety (90) days of the receipt of this draft report, the University provide the Department with its comments and an action plan to implement the recommendations set forth above.