



U.S. DEPARTMENT OF
ENERGY

TITLE IX COMPLIANCE REVIEW

UNIVERSITY OF WASHINGTON-SEATTLE

Graduate Physics Program

Fiscal Year 2009

TITLE IX COMPLIANCE REVIEW REPORT

University of Washington - Seattle Graduate Physics Program

I. Introduction

The Office of Civil Rights (OCR), United States Department of Energy (DOE or the Department), conducted a Title IX compliance review of the Graduate Physics Department at the University of Washington-Seattle pursuant to Title IX of the Education Amendments of 1972 (Title IX), as amended, 20 U.S.C. Section 1681, *et seq.*, and the Department's implementing regulations, 10 C.F.R. Part 1042. This report is based on a review of records and other data provided by the University, information obtained from the University's website, and information obtained by an OCR review team during an on-campus site visit in May 2008. During the onsite visit, the review team held interviews with students and faculty of the Graduate Physics Program, the Director of the Office of Equal Opportunity and Affirmative Action, and other University administrative officials.

A. Objective

The objective of the review was two-fold: (1) to determine whether students in the Graduate Physics Department, regardless of their sex, had equal access to opportunities and benefits offered by the Graduate Physics Department; and (2) to identify and report on promising practices for promoting gender equity.

B. Scope

The review involved an evaluation of the University's Title IX policies, procedures, and practices, including the University's grievance process, as well as the role of the Title IX Coordinator in implementing and enforcing Title IX requirements. The Department also evaluated and analyzed the following programs and practices of the University, as they relate to the Graduate Physics Program: (a) recruitment and outreach; (b) admission and retention; (c) teaching assistantships, research assistantships, and fellowships; and (d) campus safety. In addition, the Department evaluated the academic environment, and inquired into whether there were any pending sexual harassment complaints and whether sexual harassment training had been offered to students, faculty, and staff.

C. Background

DOE oversees the Nation's research programs in high-energy physics, nuclear physics, and fusion energy sciences, and is the primary Federal funding agency for basic research and development programs in the physical sciences at institutions of higher learning. This research supports thousands of principal investigators, and graduate and post-doctoral students.

Title IX and DOE implementing regulations (10 C.F.R. Part 1042) prohibit discrimination on the basis of sex in any educational program or activity that receives Federal financial assistance. These laws require that the Department conduct reviews of grantee institutions to ensure that they are in compliance with the prohibition against sex discrimination.

In July 2004, the Government Accountability Office (GAO) issued a report (GAO Report Number 04-639) in which it reviewed compliance activities of the four Federal science agencies (the Department of Energy, the Department of Education, the National Science Foundation, and the National Aeronautics and Space Administration). The GAO found that the science agencies had taken significant steps to ensure that the institutions to which they provide financial assistance are in compliance with Title IX. However, the GAO also found that women were not fully represented in those institutions.¹ Therefore, the GAO recommended that science agencies conduct post-award monitoring to ensure that women are allowed full opportunity to participate in the sciences and that sex discrimination is not preventing women from pursuing degrees in science.

The passage of the America Competes Act, Pub. L. No. 110-69, 121 Stat. 573 (2007), in August 2007, provided additional impetus for conducting compliance reviews. This Act directs the Secretary of Energy to report to the congressional energy committees on the actions taken by the Department to implement the recommendations in the GAO report. The Act also requires DOE to conduct annually at least two compliance reviews of institutions to which it provides funding.

II. The Graduate Physics Program

A. Student Population

One hundred sixty-four students (128 full-time and 36 part-time) were enrolled in the Graduate Physics Program at the University of Washington-Seattle at the beginning of the 2007-2008 academic year.² Of those, 140 were males (109 full-time and 31 part-time) and 24 were females (19 full-time and 5 part-time). Twenty-six students (7 females and 19 males) were interviewed during the May 2008 on-site visit.³

Table 1A, below, shows the number and percentage of full-time male and female students enrolled in the Graduate Physics Program for the 2004-2005 to 2007-2008 academic years. Table 1B shows the number and percentage of part-time male and female students enrolled in the Graduate Physics Program for the same period.

¹ Similarly, a 2005 report of the American Institute of Physics Statistical Research Center, which examined physics programs at institutions of higher education, found that in 2003, women earned only 22% of the Bachelor of Science degrees in physics, and only 18% of the Doctor of Philosophy degrees in physics. The study also found that women represent approximately only 10% of the faculty in degree-granting physics departments of the nation's colleges and universities.

² The number of students listed is current as of the fall quarter, 2007, enrollment census day.

³ Student participation in interviews was lower than expected due to a lack of volunteers.

Table 1A: Full-time Graduate Physics Student Enrollment⁴

Full-time Students	Total	Male		Female	
2004-2005	145	121	83%	24	17%
2005-2006	139	120	86%	19	14%
2006-2007	127	108	85%	19	15%
2007-2008	128	109	85%	19	15%

Table 1B: Part-time Graduate Physics Student Enrollment⁵

Part-time Students	Total	Male		Female	
2004-2005	54	48	89%	6	11%
2005-2006	47	38	81%	9	19%
2006-2007	44	32	73%	12	27%
2007-2008	36	31	86%	5	14%

B. Faculty

During the 2007-2008 academic year, there were 67 faculty members in the Graduate Physics Department of whom 5 were females and 62 were males. Ten faculty members (2 females and 8 males), including the Chair of the Physics Department, were interviewed during the on-site visit.⁶ Sixteen administrators were also interviewed.

C. Recruitment and Outreach

Recruitment and outreach efforts at the University of Washington-Seattle are limited. Most of the students said they were not recruited by the University. A University administrator commented that not much emphasis is placed on recruiting females into the mathematics and science programs because the University's overall graduate school student population is already about 60% female. However, a black, female, international student stated that she was actively recruited, and that she received a \$10,000 incentive for enrolling in the Graduate Physics Program. Another female student said that she was approached as an undergraduate and asked to consider enrolling in the physics program at the University. The more prominent outreach and recruitment activities in which the University and the Graduate Physics Program engage are discussed below.

1. Visiting Weekend

The first 50 applicants to the graduate program are invited to attend a recruitment weekend (*Visiting Weekend*) during which they meet and socialize with faculty and students, participate in informational meetings about the department, and are taken on tours of the facilities. During

⁴ The enrollment numbers are based on student enrollment for the fall quarter of each academic year represented in the table. Full-time students are those students who take nine or more credit hours.

⁵ The enrollment numbers are based on student enrollment for the fall quarter of each academic year represented in the table. Part-time students are those students taking fewer than 9 credit hours.

⁶ Two female faculty members were on sabbatical and one was out sick at the time of the on-site visit. Therefore, the Department was unable to schedule on-campus interviews with these female faculty members.

Visiting Weekend female faculty members and students invite visiting female applicants to a private coffee hour during which they engage in discussions on topics such as gender issues within the Graduate Physics Department and career opportunities in the field of physics.

2. Personal Contact with Prospective Students

Following a *Visiting Weekend*, the faculty member with whom a visiting applicant met sends a follow-up email or makes a phone call to inquire about the student's interest in attending the University. Faculty members also correspond more informally with other prospective students throughout the school year.

3. Western Name Exchange

The Western Name Exchange (WNE) is a consortium of 24 universities located in the Western and Southwestern United States. The purpose of WNE is to ensure that participating universities continue to identify a pool of qualified students who could be recruited to the graduate programs of the participating universities. The University of Washington is a member of WNE. Each year, WNE collects and exchanges names of talented under-represented ethnic minority students who are in the junior or senior year of their undergraduate education. When the Physics Department receives the names and contact information of qualified students, the Chair of the Admissions Committee contacts the students to inquire about their interest in studying physics at the University.

4. REU Program

The *Summer Research Experiences for Undergraduates* (REU) program provides opportunities for talented undergraduate students to participate in research projects during a 10-week period each summer. This program is sponsored by the National Science Foundation (NSF), which has established sites in science, mathematics, and engineering departments at participating host institutions throughout the country. The University of Washington's REU site is co-hosted by the Physics Department and the Department of Energy's National Institute for Nuclear Theory. Only two students knew of the REU program (one of them had attended the program).

Finding

The Department found no evidence of sex discrimination in the Graduate Physics Program's outreach and recruitment activities. Therefore, the Graduate Physics Department is in compliance with Title IX with respect to its outreach and recruitment activities.

D. Admissions

1. The Admissions Process

Application to the Graduate Physics Program is made online. Three categories of students are accepted: (1) students working toward a master's or doctoral degree or earning a school administrator's certificate; (2) visiting graduate students who plan to transfer a limited number of graduate credits to another institution; and (3) graduate non-matriculated students who are not presently seeking a degree.

Prospective students for admission to the graduate program must ordinarily meet the following minimum requirements:

1. Hold a baccalaureate degree from an accredited college or university.
2. Earn at least a 3.0 or B (on a 4 point scale) grade-point average in the most recent two years of study.
3. Have satisfactory command of the English language.
4. Submit official Graduate Record Examination (GRE) scores and Advance Physics Subject Test (Advance Physics GRE) scores.

In response to the Department's request, the University provided supplemental information which is excerpted and paraphrased below:

Applicants are rated on a combination of factors, which include GRE score, grades in upper division undergraduate physics courses, research experience, personal statement, and letters of recommendation. All applicants, regardless of sex, are ranked on the same scale. There is no numerical limitation on the number of male and female students who will be accepted. Applicants who rank highest are admitted by the Chair of the Admissions Committee. The remaining applicants are ranked in descending order by at least three members of the Admissions Committee. Applicants who are not offered admission are placed on a "wait list." Students who do not rank "highest," but who demonstrate "promise" (indicators for success) are also offered admission. Indicators for success include very good undergraduate record and research experience, with good recommendations. Such students are generally accepted with the expectation that they will be prepared to successfully complete the Qualifying Examination [discussed below] in two years.

Members of the Admissions Committee are appointed by the Chair. One female currently serves on the Committee. In prior academic years, there were no females on the Committee.

Members of the Admissions Committee indicated that at some point an applicant's sex is considered because the University is trying to increase the number of female graduate physics students. The aforementioned Committee members, and some other administrators also, said that female applicants are generally required to have a minimum GRE score of 650, while males are required to have a minimum score of 750⁷.

Some faculty members and administrators were of the opinion that females and males tended to take different approaches on the GRE. Females, they said, unlike males, will not begin a problem unless they feel certain they are able to complete it. They said that it was their observation that males begin more problems on the GRE than females, and so they generally end up receiving higher scores than females.

⁷ Data provided by the University indicate no difference in the minimum required GRE score between male and female students who were accepted into the program in the academic years under review.

University officials also stated that recruiting females is more of a challenge these days because affirmative action is now illegal in the state of Washington. The University must, therefore, find creative ways for increasing the number of females it admits into the Graduate Physics Program without violating state affirmative action laws.

A member of the Admissions Committee stated that when a male and female are ranked equally and there is only one spot available, the admission offer goes to the female. One female student expressed surprise at being admitted into the Graduate Physics Program because, she said, she did not have a physics background, and did not feel as qualified as others who were denied admission. This student said she did not submit GRE scores as part of her application.

2. Admissions Statistics

Table 2: PhD Applicants, Admissions, and New Enrollment per Academic Year⁸

	Applicants				Accepted				Enrolled				
	Total	Male	Female	Male	Female	Male	Female	Male	Female				
2004-2005	371	295	80%	76	20%	*	*	*	*	26	*	4	*
2005-2006	413	312	76%	101	24%	77	25%	6	6%	21	27%	2	33%
2006-2007	373	313	84%	60	16%	65	21%	16	27%	14	22%	4	25%
2007-2008	360	299	83%	61	17%	89	30%	16	26%	18	20%	4	25%

3. Student Evaluation of the Admissions Process

A majority of the students who were interviewed described the admissions process as a “standard process.” It involves completing an application form and submitting test scores, a letter of interest, and letters of recommendation. Most of the students who were interviewed said they did not believe anything in their admission experience was unfair. Although they recognized that there was a significantly larger number of male students in the Graduate Physics Program than female students, they did not believe that the admissions process and procedures were biased in favor of male applicants.

Finding

The Department finds that the admissions practices of the Graduate Physics Program are in compliance with Title IX. Notwithstanding, the Department cannot ignore the statements of University officials that the GRE score required for admission is lower for female applicants than for male applicants. Accordingly, the Department advises that any admission policy or practice that gives preferential treatment on the basis of sex violates Title IX, even if the intent is to achieve balance between the number of male and female students who gain admission.

Recommendation

While the Department does not find a Title IX violation in the admissions policies and practices, in view of the statements made by University officials that GRE scores were lowered for female applicants, presumably to aid them in gaining admission to the Graduate Physics Program, it

⁸ An asterisk indicates that the data is not available.

recommends that the University reminds the Admissions Committee that any policy or practice that gives an advantage to one group of applicants, because of their sex, violates Title IX and, therefore, should not be considered or implemented.

E. Retention, On-Leave Status, and Re-Entry

University policy allows for graduate students to petition for on-leave status. To be eligible for on-leave status, a student must have registered for, and completed, at least one quarter of study. The petition for on-leave status must be approved by the departmental Graduate Program Coordinator and submitted to the Registration Office. With departmental approval, a student may go on leave for up to four consecutive quarters. If a student wishes to remain in on-leave status for more than four consecutive quarters, the student must submit a second petition for on-leave status. A student who is returning from leave is not required to apply for readmission or to complete a returning student application.

Any graduate student who fails to maintain either graduate student status or on-leave status is considered to have resigned from the Graduate School. Any student considered to have resigned from the Graduate School is required to apply for readmission if he/she wishes to be readmitted to the graduate program. Application for readmission carries no preference and is treated in the same manner as application for initial admission.

During the 2004-2005 academic year, two male PhD students dropped out of the Graduate Physics Program. Five male PhD students dropped out of the program between the 2005-2006 and 2006-2007 academic years. No female student dropped out of the program between the 2004-2005 and 2006-2007 academic years.

During the 2006–2007 academic year, one male student requested and was granted re-entry. The student had failed to enroll for classes and had not petitioned for on-leave status. Therefore, the student was considered to have resigned from the Graduate School. However, since the student was in good standing, the University waived its re-entry requirement for the student. Thus, the student was allowed to re-enter the program without applying for readmission. Re-entry was not requested by any other student, male or female, during the period reviewed (2004 to 2007).

Finding

The Department finds no evidence of gender disparity in the retention policies and practices of the Graduate Physics Program. Therefore, the retention, on-leave and re-entry policies and practices of the Graduate Physics Program comply with the requirements of Title IX.

F. Financial Assistance

1. Teaching and Research Assistantships

The Graduate Physics Program provides various forms of financial assistance to students. Financial assistance is generally provided in the form of a teaching assistantship (TA), research assistantship (RA), and/or fellowship.

Most full-time graduate physics students are supported by teaching assistantships and/or research assistantships. Male and female students are compensated equally for comparable assistantships. According to those interviewed, second-year students who make satisfactory progress are essentially guaranteed a teaching assistantship and/or research assistantship. Although financial support is not guaranteed after a student's second year, all students have received financial support over the past several years.

Table 3 shows the total number of teaching assistantships and research assistantships awarded to graduate physics students from the 2004-2005 academic year to 2007-2008 academic year.

Table 3: Distribution of Teaching Assistantships and Research Assistantships

	Teaching Assistantships					Research Assistantships				
	Total	Male		Female		Total	Male		Female	
2004-2005	77	66	86%	11	14%	65	57	88%	8	12%
2005-2006	81	74	91%	7	9%	59	53	90%	6	10%
2006-2007	78	65	83%	13	17%	61	54	89%	7	11%
2007-2008	80	65	81%	15	19%	72	64	89%	8	11%

2. Fellowships

Only one fellowship is awarded each year. Students generally apply for fellowships when announcements are made. Awardees are selected by the Admissions Committee. According to a member of the Awards Committee, only subjective criteria are used to determine which students receive awards. However, a member of the Committee said that being female was an advantage in receiving an award. Between 2004 and 2008, all awardees were males. However, the award for the 2008 to 2009 academic year went to a female student.

3. Financial Incentives

A member of the Admissions Committee stated that financial aid is given to all students, but that women receive at least \$5,000 more in financial assistance and/or incentives than males. This was reiterated by a member of the faculty. Another faculty member said that females are offered more in financial incentives in order to attract them to the Graduate Physics Department. One member of the Admissions Committee stated that a female was offered a \$10,000 incentive and a full scholarship for one academic year. Some male students who were interviewed stated they too, received financial incentives, in addition to their research assistantship, teaching assistantship, or fellowship.

4. Achievement Awards

In addition to financial incentives, students may also receive achievement awards. The University pointed out that each award has criteria developed by the donor endowing the award, and that the Awards Committee works within the guidelines for each award. Therefore, there is no single checklist for making awards.

The University provided a list of the award winners between 2004 and 2007. To comply with the Family Educational Rights and Privacy Act (FERPA) requirements, the sex of each awardee

was not listed. Thus, only the names of the awardees and the amount of each award were provided. No student received an award in excess of \$4,000. Two students (one with a male first name and the other with a female first name) were awarded \$4,000 each. Two students with male first names were awarded \$2,500 each. Lesser amounts were awarded to students having male or female first names.

Finding

The Graduate Physics Program is in compliance with Title IX with respect to its awards policies and practices. It was reported by some students and faculty members that female students received more money in financial incentives than male students. However, data provided by the Graduate Physics Department does not support such a finding. A University official explained that eligibility for each award is based on criteria specified by the donor endowing the award, and that the Awards Committee works within those guidelines. Therefore, the official said, some students may receive more in financial awards than others.

G. Selection to Research Groups

There is no formal method or criteria by which students are selected for assignment to research groups. A majority of the faculty who were interviewed said that a student's interest and funding are the main criteria for selection to research groups and that a student's sex is never considered. Typically, a student indicates his or her interest in a particular research area, or applies in response to an open position announcement. The faculty member in charge of the research project generally accepts an interested student if funding is available. One faculty member said that he looks at students' grades before deciding to accept them into a research group. Another said that students who have passed the Qualifying Examination are more attractive for selection to a research group.

Finding

The Department finds that the policies and practices by which the Graduate Physics Program selects students for research groups are in compliance with Title IX.

H. The Qualifying Examination

The Qualifying Examination provides the Graduate Physics Department an opportunity to ascertain whether a PhD candidate demonstrates competency across a broad spectrum of core subjects. The Graduate Physics Department believes that the process of preparing for the examination is also very helpful to students as it provides a "learning and integration opportunity that allows graduate students to develop a more global understanding of physics."

1. Qualifying Examination Requirement

The Qualifying Examination is administered two times a year: the examination is first administered two weeks prior to the start of the autumn quarter; the next time it is administered is during the break between the winter and spring quarters. Students are required to take the examination that is offered two weeks prior to the start of the autumn quarter of their second year

of graduate study. If a student does not wish to take the examination at that time, the student must petition the Graduate Program Coordinator for a postponement.

A student who does not pass the examination on the first attempt is automatically allowed to sit for it a second time, and must take the examination the next time it is offered. Students are guaranteed only two opportunities to pass the Qualifying Examination. A student who does not pass the examination after two attempts can appeal to the Qualifying Examination Review Committee⁹ and petition for a third attempt. In deciding whether to grant a third attempt to a student, the Review Committee may consider the student's research promise, achievements in graduate course work, and performance on prior examinations. A student who does not pass the examination after a final attempt is allowed to continue for one quarter so as to complete the requirements for a Master's degree. In exceptional circumstances, the student may be granted a second quarter to complete the Master's degree requirements.¹⁰

2. Qualifying Examination Grading Process

The Qualifying Examination is graded by members of the Qualifying Examination Committee.¹¹ Each student taking the examination is assigned a coded number to be used as an identifier in place of his/her name. At no time during the grading process are the names of students revealed to the graders.

Each of the five sections of the Qualifying Examination is scored numerically and then assigned a letter grade of A, B, or C. Once the examinations have been graded, the Committee reviews the distribution of grades on each problem. If a significant number of students receive a C on a given section of the examination, the Committee carefully reviews that section of the examination to check for consistency in grading. Additional Committee members may be asked to independently determine grades on that section of the examination.

When the Qualifying Examination Committee completes its review, it submits the grades of each student to the Qualifying Examination Review Committee. The Review Committee then makes the final decision on which students are deemed to have passed.

A student who receives a grade of A or B on each section of the examination is deemed to have passed the examination, and is automatically qualified to continue studying toward the PhD degree. When a student's grade borders on pass, the Review Committee may look beyond the grade on the examination to determine whether the student should receive a passing grade. In making that determination, the Review Committee may take into account the student's record,

⁹ The Qualifying Examination Review Committee is comprised of the Department Chair, Associate Chairs, the Graduate Program Coordinator, the Graduate Committee Chair, and the Qualifying Examination Committee Chair.

¹⁰ A student who has not passed the examination by the beginning of the spring quarter of his/her third year is placed on probation, absent extenuating circumstances. The student is only allowed to register for the autumn quarter of the following academic year if he/she successfully petitions to take the examination offered prior to the start of the autumn quarter. If the student passes the examination, the probation is lifted. If the student does not pass the examination, he/she is given the opportunity to complete the requirements for a Master's degree during the autumn quarter, but is not allowed to register for the winter quarter.

¹¹ The Qualifying Examination Committee is comprised of five teaching faculty who are responsible for developing and grading the examination.

such as recommendation letters from faculty attesting to the student’s research promise, course grades, and performance on prior Qualifying Examinations.

A student may appeal the decision of the Qualifying Examination Review Committee within seven days of being notified of the Committee’s decision. To file an appeal, a student must submit a letter of appeal to the Physics Department Graduate Program Assistant. The appeal may concern the grading of one or more sections of the examination, the overall pass/fail decision, or a request for a third attempt (if the student failed his/her second attempt). The Committee is required to consider the appeal and formally notify the student of its decision within seven days of receiving the appeal. No further appeals are permitted.

3. Qualifying Examination Pass Rates

Table 5A shows the pass rate for first-time takers of the Qualifying Examination during the 2004-2005 to 2006-2007 academic years. Table 5B shows the pass rate for second-time takers for the same period.

Table 5A: Qualifying Examination First-Time Pass Rates per Academic Year

First-time Takers	2004-2005			2005-2006			2006-2007		
	Total	Male	Female	Total	Male	Female	Total	Male	Female
Number of Takers	23	20	3	26	23	3	22	18	4
Number passing	11	10	1	12	11	1	9	8	1
Percent passing	48%	50%	33%	46%	48%	33%	41%	44%	25%

Table 5B: Qualifying Examination Second-Time Pass Rates per Academic Year

Second-time Takers	2004-2005			2005-2006			2006-2007		
	Total	Male	Female	Total	Male	Female	Total	Male	Female
Number of Takers	13	10	3	13	9	4	16	13	3
Number passing	9	7	2	8	6	2	13	11	2
Percent passing	69%	70%	67%	62%	67%	50%	81%	85%	67%

As shown in Table 5A, the pass rate for male, first-time takers of the examination is considerably higher than the pass rate for female, first-time takers. For the 2004-2005 to 2006-2007 academic years, the pass rate for male, first-time takers ranged from 44% to 50%. During the same period, the pass rate for female first-time takers ranged from 25% to 33%. The average pass rate for male first-time takers over the three-year period was 47%, while the average pass rate for female first-time takers was 30%, a difference of 18%.

Table 5B shows the pass rate of students who took the examination a second time. As with first-time takers, the pass rate of male students is higher than the pass rate of female students. From the 2004-2005 to the 2006-2007 academic year, the pass rate for males who took the examination a second time ranged from 67% to 85%. During the same period, the pass rate for female students taking the examination a second time ranged from 50% to 67%. The average pass rate for males over the period is 74%, while the average pass rate for females was 61%, a difference of 13%.

A member of the Qualifying Examination Committee who was interviewed stated that there is always a student on the Committee, and that the student member is tasked with polling other students about the fairness of the examination. One female student said that the Qualifying Examination had gone through several revisions since she began attending the University, and that the University had revised the examination to make sure it was fair.

Finding

The data provided shows that both first- and second-time, male test takers pass the Qualifying Examination at a much higher rate than females. However, there is no evidence of bias in the manner in which the examination is administered. Thus, the Graduate Physics Department is in compliance with Title IX in its administration of the Qualifying Examination.

Recommendation

The Graduate Physics Department reports that the examination was recently reviewed and revised in an effort to ensure that there was no bias. We commend the Department for these efforts, and recommend that it continues to find meaningful ways, within the constraints of Title IX, to improve the pass rate of female students.

III. The Environment

A. Climate

Many of the students who were interviewed said they did not believe one's sex had any effect on the interaction between professors and students. It was their observation that the dynamics among students and between professors and students was positive. However, one student indicated otherwise. She said that a professor treated her much differently than the male students in her laboratory. In that regard, she said she was not given the same amount of respect as males and was not given the same opportunities as males to prove her skills and ability as a researcher. However, she said she had not filed a complaint. When asked whether she wanted to file one, she indicated that filing a complaint would be detrimental to her life at the University and her later career.

Most of the students interviewed felt that the Chair of the Physics Department was accessible and supportive, although they admitted that they had little or no occasion to interact with the Chair. However, some faculty members felt that the Chair was not very accessible to students and that he should interact more with the students.¹² An administrator was concerned that female students were not receiving the best advice when they brought gender issues to the attention of faculty.

¹² The Chair serves a five-year term. At the time of the interview, the Chair was in the fourth year of his second five-year term.

Finding

We find that the Department is in compliance with Title IX. There is, however, some indication that the Chair may not be readily accessible to students.¹³ Additionally, there may be a lack of trust between faculty members and students as illustrated by the fact that at least one female student opted not to file a sex discrimination complaint for fear of reprisal.

Recommendation

The University should ensure that students are informed of their Title IX rights and that they are assured of their right to file a Title IX complaint without any fear of retaliation. Further, the Department suggests that the administration of the Graduate Physics Department find ways to improve communication between students, faculty, and the Chair.

B. Gender Bias/Sexual Harassment

Most of the students who were interviewed said that one's sex did not affect any aspect of their studies. Faculty members also made similar statements. One faculty member stated that females tended not to speak up during class or ask as many questions as males. However, some faculty members said that females were actually better students than males because they were more engaged and studied harder.

A majority of the students interviewed said they had not observed or heard of any case of sexual harassment or gender bias. One student and a faculty member stated that some students had expressed concern over a "locker room mentality" that occasionally exists among male graduate students after faculty have left for the day. Similarly, one student indicated that females may be excluded from study groups and that men were rewarded for being aggressive, while women were expected to be passive.

The Graduate Physics Department reported that there were no incidents of sexual harassment for the time period reviewed. However, some of the students who were interviewed said there was a rumor that a female student was harassed in a laboratory. University officials admitted that the incident occurred several years ago (prior to the time period under review), and that the matter was resolved through mediation in which the Chair of the Department and the Ombudsman were involved. They noted that that the student, who has since received a PhD degree, was transferred to another laboratory as part of the resolution agreement.

Finding

The fact that there have been no recent reported incidents of sexual harassment within the Graduate Physics Department is a positive commentary on the University's efforts to ensure a sexual harassment-free environment. The one possible case, mentioned above, that occurred some years ago, was appropriately handled by the administration. The University is commended for its action in that regard. There is, however, some evidence that the level of interaction

¹³ The Chair of the Department has since retired and a new Chair has been appointed. We have been informed that the new Chair has taken appropriate actions for improving communication among students, faculty and the administrative staff.

between male and female students needs improvement. In this regard, there was concern of a “locker room” mentality among some of the male students, and that female students are sometimes excluded from study groups.

Recommendation

The Department recommends that the University review the interactions between male and female students and follow up with any necessary improvements.

C. Campus Safety¹⁴

Campus safety was a top concern of most of the students who were interviewed. Several students referred to an area close to the campus as a high crime area.

Most of the students said they felt safe while they were inside the main physics building, but one student said she had concerns about her safety in a particular building that was used by the Physics Department. She explained that the building was used for undergraduate classes and was not locked until undergraduate classes ended in the evenings. Another student said that a break-in had occurred in a building at the north end of the campus. One male student said he had been robbed on campus.

Faculty and administrators were not as concerned as students about campus safety. However, one faculty member was very concerned. Another member of the faculty said that he encouraged his students to keep the doors of the research laboratories locked, and that they should leave the campus before it got too dark in the evenings.

Most of the students said that the University does a good job at alerting students to criminal activity. Students were generally aware of the University’s “night-walk” and “night-ride” programs. The “night-walk” program provides daily escort service by security personnel to any location on the campus, from 6:00 p.m. to 2:00 a.m. The “night-ride” program provides free transportation to students within one mile of the northern, eastern, and western areas of the campus.¹⁵ Recently, additional lights, cameras, and telephones have been installed on campus. There has also been an increase in the number of campus police officers.

Since the on-site visit, the University has launched a *SafeCampus* public information campaign. Through this program, it seeks to raise awareness of the University’s policies and programs for preventing and responding to threats of violence and to inform students and University personnel of the avenues by which violence can enter and affect the University community. The campaign centers on publicizing violence prevention and response resources.

SafeCampus posters, bookmarks, flyers, and magnetic cards with emergency contact information are made available free of charge, and a link has been created to the University’s website with

¹⁴ The Department of Energy conducted a review and analysis of campus safety features because it believes that females are more often the victims of violence than males. The intent is to determine whether campus safety features offer the same protection for females as they afford males.

¹⁵ The night-ride service is available only during the fall, winter, and spring terms, and operates Sunday through Thursday, from 8:00 p.m. to 12:15 a.m.

information about the *SafeCampus* program. Advice such as *don't walk alone, report threats, always call 911, and call 206-685-WALK (9255) for UW safety guards to walk with you*, is prominently posted on the Campus Safety webpage. The University has also provided detailed information about actions and activities that could result in violence; on how to be prepared to deal with violence; and on what to do if one is faced with a violent situation. *SafeCampus* telephone numbers are answered by staff specially trained to receive reports of potentially violent situations, and to provide resources and referrals to services that offer assistance to victims.

The University has established a Violence Prevention and Response Program (VPRP). VPRP acts as the central point of communication, and is the coordinating unit for violence mitigation activities across the campus. It acts in partnership with other University organizations such as the Department of Student Life, the Human Resources Department, and the University's Police Department in its efforts to prevent campus violence. One of the aims of the program is to help students, faculty, and other University personnel identify situations which might lead to violence. The University believes that early identification of potential violent or problematic situations can help reduce the risk of violence.

There is a hotline for reporting all non-urgent violence concerns. When a situation of concern is reported, VPRP collaborates with affected University partner departments to develop a coordinated response. Callers are connected with the appropriate campus resources, and VPRP tracks all calls to ensure that appropriate follow-up is taken. All personnel and students are advised to report urgent threats by dialing 911 immediately.

Responsibility for safety programs and safety performance lies with each Dean, Director, Department Chair, and supervisor. Everyone with supervisory responsibility is expected to participate directly in assuring that safe working conditions are maintained.

Finding

The University has developed extensive and efficient programs for ensuring campus safety for everyone. We find that these programs are in compliance with Title IX requirements.

Promising Practice

The University is commended for its efforts to reduce campus crime and violence. The Department believes that the University's efforts to mitigate crime through its campus safety initiatives such as "night-walk," "night-ride," and "*SafeCampus*" programs are practical crime prevention measures that can be easily adapted by other large, urban institutions.

IV. Title IX Notice Requirements

Title IX requires educational institutions that are recipients of Federal financial assistance to develop and implement nondiscrimination policies and procedures, and to appoint a Coordinator for implementing and coordinating Title IX functions. The Department's implementing regulations, 10 C.F.R. Section 1042.140(b), require recipients to adopt and publish grievance procedures providing for the prompt and equitable resolution of student and employee complaints that allege actions prohibited by Title IX. The U.S. Department of Justice (DOJ)

recommends that grievance procedures include both an informal and a formal process, and 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.¹⁶

Pursuant to Title IX, each recipient of Federal financial assistance must notify students and employees of the name, office address, and telephone number of the employee or employees appointed to coordinate and 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. A recipient is required 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. Section 1042.135 to 140.

A. The Title IX Coordinator and Office of Equal Opportunity and Affirmative Action

The Office of Equal Opportunity and Affirmative Action (EOAA) is identified by the University as the office responsible for performing Title IX compliance functions. The office is headed by a Director who serves as a Title IX Coordinator. This position was created about six months prior to the on-site review. At the time of the onsite visit, the Title IX Coordinator's duties were not clearly defined and the Coordinator had only limited knowledge of Title IX requirements. Her duties are mainly in the area of affirmative action.

B. Notice

The EOAA Office publishes a notice on its webpage, stating that discrimination on the basis of sex and sexual harassment is prohibited under various statutes, including Title IX. The notice states that there is a Director of the EOAA Office, but it does not identify that person as the Title IX Coordinator. The webpage makes no reference to the University's Title IX policies or the procedures for filing a Title IX complaint, and it does not state how faculty, staff, or students can obtain Title IX training. The webpage provides information mainly on data collection, and on affirmative action policies and procedures.

The Chair of the Physics Department said that new students are oriented on Title IX complaint procedures, and Title IX posters and flyers are conspicuously posted in buildings throughout the Physics Department. However, most of the students and faculty, and some administrators who were interviewed, were unaware of the existence of the Title IX Coordinator, Title IX procedures, or Title IX's prohibition against sex discrimination, except within the context of sports.

Some faculty members said that if they had a Title IX issue, they would consult with the Chair of the Physics Department, the Dean of Students, or a member of the Committee on Climate and Diversity for guidance. A majority of the students interviewed indicated they would speak to their advisor or another faculty member, or search the University's website for information on how to file a Title IX complaint if the need arose.

¹⁶ See *Title IX Legal Manual*, U.S. Department of Justice, Civil Rights Division (Jan. 11, 2001).

Finding

Title IX information is not reaching students or University personnel, despite the fact that the University has met the basic notice requirement of Title IX. Although the University has a Title IX Coordinator, the Title IX Coordinator's role is not clearly defined, and the Title IX Coordinator is not fully informed of Title IX principles and practices.¹⁷

Recommendations

We recommend that the University develop the Title IX Coordinator's role more fully and thoroughly to reflect the Title IX Coordinator's responsibilities. The name of the Title IX Coordinator should be posted prominently and conspicuously on the University's webpage, together with the location of the Title IX Coordinator's office and the telephone number of that office.

V. Title IX Grievance and Complaint Policies, Procedures, and Practices

A graduate physics student who believes he or she has been sexually harassed or discriminated against on the basis of sex, has the option of seeking assistance from a variety of sources such as administrators of the Physics Department, the Ombudsman, the Complaint Investigation and Resolution Office (UCIRO), the Office of the Vice Provost for Student Life (OVPSL), the Office of Equal Opportunity and Affirmative Action (EOAA), and the Office for Sexual Assault and Relationship Violence Information Services (SARVIS). However, information on the University's Title IX grievance policies and procedures, and where to file a complaint are not easily found on the University's website.

A. Filing Complaints within the Physics Department

The Physics Department tries to handle grievances at the local level, unless they involve complaints of sexual harassment. According to an administrator in the Graduate Physics Department, any member of the staff of the Graduate Physics Department who needs information and guidance for filing a Title IX complaint is encouraged to talk to the Department administrators. Students, the administrator said, are instructed to address Title IX issues with the Graduate Program Advisor, while faculty members are instructed to bring Title IX issues to the Department Chair. Interviews with some of the officials named by the administrator as sources for Title IX information and guidance revealed that they were not familiar with Title IX outside of the context of sports. Others said they became familiar with Title IX only as a result of preparing for the compliance review.

When asked what procedures he would follow if he became aware of a student complaint of sex discrimination or sexual harassment, the Chair said that the administrator of the Physics Department handles informal and formal sex discrimination complaints. He said also that if the complaint involves sexual harassment, the administrator must report the matter to him, and he, in

¹⁷ The individual who held the position of EOAA Director/Title IX Coordinator at the time of the onsite visit has since left the University. A new Title IX Coordinator has been appointed. The University has informed us that the new Title IX Coordinator is fully informed and knowledgeable about Title IX principles and practices and that the Title IX Coordinator's duties are now clearly defined.

turn, would report it to the Ombudsman. The Chair stated further that the Graduate Program Coordinator also handles complaints of sexual harassment and sex discrimination.

B. Ombudsman

Some University resources, such as the Ombudsman's Office, offer assistance with complaints of sex discrimination and sexual harassment only at the informal level. The Ombudsman serves as a neutral third party, and does not advocate for the University or for either party to a dispute. He/she engages the parties in mediation and conciliation, and provides information, advice, and recommendations on how to move forward with a complaint. The objective is to provide a process for achieving a fair and reasonable settlement.

Complainants are actively involved in the resolution process. They are asked to participate in preparing a plan that addresses their specific concerns. Resolution plans are developed in conjunction with staff of the Ombudsman's Office.

C. The University Complaint Investigation and Resolution Office

UCIRO has primary Title IX investigation and complaint processing responsibility with regard to complaints made against University employees, and its webpage has links to pertinent administrative policy statements and complaint resolution options.¹⁸ UCIRO does not investigate student-to-student complaints, except where the student is also an employee of the University, such as a research assistant or a teaching assistant.

The University encourages resolution of complaints at the lowest local level. If an issue cannot be resolved informally such as through mediation, the complaining party has the option of utilizing a formal process by filing a complaint with UCIRO.

UCIRO Investigation and Resolution Specialists act as neutral and objective fact-finders under procedures outlined by the University in its Administrative Policy Statement. A Resolution Specialist interviews the complainant and other appropriate persons in order to determine the pertinent facts. The Specialist then discusses resolution with the complainant and may have similar discussions with other interested parties. This may lead to the matter being resolved prior to completing the investigation. Investigations are typically concluded within 60 business days.

Generally, when a Resolution Specialist completes an investigation, he or she prepares a report, which contains a list of the persons interviewed and a description of the factual findings and conclusions. The Specialist may recommend appropriate corrective action to the administrative head of the organization. Typically, copies of the report are provided to the person who requested the investigation, to the employee whose conduct was the subject of the allegations of concern, and to appropriate University personnel.

There is no internal appeal mechanism. However, complainants have the right to contact relevant state or Federal agencies if they are not satisfied with the results of the investigation.

¹⁸ UCIRO's webpage is rather inconspicuous and difficult to find because it is located within the website of the Office of Risk Management.

Individuals may also file complaints of sexual harassment directly with an appropriate state or Federal agency.

D. Office of the Vice Provost for Student Life

The Office of the Vice Provost for Student Life (OVPSL) is responsible for processing student-to-student complaints, except for student-to-student harassment complaints, which are handled by the Consultation and Assessment Team (CAT). If the harassment involves a student who is also an employee, the investigation is conducted by UCIRO. The CAT team is composed of three persons who are trained to work with distressed individuals.

A pre-disciplinary hearing, fact finding, and judgment can result from filing charges. These actions and/or determinations are made by an administrator within the Office of Community Standards and Student Conduct (CSSC). An appeal may be made from a decision of the CSSC to the University Disciplinary Committee, which is made up of faculty members. Disciplinary actions, if necessary, are imposed by the CSSC. The CSSC's webpage provides a comprehensive description of the process by which allegations of student misconduct are handled.

E. Filing a Complaint with the Equal Opportunity and Affirmative Action Office

Students may file complaints with the Title IX Coordinator. According to the Director, such complaints are then forwarded to the Ombudsman or UCIRO for processing. There were no pending Title IX complaints at the time of the onsite review.

F. Sexual Assault and Relationship Violence Information Services

Sexual harassment issues may be raised informally with the Sexual Assault and Relationship Violence Information Service (SARVIS). This is an on-campus counseling service that provides assistance to students who experience sexual harassment or related issues. SARVIS helps students through the process of deciding what their options are for resolving their concerns, such as whether they are in need of a protective order, safer housing, or counseling referrals. SARVIS is also an important alternative for students who are not interested in the face-to-face process of mediating, or where other approaches to resolution appear dangerous to the alleged victim.

Finding

The University has established reasonable timelines for the investigation and resolution of Title IX complaints and has also established a fair and impartial investigatory process. However, the University's grievance policies and procedures are difficult to locate on its website¹⁹. Consequently, students may not know where to file a complaint or the process for doing so.

Recommendations

¹⁹ Since the onsite visit, the University informed the Department that UCIRO has revised and improved its website and that the new website is now much easier to find and use.

A statement of the University's sexual harassment and sex discrimination policies, procedures, and practices should be prominently and conspicuously posted on the University's webpage.

The University should update its EOAA webpage to include clear instructions to students on how to file a sexual harassment or sex discrimination complaint. These instructions should be highlighted, and should contain information on where complaints may be filed and the time limits for filing.

Additionally, if UCIRO has primary Title IX investigation and complaint processing responsibility with regard to complaints made against University employees, then the University should make this office and its webpage more visible and conspicuous to students. Students are not likely to look to the Finance and Facilities' Office of Risk Management webpage in their search for information about UCIRO.

Finally, the University should conspicuously post the policies and procedures for filing a student-to-student complaint of sexual harassment and sex discrimination. Although a notice on the webpage of the Office of the Vice Provost for Student Life states that, that office is responsible for handling student-to-student sexual harassment complaints and the possible resolutions and outcomes of such complaints, the notice does not outline the procedures for filing a complaint.

VI. Sexual Harassment and Sex Discrimination Policies

Regulations implementing Title IX, at 10 C.F.R. Part 1042, require that institutions receiving financial assistance from the Department adopt policies against sex discrimination in their programs and activities. The regulations also require that grantees develop procedures that provide a mechanism for discovering sexual harassment and sex discrimination as early as possible, and for effectively correcting problems of sexual harassment and sex discrimination.

A. Sexual Harassment Policy

The University has an established policy against sexual harassment. It has developed a sexual harassment awareness program and has implemented regulations, procedures, and practices for discouraging sexual harassment and for processing complaints of sexual harassment. All complaints of sexual harassment must be reported by the supervisor or department head to the Ombudsman for Sexual Harassment. Faculty and staff members who fail to report complaints, or who fail to cooperate in the processing of sexual harassment complaints, are subject to disciplinary action by their supervisors or the administrative heads of their organizations.

B. Preventive Measures

The University has published a pamphlet entitled *Stop Sexual Harassment* which restates its commitment to protecting the rights and dignity of each individual in the University community. The pamphlet gives a clear definition of sexual harassment, provides examples of inappropriate behavior, and offers suggestions for discouraging such inappropriate behavior. The pamphlet also contains information for filing formal and informal complaints of sexual harassment.

The Ombudsman's office provides sexual harassment training to students, staff, faculty, and administrators. A majority of the students who were interviewed indicated that they had taken

sexual harassment training during their first year in the Graduate Physics Program, but had not taken refresher training. Most of the faculty and administrators who were interviewed also said that the University regularly offers sexual harassment training, but that they had not taken the training.

Finding

The policies, procedures, and practices adopted by the University for discouraging sexual harassment and for processing complaints of sexual harassments are within the standards established by Title IX and DOE implementing regulations. However, it appears that sexual harassment training for faculty is not a requirement.

Recommendation

The Department recommends that the University devise meaningful ways to publicize its sexual harassment policy. The offices authorized to receive and process complaints of sexual harassment and the names, titles, addresses, and telephone numbers of the University personnel who operate them, should be posted and highlighted. External agencies that are authorized to accept and process sexual harassment complaints, including the addresses and telephone numbers of such agencies and the time limits for contacting them, should also be posted. We further recommend that the University offer formal sexual harassment training and refresher sexual harassment training, to all students and University personnel. The University is encouraged to design and create educational programs for increasing the awareness of students, student organizations, faculty, and academic staff of the nature of sexual harassment and how to avoid becoming victims or perpetrators of sexual harassment.

VII. Conclusion

The Graduate Physics Department is in compliance with Title IX in a number of its programs, practices, and activities. However, improvements are needed in some areas.²⁰ Accordingly, the Department recommends that the University take the following actions, in addition to those actions already recommended herein:

1. Ensure that the Admissions Committee is informed that any admissions policy or practice that gives an advantage to one group of applicants over another, on the basis of their gender, violates Title IX.
2. Improve communication between students, faculty, and the Chair to ensure that students are not hesitant to address gender-related issues.
3. Assure students in the Graduate Physics Department that they may raise allegations of sexual harassment, or allegations of any other form of discriminatory conduct that violates Title IX, without fear of retaliation/reprisal.

²⁰ The University has since informed the Department that deficiencies have been corrected. However, this report is based on our findings at the time the review was conducted. The Department will issue a separate statement of its findings as to whether the recommended actions have been implemented.

4. Develop and clearly define the duties and responsibilities of the Title IX Coordinator, and ensure that the Title IX Coordinator receives training in those duties and responsibilities.
5. Prominently and conspicuously post the following information on the University's website and at other appropriate sites:
 - (a) The University's sexual harassment and sex discrimination policies, practices, and procedures;
 - (b) The name of the Title IX Coordinator, and the location and telephone number(s) of the Title IX Coordinator's Office;
 - (c) The names, titles, addresses, and telephone numbers of University personnel and offices authorized to receive and process Title IX and sexual harassment complaints;
 - (d) The name, address, and telephone numbers of all external agencies that are authorized to accept and process sexual harassment complaints, and the time limits for filing such complaints.

Within ninety (90) days of its receipt of this Compliance Review Report, the University shall provide proof that the recommendations listed herein have been taken.