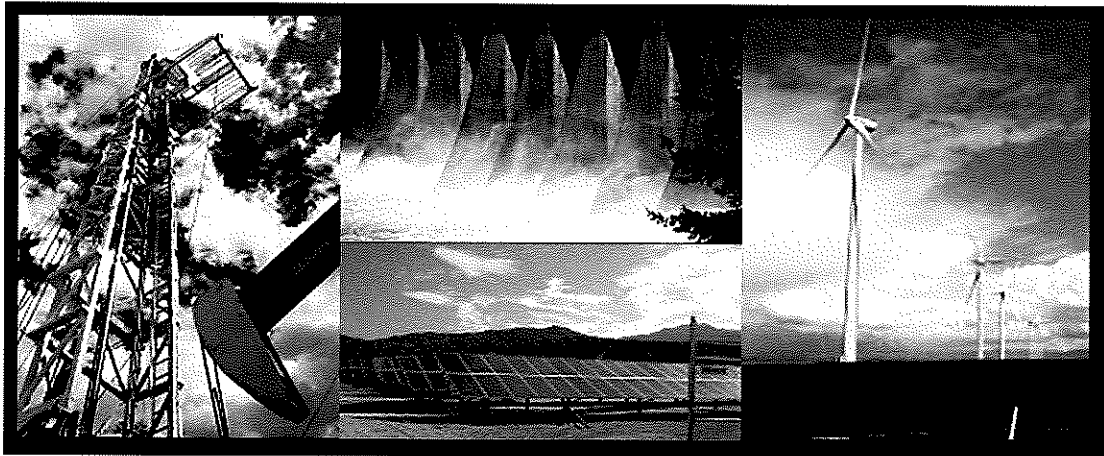


TITLE IX COMPLIANCE REVIEW REPORT



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TITLE IX COMPLIANCE REVIEW REPORT

University of Illinois Department of Physics Graduate Program

I. Introduction

The Office of Civil Rights (OCR) of the United States Department of Energy (DOE or the Department), conducted a Title IX compliance review of the University of Illinois at Urbana-Champaign (UI) Department of Physics graduate program for the academic years 2009-2010 through 2013-2014. The compliance review was conducted 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. The report of findings is based on a review of records and other data provided by the University, information obtained from the University's website, and information obtained through interviews of students, faculty, and administrators of the Department of Physics graduate program, including the Director of the University's Office of Diversity, Equity, and Access/Title IX Coordinator, and other University administrative officials.

A. Background

DOE supports a diverse portfolio of research at colleges, universities, and research institutions across the United States, providing funding to more than 300 such institutions every year. The funding provided by DOE for research at universities and colleges supports thousands of principal investigators, graduate students, and post-doctoral researchers. DOE provided sustained funding of multi-million dollars in financial assistance to UI's Department of Physics graduate program during the period under review.

Title IX and DOE 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 Title IX implementing 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. *See* 10 C.F.R. §§ 1042.605, 1040.101(a).

In July 2004, the Government Accountability Office (GAO) issued a report (GAO-04-639) entitled, "GENDER ISSUES: Women's Participation in the Sciences has Increased, but Agencies Need to do More to Ensure Compliance with Title IX." The purpose of the report was two-fold: (1) to report on the status of women in the sciences; and (2) to evaluate the Title IX compliance activities of the four federal science agencies—the Department of Energy, Department of Education, National Aeronautics and Space Administration, and National Science Foundation. With respect to the status of women in the sciences, the GAO reported that the participation of women in the sciences at the undergraduate and graduate

levels had increased over the past thirty years; however, the GAO reported, “[w]omen continue to major in the sciences and earn degrees in the sciences to a lesser extent than men.” The GAO also noted that some studies suggest that sex discrimination may still affect women’s choices and professional progress in the sciences. With respect to the Title IX compliance activities of the four federal science agencies, the GAO found that the agencies had taken steps, through the conduct of complaint investigations and the provision of technical assistance, to ensure that the institutions to which they provide financial assistance are in compliance with Title IX. However, the GAO noted that “[g]iven the general lack of knowledge and familiarity with the reach of Title IX and the disincentives for filing complaints against superiors,” the agencies needed to do more to judge whether sex discrimination exists in the sciences. To that end, the GAO made recommendations specific to each of the four federal science agencies. With respect to the Department, the GAO recommended that the Secretary of Energy ensure that compliance reviews of grantees are periodically conducted.

In August 2007, Congress passed, and the President signed into law, the America COMPETES Act, Pub. L. No. 110-69, § 5010, 121 Stat. 572, 620 (2007), which provided additional impetus for the Department to conduct compliance reviews. The Act states that the Department should: (1) implement the recommendations contained in the GAO report; 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 at UI was three fold: (1) to determine whether male and female applicants and students had equal access to the opportunities and benefits offered by the Department of Physics graduate program; (2) to determine whether the University’s graduate Physics Department was in compliance with the requirements of Title IX and DOE Title IX implementing regulations; and (3) to identify and report on any promising practices instituted by the University for promoting equity among male and female applicants and students.

C. Scope

The review included a review of UI’s Department of Physics graduate program for the academic years 2009 through 2014. To determine whether graduate applicants and students, regardless of their sex, had equal access to opportunities and benefits offered, the OCR evaluated the following areas and/or practices of the Department of Physics graduate program: (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) the academic climate; and (8) student safety. To determine whether the University was in compliance with the requirements of Title IX and DOE Title IX implementing regulations, the OCR evaluated the following: (1) whether the University has designated a Title IX Coordinator; (2) whether the University has taken continuing steps to notify the campus community about its nondiscrimination policies related to Title IX; and (3) prompt and equitable resolution of Title IX related complaints, including sex discrimination and sexual harassment complaints.

II. UI's Department of Physics Graduate Program

A. Student Enrollment

At the time of the review, UI's Department of Physics had forty-seven (40) students enrolled in its Master of Science (M.S.) and Doctoral (Ph.D.) degree programs. Of those students, thirty-three (33) (83%) were male and seven (7) (17%) were female.¹

Table 1 below shows the enrollment of students by gender in the M.S. and Ph.D. programs for years 2009-2010 through 2013-2014.

Table 1: Graduate Physics Student Enrollment (Ph.D. and MS students)

Academic Year	Total Enrolled	Male	% Male	Female	% Female
2013-2014	40	33	83%	7	17%
2012-2013	45	34	76%	11	24%
2011-2012	52	41	79%	11	21%
2010-2011	44	37	84%	7	16%
2009-2010	27	23	85%	4	15%

B. Faculty

At the time of the review, UI's Department of Physics graduate programs had approximately fifty-nine (59) faculty members identified as Professors and Associate Professors. DOE interviewed thirteen (13) of the scheduled eighteen (18) faculty members (10 males and 3 females). DOE interviewed eight (8) administrators, one (1) male and seven (7) females, including the Title IX Coordinator.

Findings

The review revealed no evidence of discrimination on the basis of sex in UI's Department of Physics' enrollment efforts. Therefore, the DOE concludes that UI's graduate Physics enrollment processes and procedures are in compliance with Title IX and DOE implementing regulations.

III. Outreach and Recruiting

DOE Title IX implementing regulations prohibit recipients of financial assistance from discriminating on the basis of sex in the recruitment of students [10 C.F.R. § 1042.310]. To

¹ The statistics are based on applicant data provided by the university. The UI's graduate female enrollment rate is in line with national statistics. See American Institute of Physics Trends (Spring 2017) <https://www.aip.org/statistics/physics-trends/representation-women-amongiphysics-bachelors-and-Ph.D.s>

determine whether the Department of Physics graduate programs were in compliance with this provision, the DOE-OCR reviewed their recruitment and outreach activities.

A. Recruitment and Outreach Events and Activities

Similar to many other universities, UI engages in a variety of marketing, recruiting, outreach events, and activities designed to attract students to its graduate programs. Much of its recruiting for Physics graduate programs is done via the Physics Graduate Program webpage, which highlights various aspects of the programs offered. UI also utilizes a variety of printed materials, the Internet, and contact with student organizations to attract students to its Physics Graduate Program. The DOE has highlighted some of UI's outreach efforts.

1. Open House

The UI uses an Open House event as its primary tool for reaching potential students. The Department advertises the Open House in the offer letter to applicants showing interest in the University.

2. Recruitment Booths

Department of Physics employees staff booths at the APS March meetings, Undergraduate Women in Physics Conferences, and the National Society for Black and Hispanic Physicist Conferences as outreach venues.

3. Flyers

Advertisements for local UI seminars in the UI Graduate Physics Program are posted around the UI Physics department.

4. Brochure

UI has created a brochure designed to reach potential students. The brochure is titled "Physics Illinois Graduate Program" and features women in laboratory settings in UI laboratories. The brochure invites prospective or interested students to visit the Physics program website or email for information.

Finding

The review did not disclose any evidence of discrimination on the basis of sex in UI's Department of Physics recruitment and outreach efforts. Overall, the DOE finds that UI's Department of Physics is in compliance with Title IX and DOE implementing regulations with regard to its recruitment and outreach program. Nevertheless, the DOE recommends that the UI graduate Physics Department improve and expand its outreach efforts to attract students to the STEM fields of study (specifically the Physics Program). Efforts can include K-12 and college outreach in local area schools to encourage more female applications to the UI Program.

IV. Admissions

A. The Admissions Process

Applications to the Department of Physics graduate programs are usually made online. In response to DOE's data request, the University stated that applicants to the Department of Physics graduate programs follow the same application procedures set forth by the Graduate School. Both M.S. and Ph.D. applicants are required to submit an application, transcripts, letters of recommendation, and their GRE and TOEFL (for international applicants) scores. Applicants to the Department of Physics M.S. and Ph.D. programs must have a minimum undergraduate grade point average of 3.0 on a 4.0 scale for regular admission.

Admission to the Ph.D. program in Physics has additional requirements for applicants to have majored in Physics or a related field and to have taken (or are completing) 20 semester hours of Physics courses, not counting introductory courses in general Physics. Required courses include Intermediate Electricity and Magnetism, Intermediate Mechanics, and one or (preferably) two semesters of undergraduate Quantum Mechanics. Mathematics courses through Advanced Calculus and Differential Equations are required. Courses in Light and in Thermodynamics are highly recommended.

According to the Graduate School's policies, once an applicant submits an application, a file is created containing support materials such as reference letters, test scores, transcripts, and other information. Once the package is completed, information is reviewed by the Physics Department. The head of the Physics Department and a departmental graduate committee evaluate the applications. Factors considered and discussed in the evaluation are scholastic record, professional experience, letters of recommendation, statement of purpose, resumes, and scores on standardized tests. According to the University, the purpose of the discussions is to facilitate matches between applicant goals and UI research programs. After the Physics Department reviewed the applications, they are then forwarded to the Graduate School for consideration. Candidates for admission to the graduate program are chosen by the Department of Physics Faculty Committee. Although the application requests applicants to identify their sex, none of the faculty and administrators interviewed as a part of the review indicated that an applicant's sex is a factor considered when determining whether to extend an offer of admission.

B. Ranking Applicants and Numerical Limitations on the Admission of Applicants to Graduate Physics Programs

The University states that applicants to the Department of Physics Graduate Programs are ranked in the admission process. According to comments from a faculty member who has served on the committee, a member of the committee examines between seven and ten applicants. The students are rated based on letters of recommendation, the GRE, and other applicable test scores. After the committee makes a decision of who to invite to campus, domestic students are invited for a two-day visit to the department. According to faculty members interviewed, the primary interest is to identify highly qualified individuals for possible admission. Gender is not a factor in the selection process. However, one of those interviewed

indicated that where the qualifications are equal, it is conceivable that a female applicant may receive advantage over a male applicant due to the University's effort to increase enrollment.

C. Admissions Statistics

Data on the number of applicants, admissions, and enrollments for academic years 2009 through 2014 for the Ph.D. program were provided by the University. Table 2 below presents results of applicant-admissions-enrollment data, along with the overall numbers and percent of women and men.

Table 2: Applied, Admitted, Enrolled (Ph.D. Students)

Academic Year	Applied					Admitted					Enrolled				
	Total	M	%M	F	%F	Total	M	%M	F	%F	Total	M	%M	F	%F
2009-10	614	537	87%	77	13%	93	76	82%	17	18%	27	23	85%	4	15%
2010-11	465	395	85%	70	15%	132	111	84%	21	16%	44	37	84%	7	16%
2011-12	481	402	84%	79	16%	162	129	80%	33	20%	51	41	80%	10	20%
2012-13	531	452	85%	79	15%	146	109	75%	37	25%	44	34	77%	10	23%
2013-14	511	433	85%	78	15%	140	112	80%	28	20%	39	32	82%	7	18%

DOE had a particular interest in the admission rates of female applicants. The five-year period beginning 2009 through 2014 showed that the application rate of females to the Ph.D. program in Physics was between 15% and 23%. However, females were accepted to the program at a higher rate. During the same period, 85% of the applicants for admission were male, and their admission rate was slightly below the numbers that applied.

D. Student Evaluation of the Admissions Process

A majority of the students who were interviewed described the admissions process as a “standard on-line process”. The process involves completing an application form and submitting test scores, a letter of interest or a statement of purpose, and letters of recommendation. All of the students who were interviewed said they did not believe anything in their admission experience was unfair.

Finding

The DOE finds that there is no evidence of discrimination on the basis of sex in UI's graduate Department of Physics admissions process. Based on the information above, the DOE concludes that UI's graduate Physics admissions processes and procedures are in compliance with Title IX and DOE implementing regulations.

V. Time Limit for Degree Completion, Leaves of Absence, Readmission, and Retention

The Department of Physics Graduate Program follows the Graduate School's policies and procedures for graduate students who wish to take a leave of absence and for students requesting readmission. Graduate students must be registered continuously at UI during the Fall and Spring semesters, unless on an approved leave of absence.

A. Time Limit for Degree Completion and Extension of Time

The time limit for degree completion is measured from the semester in which the first course is applied to the degree. A Master's Degree may be awarded within a seven-year period of study. There is no set time limit for completing the Ph.D. degree. However, according to the Graduate Catalog, students in Ph.D. programs are required to pass various stages of completion as they progress to the completion date and the conferring of the degree. Decisions about delays in study by reason of hardship, pregnancy or other interruptions are at the discretion of the Department according to interviewed students and faculty.

B. Leave of Absence

The Department of Physics and the Graduate School acknowledge that students sometimes experience situations in which they cannot be continuously enrolled and may need to request a leave of absence. Graduate students may apply for a leave of absence of no more than two semesters. The decision must be made "in the best interests of the academic progress of the student" and the form must be returned to the Graduate School in advance of the semester for which a leave is granted. If the student requesting leave is expected to go beyond the degree program's approved time, then the student also needs to request a time extension for the degree through the Graduate College petition process at the time of the request for academic leave.

C. Readmission

Graduate students who have a break in attendance for less than a year may be granted readmission without a full review. Those having a break exceeding one year must apply for readmission by petitioning the University or graduate department for re-entry. The graduate advisor or his or her representative will receive an electronic worksheet for the applicant seeking readmission. The graduate advisor may place conditions on the readmission or deny it. Students applying for readmission are notified by an official readmission application letter from the Associate Director of Admissions of the graduate program's decision to admit or deny. The graduate advisor is responsible for notifying the student of conditions placed on readmission. The graduate catalog reflects the policies for readmission. However, there is no appeal processes identified, except for instances concerning disciplinary matters. Interviews reflect the belief that the decisions regarding leaves of absences and readmissions are left to the discretion of Departmental staff and Graduate School.

The data provided by the University does not reflect any re-admissions during the five-year period reviewed by DOE.

D. Retention

According to UI records, twenty-two (22) male students and four (4) female students left the graduate UI Physics program during the five-year period under review. Of the four (4) female students who dropped out, one (1) female left for personal reasons, one (1) female left for medical reasons, and two (2) females transferred either to a UI Engineering program or to another

institution. The site interviews did not reveal any information suggesting that discrimination contributed to the departures.

Finding

DOE finds no evidence of gender disparity insofar as it concerns the Graduate School and Physics Department's policies and procedures related to time limits imposed for degree completion, requests for leaves of absence, requests for readmission, and requests for exceptions. Therefore, we find UI's Physics Department and Graduate School are in compliance with Title IX and DOE implementing regulations.

VI. Financial Assistance

According to UI's Physics Department, graduate students entering the physics program may be granted support upon admission in the form of a graduate assistantship or teaching assistantship appointment from the Department. After a student passes the Preliminary Examination, he/she is often supported by a research assistantship from the advisor's research group. In extraordinary cases, a research group may offer a research assistantship from the beginning.

A. Graduate Assistantships and Graduate Teaching Assistantships

As noted above, incoming graduate students may be awarded a graduate assistantship (GA) or a graduate teaching assistantship (GTA) by the Physics department. The Department of Physics Associate Chair, in consultation with the Department Chair, makes TA assignments. TA duties include teaching labs or undergraduate courses. Faculty members who supervise TAs conduct performance evaluations on TAs each semester, and present the evaluations to the Graduate Committee and the Department Chair.

B. Research Assistantships

A research assistantship (RA) is supported by individual faculty members or research groups, and is usually offered to students who have passed the Preliminary Examinations. According to the University, incoming graduate students have a chance to learn about research projects and research groups at weekly informal seminars. Those interviewed stated that in order to obtain an RA, the student usually initiates contact with a faculty member involved in a particular research project to indicate his or her interest. None of the students interviewed felt that gender played a role in the selection of a research assistantship.

C. Other Forms of Financial Support

Graduate Physics students may also receive financial assistance in the form of scholarships, fellowships, and awards. DOE reviewed financial support information provided by the University.

Finding

DOE found no evidence suggesting gender-disparity in awarding financial assistance to graduate students in the selection process for GA, GTA, or RA positions, or in the award of scholarships, fellowships, academic or achievement awards. Therefore, DOE concludes that the University is in compliance with Title IX and DOE implementing regulations.

VII. Steps to Completion of a Graduate Degree in Physics

A. Graduate Degree Requirements

B.

The Department offers three graduate degrees: a Master of Arts (M.A.) in Physics, a Master of Science (M.S.) in Applied Physics, and a Ph.D. in Physics. The requirements for these graduate degrees are as follows:

1. Master of Arts in Physics-

The Master's degree requires 30 semester-hours work, including 6 hours of thesis coursework. The remaining 24 hours of technical courses must include at least 18 hours of Physics and at least 6 hours of supporting work. All work must be completed within a six- year period.

2. Master of Science in Applied Physics-

This program was introduced in 1995 and is designed to provide students with a broad background of graduate-level courses in Physics and related fields with an emphasis on those aspects of the science that are most often found in an industrial setting. In addition to the requirements for an M.A. in Physics, this degree requires specific coursework in: Experimental Physics, Electromagnetic Theory I, Quantum Mechanics 1, Physics of Sensors, and a technical seminar. A thesis is also required where the supporting work must be in engineering, chemistry, or geological sciences.

3. Ph.D. in Physics-

During the first two years of graduate study, the student must complete four core courses: 1) Classical Mechanics, 2) Statistical Mechanics, 3) Electromagnetic Theory I or II, and 4) Quantum Mechanics I or II. The student must earn a grade of at least B- in each course and a grade point average of at least B+ (3.33) in the four courses. A well-prepared student may seek to fulfill the Core Course Requirement by taking only the final examinations and earning the grade of at least B- for one or two of these courses rather than by registering for them; however, in this case, the student does not receive graduate credit for these courses and the grade is not counted toward the formal graduate G.P.A. The student may only attempt the exam for a particular course once. In addition to the course work, Ph.D. students are required to successfully complete two pre-defense examinations, as well as a dissertation and final examination.

C. Pre-Defense Examinations and Doctoral Dissertation and Defense

Within twenty-seven (27) months after entering the Ph.D. program, the student must take the

oral qualifying examination. This examination consist of a seminar presented before a committee of four Physics faculty members. The oral presentation is followed by a private oral examination. The student chooses the topic of the seminar. The seminar need not present original work, however the student is expected to demonstrate a sufficient command of a specialty to begin original research in that area. The topic is usually one which will become the student's dissertation.

The doctoral dissertation is based on original investigation and is supervised by a member (or members) of the student's dissertation committee. The dissertation must show mastery of a special field, capacity for independent research, and a scholarly result. After satisfactorily meeting all other requirements and after the research and writing are substantially complete, the Ph.D. candidate must pass a final oral examination. The final examination consists of an oral defense of the student's dissertation.

D. Qualifying Examination Pass/Fail Rates and Dissertation Pass/Fail Rates

Data provided by the University show that during the period under review, 103 students took the qualifying oral examination. No student, male or female, failed the oral exam. During the same period under review, 189 students met their dissertation requirements and none failed to do so. See Tables 3 and 4 below.

Table 3: Qualifying Oral Examination Pass/Fail Rates

Academic Year	Total	Male	Female	Pass	Fail
2009-2010	38	32	6	38	0
2010-2011	27	24	3	27	0
2011-2012	31	26	5	31	0
2012-2013	21	19	2	21	0
2013-2014	16	13	3	16	0

Table 4: Dissertation Requirements Pass/Fail Rates

Academic Year	Total	Male	Female	Pass	Fail
2009-2010	51	42	9	51	0
2010-2011	46	39	7	46	0
2011-2012	40	34	6	40	0
2012-2013	31	27	4	31	0
2013-2014	21	19	2	21	0

Finding

DOE reviewed the policies, procedures, and grading methods related to the Physics department's qualifying examination, preliminary examination, and dissertation defense requirements, and found no evidence of bias or gender-disparity in the manner in which the examinations were administered or graded. The DOE also found no evidence of gender-disparity in the pass rates of male and female test-takers.

Of some concern, however, are the conditions upon which an extension can be granted as it relates to the time limits for successfully completing the qualifying and preliminary examinations. Both the Graduate Catalog and the Department of Physics Student Handbook state that extensions may be granted at the discretion of the Graduate Committee, but only if the extension is granted before the time limits have expired, for extenuating circumstances beyond the student's control. The immediate concern with this policy is how it may affect a student who requests an extension due to the birth or adoption of a child. Even though this policy is facially neutral, it may have a disproportionate adverse impact upon female graduate students who are typically pursuing their degree during their childbearing years. Staff interviews indicate that there is no requirement to state the reason for Leave of Absence; however, the impact on progression to completion of the degree requirements is left to the discretion of the Department and Graduate College.

Recommendation

The Department recommends that the University review its policies relating to extensions for successfully completing the qualifying and preliminary examinations and clarify circumstances that are considered "beyond the student's control" to alleviate the potential disproportionate adverse impact this policy may have on female students.

VIII. The Environment

A. Gender Bias/Sexual Harassment

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. Consistent with this provision, the Department evaluated the academic climate within the graduate Physics Department, 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 excluding students from participation in the graduate Physics programs or activities on the basis of their sex.

B. Campus Safety

Interview subjects were asked about campus safety features because it is believed that females are more often the victims of campus violence than males. The intent of the DOE is to determine whether campus safety features offer the same protection for females as they afford males. Generally, the individuals expressed concern for the safety environment at the University. Most of the students interviewed informed DOE that the University's proximity to the local urban

environment is a factor in perceived environmental safety. The students interviewed identified the “SafeRide” and “SafeWalk” programs as successful measures that have been used to address safety concerns. The SafeRide program is designed as a campus sponsored means of getting from designated areas safely where the usual means of transportation after hours are unavailable. The SafeWalk program is a chaperone service designed to deter opportunistic crimes. Several students were appreciative and acknowledged increased patrols by the University police. However, some advocated the need for more campus camera stations to further monitor and to deter crime.

C. Child Care

On-campus childcare referral is available through the Child Care Resource Service, which is not run by the University. The service is designed to identify resources that have been certified by the State’s Department of Children and Family Services. However, most of the students do not know that Child Care Services were available on campus. Most are not married and childcare was not a concern. Female students are more likely to know of referral services but they are only slightly more knowledgeable about the services than their male counterparts. Most students interviewed are unmarried, so there was no general knowledge of assistance for child care programs.

D. Students and Faculty Feedback

Most of the students that were interviewed stated that gender did not affect any aspect of their studies. Faculty members made similar statements. Most of the students that were interviewed also stated that they had little or no occasion to interact with their program Chair, but felt that the Chair would be accessible if the need arose. In addition, a majority of the students interviewed said they had not observed or heard of any case of sexual harassment or gender bias except one student who stated that one of the Physics Professors has had a history of making suggestive comments and “flirting” with females, but the student declined to identify the individual.

The majority of those interviewed stated that they had not been subjected to, or witnessed discrimination based on sex, or sexual harassment within the graduate Physics programs at the University. One administrator that was interviewed commented that the University has recently adopted a policy that pays one-third of the salary of a spouse who takes a job at a company in the area. The policy should aid in faculty recruitment of married staff and improve recruiting efforts for female graduate faculty members.

The interviews revealed that safety is a concern of many students. The general belief is that the University has taken measures to improve safety at the campus. However, there is a resignation that the University’s proximity to the urban environment presents typical challenges.

IX. Title IX Coordinator, Non-Discrimination Policy, and Title IX Grievance Procedures

DOE regulations implementing Title IX are found at 10 C.F.R. §§1040 and 1042. Title IX 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.

DOE implementing regulations require recipients to prominently include a statement of its policy of non-discrimination 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 providing for the prompt and equitable resolution of student and employee complaints that allege actions prohibited by Title IX. 10 C.F.R. Section 1042.140(b). 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.²

A. The Title IX Coordinator

The current Coordinator is Dr. Menah Pratt-Clarke, Associate Chancellor/Associate Provost and Title IX Coordinator.

B. Notice of Title IX Coordinator, Title IX Requirements, and Right to File a Title IX Complaint

In addition to conducting interviews with students, faculty, and administrators, the DOE reviewed the University's website, announcements, catalogs, and applications to determine whether the Department of Physics and/or CCR has notified applicants, students, and employees of its Title IX policies concerning non-discrimination on the basis of sex. The DOE also reviewed whether applicants, students, and employees have been informed of the Title IX Coordinator's identity and how to file a complaint.

A review of information provided by the University and information gained through DOE's independent research shows that UI informs applicants, students, and employees of its Title IX non-discrimination policy. The University's homepage includes a link to the Office of Diversity, Equal Opportunity and Access. Clicking on the link brings the reader to a quick summary of the University's non-discrimination policies, and lists UI's ODEA as the main point of contact for questions related to its non-discrimination policies. However, the identity and contact information of UI's Title IX Coordinator is not published except for a reference to the compliance responsibilities associated with federal law. DOE observed that the Graduate School's application link provided a page on diversity and references equity policies. The University's non-discrimination statement/Campus Commitment can be found on the University website. UI's application for admission to a Graduate School is an online process. A copy of the application process provided by the University shows that the application has a non-

² See *Title IX Legal Manual*, U.S. Department of Justice, Civil Rights Division, (Jan. 11, 2001).

discrimination policy located toward the end of the process. The UI Physics brochure makes specific reference to the University's commitment to recruit and to admit members of groups that have been historically absent from the Physics program. It also identifies the Society of Women in Physics (SWIP) as an active entity on campus.

According to the University, in addition to posting notice of its Title IX non-discrimination and sexual harassment policies, the University offers training seminars on the subject to the entire University community. The Office for Diversity and Inclusion conducts diversity training, which is available to faculty, staff, and those with teaching responsibilities. A portion of the training is dedicated to sexual harassment, discrimination, and complaint handling. The related on-line initiative is Workplace Harassment and Discrimination Prevention Education Initiative (I-Initiative). The Chancellor endorses the initiative.³ In addition, the University Police Department offers a host of activities that focus on safety, self-defense, sexual harassment and related matters and reports those activities in its annual report.

Most of the faculty was aware of Title IX and the identity of UI's Title IX Coordinator. Despite references to the Title IX Coordinator on the Office of Diversity, Equity and Access (ODEA), only one of the students interviewed was knowledgeable of Title IX as it relates to academics. Only one (1) knew the identity and/or existence of UI's Title IX Coordinator. Several students stated that if they had a discrimination or harassment problem they would contact the Associate Head for Graduate Programs.

C. Title IX Complaint Procedures

As previously mentioned, UI manages its EEO and diversity initiatives from the ODEA. ODEA's responsibilities include investigation, training, outreach and compliance. The office's full responsibilities and statement of applicable policies are set forth therein. This webpage contains a vast array of links that provide information about sexual harassment and discrimination. The webpage also provides information on how to make informal and formal complaints of sexual harassment and discrimination, the complaint process, and a link to UI's school policies relating to educational compliance with applicable law and institutional policy. Finally, the webpage provides links on how to file discrimination and/or sexual harassment complaints with particular state and federal agencies⁴.

1. Who May File a Complaint?

UI has developed procedures for internal resolution of discrimination and harassment complaints that arise within the University community. These procedures apply to acts of discrimination and/or harassment performed by any employee, volunteer, vendor, or contractor of UI at Urbana-Champaign. The procedures provide that any student, faculty, or staff member, who believes he or she has been discriminated against or harassed by an employee, volunteer, vendor, or contractor of UI at Urbana-Champaign, may file a complaint with the ODEA.

³ http://inclusiveillinois.illinois.edu/i_initiative.html

⁴ <http://www.cam.illinois.edu/ix/ix-b/ix-b-3.htm>

The Office for Student Conflict Resolution has procedural jurisdiction in instances in which one student accuses another student of engaging in activity that violates the policy.⁵

2. Responsibilities of Administrators, Supervisors, and Faculty

According to UI's Policy, if an administrator, supervisor, or individual with instructional responsibility becomes aware of an incident that might reasonably be construed as constituting discrimination and/or harassment, he or she is to take immediate steps to address the matter. In such cases, the administrator, supervisor, or individual is encouraged to engage in informal resolution efforts. However, allegations of sexual misconduct or harassment require a formal inquiry. Those with instructional responsibility are required to act whenever they learn, either directly or indirectly, about discrimination and/or harassment, even if the complainant requests that no action be taken. The procedures outlined on the web provide for "due process". The "due process" procedures are fully outlined in the Policy and Procedures for Addressing Harassment and Discrimination at the UI.

3. Informal Resolution

Individuals are encouraged to first discuss and seek resolution with the individual(s) against whom the complaint is alleged to the extent they feel comfortable. Any member of the campus community may consult with the ODEA, Staff Human Resources, Academic Human Resources, and the Office of the Dean of Students for advice about conduct that they believe may violate this policy. Informal resolutions are designed to operate in an expeditious manner and to empower the parties to reach a mutually satisfactory agreement with the assistance of a neutral third party. The investigator does not make a determination of fact as to whether the UI policy has been violated as part of the informal resolution process. Instead, the investigator will use conflict resolution techniques to attempt to resolve the concern(s) brought forward in a manner that is satisfactory to all parties. Informal resolution is flexible and invites active participation of all the parties in order to resolve the matter. Moreover, the investigator will only speak to the individuals whose involvement is necessary to facilitate a resolution. In some instances, this may include only the parties directly involved. The procedures provide that informal resolution techniques will not be used in cases that sexual misconduct is alleged.

D. Appeals

UI procedure allows either the Complainant or the Respondent to appeal the Executive Officer's disposition to the next higher administrative officer. The Complainant and the Respondent each have the right to appeal the Executive Officer's decision to the next higher administrative officer within 14 days of the investigator's written decision from the formal investigation. This appeal may be based on either substantive or procedural grounds. The appeal must be submitted in writing with all supporting materials attached.

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http://www.conflictresolution.illinois.edu/student_discipline/default.asp or http://www.conflictresolution.illinois.edu/student_disciplin

The next higher administrative officer shall decide the appeal as soon as possible, but no later than 45 days of the final submission of appeal materials (or as soon as feasible when extensions are necessary). The explicit concurrence of the Associate Chancellor with the decision is also required. The administrative officer's decision shall be in writing, shall include an explanation, and shall be submitted to the Complainant, the Respondent, the lower-level executive officer, and the Office of Diversity, Equity, and Access. This written decision on the appeal shall constitute the final administrative action of the University.

E. Alternative Avenues for Filing Formal Complaints

The University President and Chancellor communicate the overall Policy on the UI website. It contains the full range of options for filing beyond the expressed option of filing with the formal program at the UI. The language reads in part, "...[s]tudents may also report incidents of sex discrimination, sexual harassment (including sexual violence) or sexual misconduct to any University administrator, official or unit supervisor, who would be responsible for promptly notifying any of the above Title IX coordinators of the reported incident.

The Office of the Dean of Students will handle complaints or allegations of student-on-student sex discrimination, sexual harassment (including sexual violence) or sexual misconduct. Students may also contact the U.S. Department of Education-Office for Civil Rights to complain of sex discrimination or sexual harassment including sexual violence. Students are notified that cases of sexual violence may also be reported to the UI Police Department, or other local law enforcement authorities.

UI policies address other areas that include employment. The complete statement on the UI website reads in part, "...Equal Employment Opportunity is the law; discrimination, harassment and retaliation are prohibited by the Equal Pay Act of 1963, Title VI and Title VII of the Civil Rights Act of 1964, as amended, the Executive Order 11246, the Age Discrimination in Employment Act of 1967, as amended, the Education Amendments of 1972, the Rehabilitation Act of 1973, the Vietnam Era Veterans Readjustment Act of 1974, the Age Discrimination Act of 1975, the Immigration Reform and Control Act of 1986, the Americans with Disabilities Act of 1990, the Americans with Disabilities Amendments Act of 2008....".

DOE reviewed complaint activity for the five-year period. It found that only one complaint was filed against the UI and none filed from within the Department of Physics. The interviews revealed most of the faculty and administrators and approximately half of the students interviewed as part of the review confirmed they had received sexual harassment training. None of the witnesses interviewed were aware of any incidents of sexual harassment except one individual who stated that there were reported instances of a professor who had engaged in inappropriate behavior in the Department of Physics. The timing of the alleged incident was apparently outside of the five-year period of review. The data submitted by the University did not provide the processing time for complaints during the five-year period under review.

Finding

The University has met the Title IX requirement of prominently including a statement of its policy of nondiscrimination on the basis of sex in each announcement, catalog, or application form and makes the information available to students and employees in connection with the recruitment of students and employees.

The DOE finds that UI has met Title IX's basic requirements for adopting and publishing procedures that provide for the prompt and equitable resolution of student and employee complaints that allege actions prohibited by Title IX. The complaint procedures provide for due process within specified timeframes and provides for an appeal of decisions. Moreover, the notices to students, faculty and administrators outline alternate means of filing complaints with third parties i.e., state and federal authorities.

DOE recognizes that the University has published the identity and the contact information of the Title IX Coordinator on the website and in relevant documents. While the interviews revealed that most of those interviewed cannot identify the Title IX Coordinator, the DOE finds that the Title IX Coordinator is identified on the University's webpages. Moreover, the training provided to TAs, faculty and students on an annual basis as well as the periodic assessment of Title IX and other Equity and Diversity programs help to promote the requirement to identify the Title IX Coordinator.

The DOE recognizes that the University has taken initiatives in conducting Title IX related training to the University community, which is conducted by the Title IX Coordinator and through online learning methods.

X. Sexual Harassment and Sex Discrimination Policies

DOE implementing regulations require recipients to adopt policies against sex discrimination in their programs and activities and to develop procedures that provide a mechanism for discovering sexual harassment and sex discrimination as early as possible.

A. Sexual Harassment and Sex Discrimination Policies

The University has an established policy against sexual harassment and grievance procedures, which are generally published in the same avenues and manner as the University's non-discrimination policies and statements, described above. The policies are readily available on the UI website.

B. Preventive Measures

In addition to establishing its sexual harassment policy and complaint procedures, UI has developed sexual harassment preventive measures. The UI does have a mandatory sexual harassment training policy for training assistants and faculty. It is the University's practice to provide workshops on harassment prevention and complaint handling on a regular basis and to require faculty members to attend training every two (2) years. The interviews confirmed the policies on sexual harassment and non-discrimination, and the entire faculty acknowledged their participation in the training.

Policies on non-discrimination and sexual harassment prevention are available to students on the University website and through orientation sessions that address the school's policies. The campus police have made policies available through the internet and such policies reinforce the University's prohibitions. The UI Police engages with the community and University to present preventive initiatives. The University has an electronic orientation program that reflects a commitment to principals of equity and inclusion. In addition, it sends an annual message by e-mail to the campus community reminding all of the non-discrimination policy.

Finding

The policies, procedures, and practices adopted by the University for discouraging sexual harassment and for processing complaints of sexual harassments meet the standards established by Title IX and DOE implementing regulations. We recommend that UI broaden its efforts to disseminate anti-harassment policies and increase the frequency of sexual harassment and assault training and the number of individuals that are trained.

XI. Conclusion and Recommendations

DOE finds that the graduate Department of Physics at UI is in compliance with Title IX and DOE's implementing regulations. The compliance review did not uncover any evidence of discrimination in the implementation of the University's outreach and recruitment, admissions, leave of absence, retention, and financial assistance policies, practices and procedures. There is no evidence that the campus climate or other circumstances hinder or exclude the participation of programs and activities offered by the Physics Department.

The University has complied with the requirement to adopt and publish grievance procedures that provide for the equitable resolution of Title IX discrimination and harassment complaints. The University has well-developed policies and procedures regarding nondiscrimination, sexual harassment, and sex discrimination.

We also find that UI has complied with the notification requirements of Title IX and DOE's implementing regulations. The policies and procedures are broadly disseminated throughout the institution via print and multiple website locations in order to inform students, faculty, administrators, and staff. In addition, the University has complied with the requirements for designating a Title IX Coordinator to carry out its policies and procedures.

In general, faculty members and administrators are knowledgeable regarding the University's Title IX policies and processes. However, there was a general lack of awareness by the students who were interviewed. These students did not know where or how to file a complaint of discrimination or harassment, and they were not aware of the existence of a Title IX Coordinator. To address these concerns, we recommend that UI set up information about Title IX on Facebook, Twitter, and other social media. The Department recommends that the University monitor and evaluate its methods of communication in order to ensure the effectiveness of the new notification processes.

DOE recommends the University on the specific measures it has undertaken to improve safety access to laboratories during evening and nighttime periods. The students expressed confidence that the “SafeRide” and “SafeWalk” programs coupled with increased University Police patrols has been effective in reducing crime and increasing perceptions of a safe environment. We note that some students suggest that additional lighting might further improve the security in the evening hours.

In addition, DOE has identified some actions which could improve the University’s Title IX compliance efforts, and recommends that the University take the following actions:

1. DOE recommends UI graduate Physics department improve and expand on its outreach efforts to attract students to the STEM fields of study (specifically the Physics Program).
2. The DOE recommends that the UI graduate Physics department review its policies relating to extensions for successfully completing the qualifying and preliminary examinations and clarify circumstances that are considered “beyond the student’s control” to alleviate the potential disproportionate adverse impact this policy could have on female students.
3. The DOE recommends the UI graduate Physics department, in conjunction with University Graduate Program officials, review and modify as appropriate information on the availability of the Child-Care Programs to improve the “family friendly” environment.