



South Dakota School of Mines and Technology

Title IX Compliance Report



**Department of Geology and Geological
Engineering Department**

**Office of Diversity and Equal Opportunity
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TABLE OF CONTENTS

I.	INTRODUCTION.....	3
	A. Background.....	3
	B. Objectives and Scope.....	3
	C. Methodology.....	4
II.	COMPLIANCE REVIEW ANALYSIS.....	5
	A. Designation of Responsible Official for Title IX Coordination and Enforcement.....	5
	B. Adoption of Grievance Procedures and Policy Dissemination.....	7
	C. Self-Evaluation.....	14
	D. Recruitment and Outreach, Admissions, Enrollment, Degrees Earned, and Faculty Recruitment.....	15
	E. Program Administration and Academic Environment.....	18
III.	CONCLUSION.....	23
IV.	APPENDIX A: SUMMARY LITERATURE REVIEW.....	24
V.	APPENDIX B: STUDENT SURVEY DATA.....	31

I. INTRODUCTION

NASA conducted a compliance review of the South Dakota School of Mines and Technology (SDSMT or the University) Department of Geology and Geological Engineering (GGE, the Department, or the program), to ensure that beneficiaries of NASA grants have equal opportunity, without regard to sex, to pursue, participate in and benefit from academic research, career development opportunities, extracurricular and other educational activities. The review was conducted under Title IX of the Education Amendments of 1972, and NASA's implementing regulations and policy, which prohibit discrimination on the basis of sex in educational programs and activities receiving Federal financial assistance.¹

A. Background

NASA Title IX regulations provide for periodic review of NASA grant recipients.² These regulations became effective in November 2000. NASA's Title IX compliance program received further impetus with the July 2004 report of the Government Accountability Office (GAO), which recommended that Federal agencies conduct onsite compliance reviews.³ In addition, NASA's 2005 authorizing legislation requires the Agency to conduct at least two Title IX compliance reviews annually.⁴ NASA has been involved in many Title IX related compliance activities since the regulations were issued in 2000, conducting a number of limited-scope "desk-audit" as well as onsite reviews of grant recipients.

B. Objectives and Scope

NASA sought to achieve the following key objectives in conducting this review:

Objective 1

Evaluation of SDSMT's compliance with NASA Title IX regulations, specifically to:

- Assess the Title IX Coordinator's role and functioning; confirm the existence of Title IX policy and procedures and the quality of their dissemination; evaluate Title IX grievance procedures and the effectiveness of their implementation; and review Title IX self-evaluation efforts, specifically regarding the SDSMT program under review; and
- Evaluate the GGE program's provision of equal opportunity regardless of gender in the following areas of program administration: student recruitment, outreach, admissions, enrollment, retention, academic advising, research participation, classroom and lab experiences, student experiences relating to parental/marital status ("family friendly" policies and practices), physical safety of the program environment, and, finally, recent faculty recruitment efforts.

¹ Title IX of the Education Amendments, as amended (20 U.S.C. §§ 1681-1688); Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, 14 C.F.R. Part 1253; NASA Policy Directive 2081.1A, Subject: Nondiscrimination in Federally Assisted and Federally Conducted Programs of NASA - Delegation of Authority.

² See 65 Fed. Reg. 52,859 (Aug. 30, 2000). Enforcement Procedures, 14 C.F.R. § 1253.605 (incorporating compliance requirements of Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d)).

³ Government Accountability Office, *Gender Issues: Women's Participation in the Sciences Has Increased, but Agencies Need to Do More to Ensure Compliance with Title IX* (July 2004) (July 2004 GAO Report). Included in the Report's recommendations was that "the Administrator of NASA continue to implement its compliance review program to ensure that compliance reviews of grantees are periodically conducted" (p. 28).

⁴ See NASA Authorization Act of 2005, 42 U.S.C. § 16798(b). Note that NASA's most recent authorizing legislation does not include this provision; however, as the original provision had no sunset clause, we continue to seek to meet the 2005 requirement.

Objective 2

Identification of promising practices of SDSMT and the GGE program designed to promote gender equity, specifically to:

- Describe efforts consistent with the recommendations and focus of the July 2004 GAO report; and to
- Determine the extent to which promising practices are actually helping to create greater gender equity and diversity in the program, for both students and faculty.

C. Methodology

1. Pre-onsite Review Activities

NASA developed a Title IX compliance review plan (CRP) to identify relevant regulatory requirements, potential issues and specific inquiries needed to conduct a thorough compliance assessment of its grantees. The CRP was developed in consultation with the U.S. Department of Justice (DOJ), Civil Rights Division, and the U.S. Department of Education (ED) Office for Civil Rights (OCR), the lead agencies on Title IX investigations. The CRP identified two focal points for compliance assessment: 1) Title IX procedural compliance requirements; and 2) program administration, that is, policies, procedures, and practices affecting the academic environment (see “Objectives,” above). The CRP also identified the methods by which needed information would be gathered from recipients, including: information requests for statistical data and relevant policies and procedures, and an onsite visit to interview university officials, program faculty, and students. In addition, NASA developed a Title IX literature review to better understand national concerns regarding gender in science, technology, engineering, and mathematics (STEM) fields as well as strategies recipients should undertake to address such concerns, including stronger Title IX compliance efforts in the STEM context. (See Appendix A: Title IX Summary Literature Review).

NASA, through its NASA Shared Services Center (NSSC), a professional survey administration organization, partnered with SDSMT in deploying an online survey or Title IX Compliance Review Data Collection. The purposes of the survey were to: 1) gain a greater understanding of gender dynamics in the SDSMT academic environment in support of the compliance review analysis and assessment; and 2) provide SDSMT’s administration with an additional tool for assessing the gender dynamics of their academic environment, as part of their efforts to better ensure equal opportunities regardless of gender. NSSC deployed the survey via email to SDSMT students during the period September 17 to October 5, 2013. The survey was sent to all 2,425 SDSMT students. The response rate was 24 percent, with 408 completed surveys and 150 incomplete surveys submitted. Key results of the survey are discussed in NASA’s Compliance Review Analysis (see Section II below). A complete report of the survey is also provided as Appendix B.

2. Onsite Compliance Review Activities

The NASA compliance team conducted an onsite review of the SDSMT GGE Department on October 16-18, 2012. During its visit, the compliance team conducted one-on-one interviews with Dr. Duane Hrncir, SDSMT’s former Acting President and current Provost; Dr. Patricia Mahon, Vice President for Student Affairs and Dean of Students; Dr. Doug Wells, Dean of Graduate Education; Rachel Howard, the Graduate Admissions Coordinator; and Kelli Shuman, the Director for Human Resources and SDSMT Title IX Coordinator. The team also interviewed three GGE faculty members (two male and one female)

and five GGE students: two graduates (both female) and three undergraduates (one female, two males). In addition to the one-on-one interviews, NASA reached a much larger number of GGE students with our Title IX survey, the results of which are discussed in our compliance analysis.

II. COMPLIANCE REVIEW ANALYSIS

The compliance review analysis provides an assessment of issues within the two focus areas of procedural compliance requirements and methods of program administration. Regulatory requirements and findings of fact are set forth as part of the compliance assessment under each main topic. The associated recommendations are intended to strengthen existing compliance activities. Promising practices associated with each of the compliance areas are also reported.

A. Designation of Responsible Official for Title IX Coordination and Enforcement

1. Compliance Assessment

The NASA Title IX regulations state that a recipient must designate an official responsible for Title IX coordination and enforcement, i.e., a “Title IX Coordinator.”⁵ The recipient must notify all students and employees of the Title IX Coordinator’s name, office address, and telephone number.

a. Title IX Coordinator and Contact Information Dissemination

NASA’s compliance assessment focused first on the Title IX regulatory requirement to disseminate contact information for the Title IX coordinator and her office. The University’s Title IX coordinator of record is the Director, Human Resources, who reports directly to the SDSMT President. Regarding Title IX’s requirement to disseminate contact information, the Title IX Coordinator reports that at SDSMT, all employees receive contact information from her when they are hired. They also are given the Web link to the employee handbook and have to sign and document that they have reviewed it. It does not appear, however, that the Title IX Coordinator has taken appropriate steps toward informing the student body on her contact information (see Section II.B below). As such information is a regulatory requirement, we urge SDSMT to address this requirement immediately (see Recommendations, below).

During onsite interviews, the compliance team sought to determine the extent to which GGE students, faculty and staff were aware of the Title IX Coordinator, her office and the purpose of her office. The compliance team found that students interviewed did not know who the Title IX Coordinator was by name. Most were generally aware of the role of Title IX in athletics, if not academics. Students interviewed stated that while they did not know the name of the office to go to if they had a concern, they felt confident they could find it online. This is a common response heard from students at large universities when asked if they know the name and contact information of the Title IX Coordinator or her office. However, SDSMT is a relatively small school. As stated above, the Title IX Coordinator must take additional steps to notify students of her roles and responsibilities under Title IX (see “Recommendations” below).

b. Effective Title IX Coordination: Oversight of the Grievance Process, Authority/Access to Senior Leadership, and Training Efforts

While the NASA Title IX regulations do not provide further specificity regarding the role and effective functioning of the Title IX Coordinator’s role, the U.S. Department of Justice (DOJ), which has oversight responsibility for all Federal Title IX compliance and enforcement activities, has provided additional considerations for Federal agencies evaluating recipient compliance with the Title IX Coordinator

⁵ Designation of responsible employee and adoption of grievance procedures, 14 C.F.R. § 1253.135(a).

regulatory provision.⁶ These additional considerations appear in DOJ's document, "Questions and Answers Regarding Title IX Procedural Requirements" (Title IX Q&A).⁷ For purposes of this review, NASA focused on the following areas, in addition to the regulatory requirement for contact information dissemination, identified in DOJ's Title IX Q&A:

- Effective functioning, including skills and competencies, regarding the administration and implementation of SDSMT's Title IX grievance process;
- The authority and access of the Title IX Coordinator to university senior leadership needed to effectively perform roles and responsibilities; and
- Appropriate training of faculty, staff, and students.

(i) Effective Oversight of the Grievance Process

The HR Director is responsible for all complaints of harassment or discrimination brought by employees or students who make claims in the context of their employment. This includes investigation of such claims. Based on SDSMT's responsive information, including interviews with the Title IX Coordinator and others with compliance responsibilities, NASA finds that the HR Director, as the Title IX Coordinator, possesses the appropriate knowledge base and expertise to properly implement the SDSMT internal grievance procedures. However, we have compliance concerns with some aspects of the procedures, as well as the dissemination of information regarding them. (See Section II.B. for a detailed discussion of the University's internal discrimination complaints procedures and policy dissemination.)

One point of concern: as the HR Director functions as the Title IX Coordinator, which involves equal opportunity in the educational setting, not only the employment arena, it would seem appropriate for her title to reflect this. The title "HR Director" suggests that the Title IX Coordinator's role is limited to employment, and this is not the case. Title IX is equally, if not more, concerned with educational equality for students in the learning environment, as it is for academicians and other university employees (see Recommendation, below.)

(ii) Authority and Access to Senior Leadership

Regarding the authority and access of the Title IX Coordinator to top leadership, the HR Director reports directly to the President. She meets with him bi- weekly for an hour, and is encouraged to "stop-in" if an immediate conversation is needed. She is also free to phone at any time. She is in constant contact with the President and Provost regarding employment issues, investigations, employment metrics, and strategizing on how to move the university forward with regard to human resources. In addition, she meets regularly with all of the Vice Presidents on campus in regard to issues or planning that they may wish to do on staffing and training. She is also a part of the Executive Council (comprised of the President, Provost, Vice Presidents, HR Director and Athletic Director), which meets weekly. It appears the Title IX coordination role is an integral part of SDSMT's leadership team, and that the Title IX Coordinator has direct and meaningful access to top leadership. Accordingly, NASA finds that the Title IX Coordinator possesses the appropriate level of access to and interface with top leadership to facilitate effective Title IX coordination.

(iii) Training, Education, and Awareness Efforts

The compliance team also examined the training efforts that HR Director/Title IX Coordinator undertakes

⁶ See Executive Order 12250, 3 C.F.R., 1980 Comp. 298. Section 1-203 of the Executive Order states that "[t]he Attorney General shall develop standards and procedures for taking enforcement actions and for conducting investigations and compliance reviews."

⁷ This document is accessible at <http://www.usdoj.gov/crt/cor/coord>TitleIXQandA.htm>.

on a regular basis, since training is a critical part of the tasks and responsibilities of Title IX coordination efforts.⁸ Regarding education and awareness on Title IX requirements, policy, and practice, the Title IX Coordinator reports that she offers a best hiring practices workshop that gives an overview of the importance of diversity, gender bias, unconscious biases and correct hiring practices. This training offers tips on how SDSMT hiring managers can increase the diversity of their applicant pool and how to truly actively search for a position. The training is offered twice a year, at the beginning of the Fall and Spring Semesters. The training is mandatory for all hiring managers and those on a search and screen advisory committee. If they have not attended, they are not able to recruit for an open position (see Promising Practices at Section II.D.3, below). SDSMT reports that all faculty and staff were required to take an online training on harassment and discrimination between February and April, 2010, and that the South Dakota Board of Regents was in the process of implementing a new required training as of Fall 2012.

SDSMT provided a copy of its new student orientation training presentation, “Your Future Starts Now . . . Living on Campus, Student Conduct and You.” The presentation includes nine slides, one of which mentions the duty to refrain from sexual harassment. The slide provides a link to the Student Conduct Web site, although the link does not function within the presentation, and it is not clear whether the presentation itself is provided to students. The extent to which the presentation is sufficient for students to understand their obligations in this area is also unclear (see Section II.E.1.e.)

2. Recommendations

- a. Formal Title of the University’s Title IX Coordinator.** SDSMT may wish to consider changing the formal title of the HR Director to reflect that her Title IX coordination role is not limited to employment but also involves efforts to better ensure equal educational opportunities. For example, the University might wish to consider changing the formal title to “Director, HR and Equal Opportunity.” To the extent that this may also require a change to the Title IX’s Coordinator’s position description and employee performance requirements, these should be reviewed by SDSMT leadership.
- b. Stronger Contact Information Dissemination Efforts.** The Title IX Coordinator should utilize multiple methods for disseminating contact information to students. Most universities and colleges now use their Web sites as a central focal point for information dissemination. In addition to the Title IX Coordinator’s contact information and role being provided on the HR Office’s Web site (currently not there), SDSMT should use multiple methods to communicate the Title IX Coordinator’s contact information and role to students. For example, this information should be included in other widely disseminated written materials, such as student handbooks and course catalogues. SDSMT may also wish to consider forwarding an email to all students at the beginning of each academic year or semester communicating the Title IX Coordinator’s contact information and role, as well as general information about reporting discrimination and harassment and the process employed by the HR office to address such matters (to the extent that it does not already do so in the case of the latter). Additionally, SDSMT may wish to consider the use of social media, such as Facebook and Twitter, or other non-traditional methods to fully disseminate the Title IX Coordinator’s contact information and role among students.

B. Adoption of Grievance Procedures and Policy Dissemination

1. Compliance Assessment

The NASA Title IX regulations require that recipient educational institutions adopt and publish grievance procedures providing for prompt and equitable resolution of student and employee complaints alleging any action that would be prohibited by Title IX.⁹ The regulations do not specify a structure or format for the grievance procedures. NASA’s Title IX regulations also require grant recipients to take specific and

⁸ See Title IX Q&A, “Designation of Title IX Coordinator – What factors should a recipient consider in designating a Title IX Coordinator?”

⁹ Designation of responsible employee and adoption of grievance procedures, 14 C.F.R. § 1253.135(b).

continuing steps to notify students, employees, applicants for admission and employment, and unions or professional organizations having collective bargaining or professional agreements with the recipient, that it does not discriminate based on gender in the educational programs or activities that it operates, and that it is required by Title IX not to discriminate in such a manner.¹⁰

a. Grievance Procedures

NASA's compliance assessment seeks to ensure that SDSMT has developed and is implementing procedures that afford grievants "prompt and equitable" resolution of student and employee complaints alleging any action that would be prohibited by the Title IX regulations.¹¹ As the regulations do not provide any further specificity regarding the procedures, NASA looked to the DOJ Title IX Q&A, and OCR's Revised Sexual Harassment Guidance and April 2011 "Dear Colleague" letter (DCL) on sexual violence, which provide additional considerations on the basic components of effective, i.e., prompt and equitable grievance procedures in the discrimination and harassment context.¹² In its Revised Sexual Harassment Guidance OCR identified a number of elements in evaluating whether a school's grievance procedures are prompt and equitable, including whether the procedures provide for:

- Notice to students, parents of elementary and secondary students, and employees of the procedure, including where complaints may be filed;
- Application of the procedure to complaints alleging harassment carried out by employees, other students, or third parties;
- Adequate, reliable, and impartial investigation of complaints, including the opportunity to present witnesses and other evidence;
- Designated and reasonably prompt timeframes for the major stages of the complaint process;
- Notice to the parties of the outcome of the complaint; and
- An assurance that the school will take steps to prevent recurrence of any harassment and to correct its discriminatory effects on the complainant and others, if appropriate.¹³

Importantly, OCR states that "[a] grievance procedure . . . cannot be prompt or equitable unless students know it exists, how it works, and how to file a complaint. Thus, the procedures should be written in language appropriate to the age of the school's students, easily understood, and widely disseminated."¹⁴

¹⁰ Dissemination of policy, 14 C.F.R. § 1253.140.

¹¹ 14 C.F.R. § 1253.135(b).

¹² For example, the Title IX Q&A states that recipient grievance procedures are a mechanism used to determine whether a particular act, policy, or practice of a recipient complies with Title IX regulations. See, Title IX Q&A, "Grievance Procedures." The Title IX Q&A states that for those recipients who do not have Title IX grievance procedures or for those recipients who want to refine existing procedures, the Department of Education's guidance document, "Title IX Grievance Procedures: An Introductory Manual," (Education Manual) provides some of the basic components for such procedures. This document is accessible through the U.S. Department of Education at <http://eric.ed.gov/>. The grievance procedures should also provide the steps necessary to correct the policy or practice that does not comply with Title IX regulations. See, Education Manual. Additionally, recipients should inform the grievant of the right to file a discrimination complaint with an appropriate Federal agency, either simultaneously with the filing of an internal grievance or after the unsatisfactory resolution of a grievance. See also, U.S. Department of Education, Office for Civil Rights, "Revised Sexual Harassment Guidance: Harassment of Students by School Employees, Other Students, or Third Parties," Jan. 19, 2001, § IX. Prompt and Equitable Grievance Procedures (accessible at <http://www.ed.gov/about/offices/list/ocr/docs/shguide.html>) (OCR Revised Sexual Harassment Guidance); U.S. Department of Education, Office for Civil Rights, "Dear Colleague" letter, April 4, 2011, accessible at <http://www2.ed.gov/about/offices/list/ocr/letters/colleague-201104.pdf> (OCR April 2011 DCL).

¹³ OCR Revised Sexual Harassment Guidance, § IX. Prompt and Equitable Grievance Procedures (citations omitted).

¹⁴ Ibid.

OCR further states that “[m]any schools also provide an opportunity to appeal the findings or remedy, or both.”¹⁵ OCR’s Revised Sexual Harassment Guidance does not specifically include appeal rights among the elements it recommends in evaluating whether a recipient’s procedures are prompt and equitable. However, in its April 2011 DCL, OCR specifically recommends appeal rights, stating that where appeals are part of procedures, they must be accorded equally between the parties.¹⁶ The April 2011 DCL provides further guidance to federal grant recipients on their internal grievance processes under Title IX. For example, OCR states that a “preponderance of the evidence,” is the appropriate standard in cases of sexual harassment.¹⁷

A recent letter of findings (LOF) by DOJ and OCR regarding the University of Montana- Missoula’s sex harassment and sexual assault policies and procedures also provides important considerations for grant recipients in shaping Title IX procedures consistent with the regulatory requirement for such procedures to be “prompt and equitable.”¹⁸ These considerations are discussed in more detail below.

(i) Procedures as Written

SDSMT’s Title IX grievance procedures are embodied in the South Dakota Board of Regents Human Rights Complaint Process (HRCP), accessible online.¹⁹ This document provides a very thorough, detailed recitation of the process under which SDSMT handles discrimination allegations. The HRCP states that: “Harassment complaints brought under section 3.4 of the policy manual shall also constitute discrimination complaints within the meaning of these regulations, notwithstanding the fact that they might not otherwise be encompassed hereunder.” This refers to the South Dakota Board of Regents Sexual Harassment Policy (SHP), also discussed below.²⁰ In these respects the HRCP, as written, appears to be in conformity with Title IX requirements. The HRCP does not however:

- Specifically reference the right to file a discrimination or harassment complaint directly with a Federal funding agency, such as ED OCR, or NASA;
- State that it utilizes a preponderance of the evidence standard in investigating discrimination and harassment complaints; or
- Provide appeal rights for both the complainant and the alleged discriminator/harasser.

As to the University’s SHP, it conforms with Title IX requirements in that SMDSMT uses a preponderance of the evidence to address sexual harassment and sexual violence cases, as directed by OCR. In addition,

¹⁵ Ibid.

¹⁶ OCR April 2011 DCL, p. 12.

¹⁷ Ibid., p. 11, stating: “[I]n order for a school’s grievance procedures to be consistent with Title IX standards, the school must use a preponderance of the evidence standard (*i.e.*, it is more likely than not that sexual harassment or violence occurred). The “clear and convincing” standard (*i.e.*, it is highly probable or reasonably certain that the sexual harassment or violence occurred), currently used by some schools, is a higher standard of proof. Grievance procedures that use this higher standard are inconsistent with the standard of proof established for violations of the civil rights laws, and are thus not equitable under Title IX. Therefore, preponderance of the evidence is the appropriate standard for investigating allegations of sexual harassment or violence.” April 2011 Dear Colleague letter, § Prompt and Equitable Requirements, (B) Adequate, Reliable, and Impartial Investigation of Complaints.

¹⁸ U.S. Department of Justice, Civil Rights Division and U.S. Department of Education Office for Civil Rights, letter to President Royce Engstrom and Lucy France, Esq. re: DOJ Case No. DJ 169-44-9, OCR Case No. 10126001, May 9, 2013, accessible at: <http://www.justice.gov/opa/documents/um-ltr-findings.pdf> (hereafter cited as “DOJ-OCR Joint LOF”) and Resolution Agreement, accessible at <http://www.justice.gov/crt/about/edu/documents/montanaagree.pdf>.

¹⁹ See <http://www.sdbor.edu/policy/1-Governance/documents/1-18.pdf>

²⁰ See <http://www.sdbor.edu/policy/1-Governance/documents/1-17.pdf>

the SHP's definition of harassment is broad enough to cover not only a hostile educational environment, but also other forms of unwelcome conduct of a sexual nature. However, given the absence of any sexual harassment or other sex discrimination complaints in the past five years, the SHP should explain that individuals need not wait to report harassment until they believe it has become "sufficiently pervasive or persistent or severe." Determining whether unwelcome conduct of a sexual nature creates a hostile environment is SDSMT's responsibility, not that of the complainant. Furthermore, to address potential underreporting, the SHP could clarify that sexual assault is strictly forbidden and that "a single instance of rape is sufficiently severe to create a hostile environment."

These are important considerations in light of DOJ's and ED OCR's recent Joint LOF resulting from their investigation of the University of Montana Missoula. The definition of sexual harassment utilized by the University of Montana in its sexual harassment policy was "harassment [that] is sufficiently severe or pervasive as to disrupt or undermine a person's ability to participate in or receive the benefits, services, or opportunities of the University, including unreasonably interfering with a person's work or educational performance."²¹ DOJ and OCR pointed out that: "[w]hile this limited definition is consistent with a hostile educational environment created by sexual harassment, sexual harassment should be more broadly defined as 'any unwelcome conduct of a sexual nature.'"²² In other words, the definition of harassment used by the University of Montana in its policy and procedures *only* encompassed harassment that had *already* created a hostile environment that could establish liability for monetary damages under Title IX. DOJ and OCR further stated that: "[d]efining 'sexual harassment' as 'a hostile environment' leaves unclear *when* students should report unwelcome conduct of a sexual nature and risks having students wait to report to the University until such conduct becomes severe or pervasive or both. It is in the University's interest to encourage students to report sexual harassment early, *before* such conduct becomes severe or pervasive, so that it can take steps to prevent the harassment from creating a hostile environment."²³

In light of these considerations, SDSMT would be well served by a careful review of both the HRCP and the SHP (see Recommendations, below).

(ii) Procedures as Implemented

In terms of actual complaints filed, SDSMT reports no complaints of sex discrimination (or sexual harassment) emanating from the GGE program during the period of NASA's review (academic years 2008-2013). It should be noted that while no allegations arose during the period of the review, NASA learned about fairly egregious allegations of inappropriate gender-related conduct, proven to be with merit, involving the GGE Department and occurring during the period immediately preceding our review. Nonetheless, as these matters arose and were addressed outside the formally stated timeframe of our review, and as we do not have reason to believe that these matters were not appropriately addressed by the SDSMT, we do not offer comment or analysis here on the University's handling of the matters. We do, however, offer a compliance assessment of the current program administration and academic environment in the GGE Department (see Section E) that includes discussion of student and faculty perceptions on how well the institution and the program are doing at addressing sexual harassment, among other areas.

²¹ May 2013 Joint LOF, p. 1.

²² Id. at p. 9.

²³ Id. at pp. 9-10. (Emphasis added.) Given the high number of sexual assaults reported and the relatively low number of sexual harassment complaints that did not constitute assault, the Agreement has the University build into its internal complaints procedures preventative mechanisms for addressing harassment before it reaches the level of a "hostile environment."

b. Policy Dissemination

Relevant ED OCR and DOJ guidance also informed NASA's assessment of SDSMT compliance with the regulatory provision requiring dissemination of Title IX policy and procedures.²⁴ This guidance clarifies the regulatory requirement. For example, OCR's guidance emphasizes the need for recipient institutions to have "well-publicized" grievance procedures.²⁵ In addition, OCR states, "without a disseminated [sexual harassment] policy and procedure, a student does not know either of the school's policy against and obligation to address this form of discrimination, or how to report harassment so that it can be remedied."²⁶ Importantly, OCR stated in its Revised Sexual Harassment Guidance (2001):

Distributing the procedures to administrators, or including them in the school's administrative or policy manual, *may not by itself be an effective way of providing notice, as these publications are usually not widely circulated to and understood by all members of the school community.* Many schools ensure adequate notice to students by having copies of the procedures available at various locations throughout the school or campus; publishing the procedures as a separate document; including a summary of the procedures in major publications issued by the school, such as handbooks and catalogs for students, parents of elementary and secondary students, faculty, and staff; and identifying individuals who can explain how the procedures work.²⁷

More recently, in its April 2011 Dear Colleague letter on Title IX and sexual violence, OCR has advised grant recipients that their "grievance procedures be prominently posted on school Web sites; sent electronically to all members of the school community; available at various locations throughout the school or campus; and summarized in or attached to major publications issued by the school, such as handbooks, codes of conduct, and catalogs for students, parents of elementary and secondary students, faculty, and staff."²⁸ DOJ regulations also make Federal funding agencies and recipient institutions responsible for disseminating information materials, e.g., handbooks, manuals, pamphlets, to ensure program beneficiaries are aware of their rights pursuant to EO law.²⁹

The SDSMT Title IX Coordinator reports that Title IX related policies and procedures are disseminated via email to all faculty and staff on an annual basis. In addition, they are distributed to all new faculty and staff at their employment orientation, to all graduate students at the graduate student orientation, to all new students at the new student orientation, and distributed to all students on an annual basis via email. These are important means of policy dissemination and NASA commends SDSMT on these efforts, although, based on our review, we believe additional steps are needed.

A review of the Human Resources Web page, that is, the Title IX Coordinator's page, shows, for example, that it would not be at all likely for someone looking for information on the HRCP or the SHP to find either document easily. In fact, in its responsive materials to NASA's information request for this review, the University did not provide a link to the Human Resources page for information on SDSMT's internal discrimination/harassment procedures, but rather to an SDSMT Counseling Services Web site that includes a page on sexual harassment and sexual violence, along with pages for such health related issues as

²⁴ See, e.g., U.S. Department of Justice Civil Rights Division, *Title IX Legal Manual* (Jan. 11, 2001), § V.E., p. 111 (accessible at <http://www.usdoj.gov/crt/coord/ixlegal.htm>); OCR Revised Sexual Harassment Guidance.

²⁵ See OCR Revised Sexual Harassment Guidance, Preamble, "Enduring Principles from the 1997 Guidance."

²⁶ *Ibid.*, § V(D), "The Role of Grievance Procedures."

²⁷ *Ibid.*, § IX. Prompt and Equitable Grievance Procedures (emphasis added).

²⁸ April 2011 Dear Colleague letter, § Prompt and Equitable Requirements, (A) Notice of the grievance procedures.

²⁹ Public dissemination of Title VI information, 28 C.F.R. § 42.405(c).

anxiety, depression and substance abuse.³⁰

As a means of conveying information about Title IX policy and procedures to the academic community, the Counseling Services Web page on sexual harassment and sexual violence conforms with Title IX requirements in some respects, but in other, important ones, it does not. The page provides information about Title IX's prohibition against sexual harassment. It also explicitly states that a preponderance of the evidence standard will be used in evaluating the evidence, consistent with relevant OCR guidance.³¹

However, NASA has serious compliance concerns with this page as a means of Title IX policy dissemination. First and foremost, the page is not easy to find, which is clearly contradictory to OCR guidance on the need to ensure ease of accessibility to Title IX policy and grievance procedures. Moreover, while prominently featuring contact phone numbers for counselors, it lists the Title IX Coordinator's phone number last as an "Other campus resource" and does not provide her name, as with the counselors, or other contact information. Equally as problematic, it does not provide a direct link to the actual internal grievance procedures, i.e., the HRCP and the SHP.

NASA has other compliance concerns with the Counseling Services Web page as a means of dissemination of the HRCP and SHP: The HRCP states that: "Persons who believe that they have been subjected to discrimination may bring complaints under these procedures by contacting the Title IX/EEO coordinator." They further state that: "Complaints lodged with [any administrator or, in the case of students, with any faculty member] shall be referred to the Title IX/EEO coordinator for investigation." The SHP provides that: "Posting of notices informing students, employees and others of the steps that they must take in order to communicate complaints or concerns pursuant to [the HRCP]" must include "a clear and accurate identification of the person currently serving as the institution's Title IX/EEO coordinator." Yet, this is not at all what the Counseling Services Web page purportedly providing accessible information on the University's discrimination and harassment procedures does. It instead refers students to staff from the counseling office, only mentioning the Title IX Coordinator last as an "Other Campus Resource."

A primary reason for the confusion engendered by the Counseling Services Web page is that it does not clarify whether there is a distinct process for sexual harassment, that is, separate from other discrimination complaints (which there appears to be, given the separate HRCP and SHP policies, although the SHP policy references the HRCP), but also whether or not there is a separate process for cases in which a student is the alleged harasser versus a faculty or staff member (keeping in mind that some students are also employees, such as teaching assistants). It is not uncommon for schools to bifurcate Title IX roles and responsibilities, for example, with the Office of Student Affairs handling harassment allegations raised against students, while the Title IX Coordinator's office handles discrimination or harassment allegations raised against faculty (by either students or other University employees). However, SDSMT does not clarify on the Counseling Services Web page that such a bifurcation exists. The Director of Residence Life/Student Conduct informed NASA that he handles matters pertaining to student versus student allegations under the Student Conduct Code, while the Title IX Coordinator confirmed that she handles complaints raised by faculty, as well as student versus faculty/staff complaints and investigations, keeping the student conduct officer aware of her investigations. Given that this is the case, we reiterate our concern that the title Director of Human Resources does not seem to adequately reflect the scope of the Title IX Coordinator's position, that is, her role in handling student allegations.³²

³⁰ Accessible at <http://www.sdsmt.edu/Campus-Life/Student-Support/Counseling/Sexual-Harassment/>.

³¹ In its April 2011 Dear Colleague letter providing guidance to federal grant recipients on their internal grievance processes under Title IX, ED OCR states that a "preponderance of the evidence," is the appropriate standard in cases of sexual harassment.

³² As DOJ-OCR stated in their Joint LOF re: the University of Montana: "Because the policies and procedures have

Also, the inclusion of sexual harassment under Counseling Services, mixed in with mental health related issues such as anxiety and depression, sends the message that the school views sexual harassment as a personal health issue, which of course it is not. And, most importantly, we are concerned that the Counseling Services Web page does not accurately reflect the HRCP or its relationship with the SHP, or the Student Conduct Code for that matter.

Based on NASA's review of this information, SDSMT must make several changes in order to achieve compliance in this area. There is a need for a careful institutional review of Title IX policy dissemination to ensure that the information provided: 1) is more easily accessible to the University community, and 2) accurately reflects the requirements of the HRCP, the SHP and the Student Conduct Code. NASA notes in this regard that both GGE Department students and faculty interviewed stated that they did not have specific knowledge of the processes for filing complaints of discrimination or harassment. A majority indicated that they felt confident that they would know "where to look" online should the need arise. NASA's reviews typically show a low level of knowledge about discrimination and harassment processes, which suggests that interviewees have not had occasion to avail themselves of the procedures. Nonetheless, SDSMT's compliance issues regarding policy dissemination involve not just accessibility, but clarity and consistency as well, and should be addressed immediately (see Recommendations, below).

2. Recommendations

a. Institutional Review of Compliance Regarding Title IX Policy and Procedures. SDSMT should immediately undertake a collaborative institutional review, involving HR, legal, Student Affairs, and other stakeholders, as appropriate, to:

- i. Determine whether it should make any substantive changes to its policy, primarily the SHP, in light of the considerations raised in the Joint LOF (issued May 9, 2013) on sexual harassment and sexual assault and Resolution Agreement with the University of Montana Missoula (LOF accessible at: <http://www.justice.gov/opa/documents/um-ltr-findings.pdf> and Resolution Agreement accessible at <http://www.justice.gov/crt/about/edu/documents/montanaagree.pdf>).
- ii. Clarify in the HRCP itself, or other written document available to potential grievants, the preponderance of the evidence standard and how the use of this standard relates to the "reasonable person standard" referred to in the SHP.
- iii. Revise the HRCP to provide appeal for both the complainant and the alleged discriminator/harasser.
- iv. Revise the HRCP, or incorporate into other written document, to inform students, faculty, and staff of their right to file a discrimination/harassment complaint directly with a Federal funding agency, such as ED OCR and NASA.
- v. Take particular note of the Joint LOF's discussion of how it is in the University of Montana's interest to shape the definition of sex-based harassment, including both sexual and non-sexual gender based harassment, to encourage early reporting of inappropriate conduct (see Joint LOF, pp. 8-10) and consider steps to revise its SHP, including clarifying that individuals need not wait to report harassment until they think it has created a hostile environment and/or changes to the SHP's definition of harassment, so that it can better serve as an institutional tool for addressing inappropriate conduct at the earliest opportunity, that is, before such conduct reaches the level of illegal harassment. NASA's anti-harassment procedures, while developed for the employment context solely, may be instructive given DOJ-OCR guidance in the Joint LOF. NASA's procedures may be reviewed at: <http://nolis3.gsfc.nasa.gov/displayDir.cfm?t=NPR&c=3713&s=3>.

b. Title IX Policy Dissemination Consistent With the HRCP and SHP should inform the campus community that concerns regarding discrimination or harassment, including sex-based harassment (that is, sexual harassment and non-sexual gender-based harassment) or sexual assault, should be brought to the attention of the Title IX Coordinator's office or other appropriate campus officials, and in the case of criminal action, Campus Security or local authorities. SDSMT's institutional review, including students representatives, as appropriate, must also encompass the information posted on its Counseling Services Web site regarding sexual harassment and sexual violence, to compare

the "human resources" label and the University does not distribute them to every student, students lack sufficient notice that there is a Title IX coordinator to whom they can bring student-on-student sexual harassment complaints." May 2013 Joint LOF, p. 11.

it with the HRCP and SHP, and to resolve, at a minimum, the appropriateness of including sexual harassment along with issues such as anxiety, depression and substance abuse on the same dropdown menu, and, concomitantly, as well as the following compliance concerns; specifically, the need to:

- i. Provide contact information for the Title IX Coordinator, including her name and her office on the page(s) describing the University's policy and procedures for handling allegations of sexual harassment;
- ii. Clarify that the Title IX Coordinator, under the HRCP and the SHP, receives and processes complaints of discrimination and harassment and that such complaints, when received by other University officials, are to be referred to her, according to both processes;
- iii. Provide a link to the HRCP and the SHP on the Title IX Coordinator's office Web page, in the interest of compliance as well as greater transparency regarding applicable policies and processes;
- iv. Clarify the roles and responsibilities of the of the Title IX Coordinator/Human Resources Director and the Student Support/Counseling Services within the Dean of Students office for addressing discrimination and harassment raised by students; and
- v. Address a broader swath of sex discrimination beyond sexual harassment on both the Human Resources and Student Counseling Web pages, and to clearly distinguish between sex-based, non-sexual harassment; sexual harassment; sexual violence; and sex discrimination that does not take the form of harassment.

In addition to methods of policy dissemination already undertaken, additional communications, concepts, and tools should be utilized, taking into consideration the critical importance of greater prominence for the key information on the Human Resources and Student Counseling Web pages, the need for posting of information in faculty and student handbooks and course catalogues (either hard-copy, online or both), as well as the use of social media or other non-traditional means of information dissemination on Title IX policy and procedures and the testing of new tools for ease of accessibility before deploying them. In this regard, we also recommend that SDSMT take its cues from the Joint DOJ-OCR LOF and Resolution Agreement, particularly, the Resolution Agreement's provision calling for a resource guide on sex-based harassment, that is accessible to students and written in easily understandable language, to explain clearly to students where and how to file complaints of various types of sex-based harassment. (See Resolution Agreement, p. 9).

C. Self-Evaluation

1. Compliance Assessment

The NASA Title IX regulations required recipient institutions to conduct a Title IX Self-Evaluation regarding admissions and treatment of students by September 29, 2001, and to keep the Self-Evaluation on file for three years.³³ While SDSMT is not obligated to conduct a further Title IX Self-Evaluation, such evaluations are very helpful to ensure, for example, that selection criteria and academic practices do not adversely impact students on the basis of gender. They also provide an opportunity to evaluate trends over time and to develop mechanisms for proactively addressing emerging issues. SDSMT's response to the NASA information data request under the instant review constitutes a solid beginning to a Title IX self-evaluation in the key area of admissions and enrollments of students.³⁴ The University compiled student participation rates (including applications, matriculations, hires, enrollment, financial assistance, departures, and degrees earned) by gender. These statistics are analyzed in Section D.

3. Promising Practice

Institution-wide Title IX Self-Evaluation. The SDSMT Title IX Coordinator reports that the University is developing an institution-wide Title IX Self-Evaluation utilizing NASA's technical assistance document "A Guide for Conducting Title IX Self-Evaluations in STEM."³⁵ Such an evaluation, in addition to the data collected in NASA's Title IX survey, and the statistical data on the GGE program gathered for NASA by SDSMT and analyzed below, would constitute an excellent effort. NASA looks forward to learning about the outcomes of SDSMT's Title IX Self-Evaluation.

³³ Self-evaluation, 14 C.F.R. § 1253.110(c).

³⁴ 14 C.F.R. § 1253.110(c).

³⁵ The Guide was published and disseminated to NASA grant recipients in June 2012. It was also be posted on the NASA Web site at: <http://odeo.hq.nasa.gov/>.

D. Recruitment, Admissions, Enrollment, Degrees Earned, and Faculty Hires³⁶

1. Compliance Assessment

The NASA Title IX regulations state that recipients may not discriminate on the basis of sex in admissions and recruitment.³⁷ Consistent with this requirement, NASA reviewed the GGE's student recruitment, and admissions practices, as well as student departures and degrees earned. For graduate students, NASA also examined financial assistance awarded to students and success on the comprehensive and qualifying exams. The review was based on at least five academic years, as available. National comparisons are based on the National Science Board: Science and Engineering Indicators 2012.³⁸

a. Graduate Admissions and Enrollments

Because of the small size of the doctoral program, masters and PhD data are combined for review. This review focused for the most part specifically on GGE, which was the focus of the onsite review (the Paleontology specialization is included).

Table 1: Graduate Applications to GGE

GRADUATE APPLICATIONS	Male	Female	Total	%Male	%Female
2008	16	9	25	64%	36%
2009	36	10	46	78%	22%
2010	46	18	64	72%	28%
2011	60	23	83	72%	28%
2012	38	15	53	72%	28%

(138% increase, driving the overall increase in applications), while the number of applications from females increased from 9 to 15 (67% increase).

Table 2: Graduate Acceptances (Offers) in GGE

GRADUATE ACCEPTANCE	Male	Female	Total	%Male	%Female
2008	10	7	17	59%	41%
2009	22	8	30	73%	27%
2010	24	14	38	63%	37%
2011	25	12	37	68%	32%
2012	15	8	23	65%	35%

From 2008 through 2012, the number of applications to the graduate school doubled, although the percent of applications from female applicants remained relatively constant from 2010 to 2012 at under one third (28%) (see Table 1). Comparatively, the number of applications from male applicants more than doubled from 2008 to 2012

The number of new graduate acceptances (offers) is variable by year due to the size of the program; the percent of new female acceptances was similar from 2011 to 2012 (32% to 35% respectively, see Table 2) and the overall average percent of new female acceptances was 40%.

It should be noted that the average graduate matriculation rate for females (those who accepted offers) was 59%, higher than that for graduate males (45%).

³⁶ All data in this section was provided by the University in response to NASA's information request.

³⁷ Admission, 14 C.F.R. §1225.300; Recruitment § 1253.310.

³⁸ National Science Board. 2012. *Science and Engineering Indicators 2012*. Arlington VA: National Science Foundation (NSB 12-01).

Table 3: Total Graduate Enrollments in GGE

GRADUATE ENROLLMENT	Male	Female	Total	%Male	%Female
2008	26	16	42	62%	38%
2009	64	33	97	66%	34%
2010	76	38	114	67%	33%
2011	66	49	115	57%	43%
2012	68	48	116	59%	41%

shift in the ratio of male to female enrollees, advancing from one-third female in 2010, to over 40% females enrolled in 2011, and this was maintained in 2012 (see Table 3).

b. Graduate Financial Assistance, Exams, and Degrees Earned

Because GGE has historically been a small program, the graduation rates each year are also small, although increasing slightly as the program increases in size. A total of 25 males and 8 females received graduate degrees during the five years reviewed; the number of females appears low compared with their enrollment. From academic year (AY) 08-09 to 12-13, 29 male students and 13 female students took the qualifying exams and the majority passed the exams (2 males did not). During the same period, 25 male students and 8 female students passed their dissertation exam, none failed.

Financial aid does not appear to be biased, with similar average aid across gender. From AY 2006 to 2010, the number of graduate assistantships varied greatly, from 2 to 17. In 2010, females held 6 positions and males held 4, a higher percent of females in assistantships as compared to their percentage in the graduate program (in AYs 2008 and 2009, the numbers of assistantships were similar across gender: 2 male, 3 female; 9 male 8 female respectively).

c. Undergraduate Admissions, Enrollments, and Degrees Earned

Table 4: Undergraduate Applications in GGE

UNDERGRAD APPLICATIONS	Male	Female	Total	%Male	%Female
2008	46	29	75	61%	39%
2009	51	35	86	59%	41%
2010	64	34	98	65%	35%
2011	53	39	92	58%	42%
2012	62	37	99	63%	37%

from 2008 to 2012 the 32% growth of the undergraduate program was driven more by the 35% increase in the number of male applicants than the 28% increase in the number of female applicants.

Table 5: Undergraduate Acceptances in GGE

UNDERGRAD ACCEPTANCE	Male	Female	Total	%Male	%Female
2008	31	22	53	58%	42%
2009	35	27	62	56%	44%
2010	56	28	84	67%	33%
2011	48	32	80	60%	40%
2012	49	33	82	60%	40%

Overall enrollment in GGE increased from 42 to 116 (176%) from 2008 to 2012, indicating significant program growth. Total male enrollments increased from 26 to 68 (162%), while female enrollment increased from 16 to 48 (200%). This was partly driven by 2011 numbers, when there was a

The undergraduate GGE program attracts a higher percent of female applicants than the graduate program. Well over one-third of the applicants during the five year period was female —close to the national average of 40% for similar programs (see Table 4). However,

From 2008 to 2012 there was a 54% increase in overall acceptances to the undergraduate program, indicating program growth. However, the ratio of male/female acceptances was relatively constant (except between

2009 and 2010, 44% to 33%, see Table 5). Overall, the 40% female acceptance rate (see Table 5) is in line with the NSF S&E Indicators of 40%, as is female enrollment (see Table 6). It is noted that the average undergraduate female matriculation rate was 35%, compared to 41% for males. The female matriculation rate was 41% in 2008, but dropped significantly in 2009 and has averaged 33% over 2009 to 2001.

Table 6: Total Undergraduate Enrollments in GGE

UNDERGRAD ENROLLMENT	Male	Female	Total	%Male	%Female
2008	67	43	110	61%	39%
2009	59	41	100	59%	41%
2010	86	55	141	61%	39%
2011	84	54	138	61%	39%

Total female enrollment remained fairly constant – around 40% from 2008 to 2011. The program size increased by around 25% over this time period (from 110 to 138), and this increase was reflected in both male and female enrollments (see Table 6).

NASA notes that, as with the graduate program, the number of bachelor degrees earned by females seems low compared with their enrollment (34% vs. 39%). However the graduation rate for females is consistent with the national average of 40%, although the numbers are very small. For example, in 2012 eight GGE students received undergraduate degrees in GGE, 5 male and 3 female; the largest graduating class was in 2011 with 11 males and 8 females receiving undergraduate degrees from GGE.

d. Faculty Hires

Table 7: GGE Faculty

FACULTY/STAFF	Tenure	Tenure Track	Term
MALE	2	4	4
FEMALE	3	1	

Overall there are 14 faculty in the Department (including Paleontology and Geologic Engineering) (see Table 7). In the past five years, there have been 8 hires, 2 were female. There

were few female candidates in the review pools and there are no female post-doc fellows. The program does have recruiting guidelines and is aware of the importance of increasing diversity. The current program chair is female.

2. Recommendations:

- a. Graduate Program Recruiting:** Although the offer rates (as a percent of applicants) for female applicants are higher than for male applicants, the percent of female applicants for the five year period review (28%) is below the national comparator of 40%. NASA recommends that the Department increase its efforts to attract more female applicants, e.g., recruiting at venues with large numbers of female engineers, such as at national and regional Society of Women Engineers events.
- b. Undergraduate Program Recruiting:** In the undergraduate program, females are applying and being admitted at rates consistent with the national comparator of 40%. However, female applicants are entering into the program at rates lower than the admittance rates. The Department should increase efforts to identify the reasons for the low enrollment rate, so that it can be addressed, or alternatively, increase efforts to increase the application rate of females above the national average to make up for their lower enrollment rates.
- c. Graduation Rates:** The data submitted indicate low female graduation rates as compared with enrollment levels – this should be analyzed to improve retention and completion.
- d. Faculty Recruiting:** Since 2008, two of the eight faculty/staff hires have been female, probably due to the low number of female applicants. Considering the Department has good diversity practices in place, it should focus on expanding the applicant pool to increase the number of female faculty. There were no females chosen for post doc positions in the past 5 years; this should also be an area to review and consider for expansion of the applicant pool.

3. Promising Practices

- a. Training for Search Committees.** SDSMT requires all faculty and staff who will be serving on search and screening committees or who have hiring authority to complete a two-hour course on best hiring practices. This includes a discussion on discrimination and biases, as well as correct hiring procedures.
- b. Specific Outreach Efforts.** SDSMT hosts a “Go Women” breakfast at each of its Go to Mines recruitment events. This is an opportunity to connect prospective female students with current female students, faculty, and staff. The University also has made an effort to make sure its online information and publications show gender diversity. SDSMT has also been active in helping with the Women in Science conference, which encourages young girls to consider careers in science and engineering. This event is held on the SDSMT campus.
- c. Gender Diversity on SDSMT Web Sites.** The GGE Web site currently includes images of both male and female students in its home page graphic. However, other SDSMT Web pages do not appear to show the same level of gender diversity. NASA understands that SDSMT is in the process of revamping its Web sites and looks forward to seeing greater gender diversity as a result of these efforts.

E. Program Administration and Academic Environment

1. Compliance Assessment

The NASA Title IX regulations provide that a recipient shall not, on the basis of sex, exclude from participation in, deny the benefits of, or otherwise limit any person in any advantage or opportunity pertaining to academic, extracurricular, research, occupational training, or other education program or activity operated by the recipient.³⁹ The Title IX regulations explicitly state that a recipient may not discriminate on the basis of gender with regard to career counseling or guidance.⁴⁰

The NASA Title IX regulations include a detailed provision on matters pertaining to marital and parental status.⁴¹ Generally, under the regulations, a recipient may not apply any rule concerning a student's actual or potential parental, family, or marital status that treats students differently on the basis of sex. Regarding pregnancy and related conditions, the regulations state that a recipient may not discriminate against any student, on the basis of the student's pregnancy, childbirth, false pregnancy, termination of pregnancy, or recovery, unless the student requests voluntarily to participate in a separate portion of the program or activity of the recipient. The regulations require that pregnancy and childbirth be treated in the same manner and under the same policies as any other temporary disability or physical condition.⁴² Further, Title IX requires that in the case of a recipient that does not maintain a leave policy for its students, or in the case of a student who does not otherwise qualify for leave under such a policy, “a recipient shall treat pregnancy, childbirth, false pregnancy, termination of pregnancy, and recovery from the termination of pregnancy as a justification for a leave of absence for as long a period of time as is deemed medically necessary by the student's physician, at the conclusion of which the student shall be reinstated to the status that she held when the leave began.”⁴³ More recently, in its “Dear Colleague” letter of June 25, 2013 and the accompanying technical assistance document, “Supporting the Academic Success of Pregnant and

³⁹ Education programs or activities, 14 C.F.R. § 400(a), (b)(7).

⁴⁰ Counseling and use of appraisal and counseling materials, 14 C.F.R. § 1253.425.

⁴¹ Marital or parental status, 14 C.F.R. § 1253.445 and 1253.530.

⁴² Admission, *Prohibitions relating to marital or parental status*, 14 C.F.R. § 1253.300(c)(3).

⁴³ Marital or parental status, 14 C.F.R. § 1253.445 (b)(5).

Parenting Students,” OCR has provided a wealth of guidance and information to educational grant recipients on Title IX requirements pertaining to pregnancy and parental status.⁴⁴

In addition, the Title IX regulations incorporate by reference the NASA Title VI regulatory provision prohibiting a recipient from utilizing methods of administration which have the effect of defeating or substantially impairing accomplishment of the objectives of the program for an individual based on sex.⁴⁵

On the basis of these provisions, the compliance team examined SDSMT and GGE program administration and its impacts, both positive and negative, on the overall academic environment of GGE, including academic advising, career counseling, research participation, classroom experiences, parental or marital status (“family friendly”) policies, and physical safety of the program environment, as well as the extent of concerns among students regarding sexual harassment or sex discrimination.

a. Academic Advising and Career Counseling

NASA examined the GGE advising program, including policies and procedures, as well as student experiences and observations, to determine whether there was evidence of students being treated differently or otherwise limited, on the basis of gender. NASA’s Title IX student survey provided insights in this area. As mentioned above, the survey was deployed to all SDSMT students, with a 24 percent response rate overall (408 surveys completed, 150 incomplete), of which half were male and half female. Both male and female respondents answered comparably on the questions of whether course instructors provided enough feedback on their work, made themselves available outside of class, e.g., office hours, email, and encouraged students to continue in their majors or increased their initial enthusiasm for their majors. The survey, attached to this report as Appendix B, contains specific data on each of these points (see Recommendations, below).

b. Classroom Experiences and Research Participation

NASA’s review sought to determine whether, and if so, the extent to which, students were treated differently or otherwise limited, on the basis of gender, with regard to research participation and classroom experiences. NASA’s Title IX survey offered insights in this area as well. In general, survey responses were very favorable and highly comparable regarding experiences in the classroom and lab. For example, in response to the item “Instructors treat all students with respect”, 93 percent of males and 92 percent of females answered “Very Often/Almost Always” or “Often.” Similarly, in response to the item “Instructors treat female students in the same way as male students,” 96 percent of male respondents and 94 percent of female respondents answered “Very Often/Almost Always,” or “Often.” Survey responses between male and female students also were both positive and comparable on items pertaining to equal treatment by lab instructors and equal access to lab equipment, although female respondents were somewhat less likely to report that lab responsibilities are shared equally among lab partners. Female respondents also were more likely than male respondents to indicate they worked cooperatively with other students on course assignments and tended to discuss ideas with classmates.

Of the GGE students NASA interviewed onsite, neither male nor female interviewees evinced concerns when asked questions about equal treatment in the context of the classroom and lab experiences. However, in responding to the survey item requesting any further comments on the academic experience at SDSMT, several commenters appeared to be under the impression that women were given favored treatment in the

⁴⁴ The June 25, 203, Dear Colleague letter is accessible at <http://www2.ed.gov/about/offices/list/ocr/letters/colleague-201306-title-ix.pdf>. “Supporting the Academic Success of Pregnant and Parenting Students” is accessible at <http://www2.ed.gov/about/offices/list/ocr/docs/pregnancy.pdf>.

⁴⁵ Enforcement procedures, 14 C.F.R. § 605.

classroom and lab settings, with one stating that sometimes course responsibilities were waived for female students to encourage them to stay at the campus and another stating that if a TA even sees a female name on an exam, the TA will “grade her easier.” There were a few other comments in a similar vein. While it appears, based on our onsite review and the survey, that the negative perceptions suggested by these comments are mistaken, these are the kind of perceptions SDSMT may wish to take into consideration in education and awareness efforts designed to reach out to the student body. A thorough review of both the statistical and anecdotal data reported from the survey may be very useful in assessing whether additional steps are needed to address gender issues in the lab and classroom (see Recommendations, below).

c. Parental/Marital Status (“Family Friendly” Policies)

Regarding SDSMT policies pertaining to parental and marital status, SDSMT reports that it does not have a “childbearing” policy. While it appears that the GGE program has appropriately accommodated the need for parental leave for graduate students when it has arisen, there is no formal policy and these matters are handled on a case-by-case basis between the advisor and the student. Under Title IX regulations, it is therefore incumbent on the University and the program to ensure that, for students, pregnancy and childbirth provide justification for a leave of absence for as long a period of time as is deemed medically necessary by the student's physician, at the conclusion of which the student is to be reinstated to the status that she held when the leave began.⁴⁶ The best way to do this would be to develop a written policy, so that all members of the academic community may receive consistent guidance in this area (see Recommendations, below).

d. Safety

Regarding SDSMT policies and student experiences involving physical safety on campus, NASA’s Title IX survey provided data to help better understand this aspect of campus life at SDSMT. Of survey respondents, 20 percent of students reported some concern for personal safety in dorms or sleeping areas, while approximately one third indicated concern for off-campus, non-University sponsored events. Over a quarter percent of students felt that physical safety had become more of a problem since they entered the program. Males were more likely to report they did not experience any uninvited behaviors and that they were not concerned about their physical safety. Females were more likely to indicate experiencing unwanted sexual behaviors, that some behaviors involved fellow students, and to indicate that some of the behaviors were sexually harassing in nature; however, they did not feel in danger of harm or sexual assault. Female respondents were also more likely to indicate concern for physical safety on and off-campus (including dorms). Some respondents mentioned that they are fearful in areas surrounding campus, e.g., off-campus housing especially to the west of campus. There was some mention of concern for vagrants wandering onto campus. Some students also mentioned that walking from dorms or the stadium at night feels dangerous.

These data suggest that a significant percentage of students are concerned about their safety and that this concern is growing. The SDSMT should explore these safety concerns further to ensure they do not place limitations on program participation based on gender. A careful review of the survey results (see Appendix B), including statistical data and anecdotal information provided in comments may assist SDSMT in determining whether additional steps to address campus safety are needed (see Recommendations below).

e. Overall Academic Environment

NASA’s review of SDSMT’s methods of program administration raised some concerns but did not establish that any student was being treated differently or limited in his or her program participation based

⁴⁶ Marital or parental status, 14 C.F.R. § 1253.445 (b)(5).

on gender, or that the program's methods of administration are differently impacting students based on gender. The NASA compliance team found leadership, especially the Acting President and Title IX Coordinator, dedicated to and prepared to make any needed changes to better address equal educational opportunities for SDSMT. Overall, the Title IX survey suggests that this leadership commitment is perceived by the campus community, with close to two-thirds or more of respondents reporting a positive campus climate, and specifically reporting support from and positive interaction with faculty and fellow students. Approximately two-thirds or more of respondents reported sexual discrimination or harassment behaviors as happening never or once or twice, and only one percent of respondents identified the behaviors as sexual harassing in nature.

On the other hand, NASA's interviews with students, bolstered by the Title IX survey, suggest at least some concern with incidents of fellow students engaging in what was perceived as inappropriate gender related behavior. This perception was reflected in "Yes" responses (with explication or elaboration) to the interview question "Have you ever observed offensive jokes in the lab or classroom [in the context of gender]?" It was also reflected, in the case of female survey respondents, in a response of "Once or Twice," "Sometimes," or "Often" in answers to specific survey queries regarding program environment, e.g., having been exposed to sexual stories or jokes that were offensive to you, having people of your gender referred to in offensive or insulting terms, under the overall rubric of "Sex/gender related talk or behavior that was unwanted, uninvited, and in which you did not participate willingly." It should be noted that NASA spoke with only a handful of GGE students (three females and two males), while the Title IX survey was deployed to the entire SDSMT student body of 2,125, with 408 completing the survey in its entirety and 150 completing some portion, which reflects a 24 percent response rate.

Generally, such incidents reported in the survey involved fellow students; few involved faculty (which is very positive, although, again, a close look at the survey data is recommended). Overall, few respondents indicated that they had experienced or reported an incident of what they viewed as gender discrimination/sexual harassment. Males were more likely to report never experiencing these behaviors, and that they would report gender discrimination or sexual harassment to Campus Security. Females were more likely to describe incidents of "sex/gender related talk and/or behavior that was unwanted and uninvited" as involving fellow students, for example, 23 percent responded that they were exposed to sexual stories or jokes they found offensive "Once or Twice" (comparable male response: nine percent); and 30 percent of females responded that they had experienced people of their gender referred to in insulting or offensive terms (comparable male response: nine percent).

The reporting of incidents of inappropriate student conduct by students, both in interviews and in the survey responses, and yet the absence of any sex discrimination complaints in the past five years raises concerns about the adequacy of the notice students receive about this area. Both male and female students interviewed mentioned recollections of instances of what they viewed as inappropriate gender related conduct, for example, offensive jokes, comments, in the lab or classroom, and female survey respondents were more likely to indicate some experience with what they viewed as inappropriate remarks or conduct, suggesting the need for SDSMT to follow up further (see Recommendations, below).

Females were also more likely to indicate they would not report sexual harassment if they experienced it because they didn't know how, felt uncomfortable, didn't think anything would be done, or they thought they would not be taken seriously. These responses and comments are of the most concern, because they suggest that at least some students do not feel confident that the institution would take appropriate steps to address sexually harassing conduct, should it occur. Addressing this perception should be a key focal point of SDSMT's efforts based on NASA's Title IX review and survey. Also of note: some students mentioned in the survey that the school doesn't have appropriate facilities for women since the campus was originally built for an all-male student population. The comments section of the survey report is particularly instructive in these regards and others, and may be instrumental in helping to shape strategies designed to

address the differentials between male and female responses. For example, the differential regarding incidents of inappropriate gender related conduct occurring among students may be addressed by an additional focus on student education and awareness on Title IX's requirements (see Recommendations, below).

2. Recommendations

- a. In-Depth Title IX Evaluation.** As part of a more in-depth, institution-wide or targeted Title IX self-evaluation, SDSMT should review the NASA Title IX survey data thoroughly to determine key areas for improvement and possible next steps for crafting new policy as well as measuring progress. For example, next steps from a measurement perspective might include conducting facilitated focus groups to further elucidate the issues. They might also include using the Title IX survey data as a baseline and replicating it in a couple of years to see if the "needle" has moved on questions identified as being of key interest, for example, those having to do with inappropriate gender related behavior engaged in by fellow students. From a policy perspective, where the self-evaluation, including review of the survey data and other means of measurement, e.g., focus groups, reveals an opportunity for a change in policy, consideration should be given to greater emphasis on Title IX related education and awareness opportunities for the faculty, staff, and student body.
- b. Written Policy Addressing Title IX's Parental Status Provisions.** SDSMT should develop formal policy in this area. In crafting the policy, NASA recommends that SDSMT review the Title IX regulatory provision, Marital or Parental Status, at 14 C.F.R. § 1253.445 and 1253.530 and OCR's new technical assistance document, "Supporting the Academic Success of Pregnant and Parenting Students," which provides information on strategies that educational institutions may use and programs that can be developed to address the educational needs of students who become pregnant or have children. At a minimum, the policy should address the following:
- i. It is illegal under Title IX for schools to exclude pregnant students (or students who have been pregnant) from participating in any part of an educational program, including extracurricular activities.
 - ii. Schools must treat pregnant students in the same way that they treat similarly situated students, that is, temporary medical conditions.
 - iii. Any special services provided to students who have temporary medical conditions must also be provided to pregnant students.
 - iv. A student who is pregnant or has given birth may not be required to submit medical certification for school participation unless such certification is also required for all other students with physical or emotional conditions requiring the attention of a physician.
 - v. A school must excuse a student's absences because of pregnancy or childbirth for as long as the student's doctor deems the absences medically necessary. When a student returns to school, she must be allowed to return to the same academic and extracurricular status as before her medical leave began.
- c. Better Ensuring an Inclusive Environment: Education and Awareness.** SDSMT should better ensure that training, education, and awareness efforts achieve their intended objectives, especially with regard to the student body. The Title IX Coordinator, in coordination with the Student Affairs Office and other stakeholders, should review SDSMT's various training modules for students and faculty to see if enhancements to any of them may be needed, and to ensure training provided by the two offices is consistent. Regarding form, consideration should be given to methods that tend to engage the learner, such as interactive exercises. Regarding content, consideration should be given to course designs with illustrative examples of subtler matters that may resonate more with a STEM audience, for example, implicit biases, harassing conduct, and conduct that does not rise to the level of harassment but that is nonetheless inappropriate, in addition to more serious matters, such as sexual assault. In this regard, course curricula may be most effective when shaped by student participation in the design, for example, student focus groups that may offer insights into "real world" experiences. It is also important to clearly distinguish in the name of the training that sexual harassment and unconscious bias are different. Other universities reviewed by NASA have found it helpful to imbue training with the subtleties that are more likely to be familiar to today's student body (see, e.g., NASA's [Title IX Promising Practices for STEM](#)). For instance, examples might focus on unintended actions that may still have a detrimental effect, such as responding more favorably to members of one gender in the class-room setting, or providing more encouragement to members of one gender in the advising setting. In the harassment context, the illustrative examples should also be designed to reflect the range of inappropriate remarks and behavior, rather than focus only on the most egregious examples.

3. Promising Practice

Strong Campus Safety Efforts. SDSMT is commended for its strong campus safety policies. The Title IX Coordinator reports that the University is looking closely at the recent DOJ-DOEd Letter of Findings on joint investigation conducted at the University of Montana Missoula and the Resolution Letter signed by that University, which DOJ and DOEd view as a blueprint for educational institutions across the country in effectively addressing campus sexual harassment and sexual assault. NASA looks forward to learning about the results of this effort. In addition, SDSMT conducts annual campus walkthroughs to look for and address safety issues. The walkthroughs are conducted by the University's Environmental, Health and Safety Director, the Dean of Students and campus student association representatives, providing a variety of important perspectives on possible safety issues. Notably, during new student orientation, the Dean of Students asks all new students to pull out their cell phones and gives them the phone number for Campus Safety at SDSMT, asking students to put that number on their speed dial. In addition, the University posts signs around campus showing the phone number of Campus Security, in lieu of somewhat outdated "blue phones."

III. CONCLUSION

NASA finds SDSMT to be in compliance with the Title IX procedural requirements regarding coordination, grievance procedures, and self-evaluation. However, the University must review and revamp its Title IX policy dissemination efforts, beginning with Web site information on Title IX related policies and procedures, which currently suffer from, among other things, a de-emphasis on the role of the Title IX Coordinator in the initiation of complaints. This is in contradiction to the South Dakota Board of Regents grievance procedures and sexual harassment policy followed by SDSMT. In regard to methods of program administration in the GGE program, NASA found that the program is in compliance with Title IX requirements in that we did not find methods that were having an adverse impact or otherwise limiting program participation based on gender. The recommendations in the report are designed to assist SDSMT and GGE in enhancing their efforts to ensure equal educational opportunity regardless of gender. We find that SDSMT is well on its way in this arena. NASA will follow up with SDSMT in six months to learn more about the progress the University is making on our Title IX compliance recommendations and any additional Title IX information SDSMT wishes to provide.

APPENDIX A: SUMMARY LITERATURE REVIEW

In developing its Title IX onsite review program, NASA conducted a review of literature regarding gender and STEM programs, including Title IX policy and enforcement in the STEM context.⁴⁷ The review continues to be updated as new research and analysis on gender and STEM emerges. It also continues to assist NASA, and we hope, our recipients, to better understand concerns regarding gender and STEM and how Title IX compliance efforts can assist to address such concerns.

Reports and Studies on STEM: Key Findings and Recommendations

In general, the studies and reports NASA reviewed in the literature describe a broad range of gender-related issues in STEM. For example, the 2004 report of the U.S. General Accountability Office (GAO) (referred to above) described participation rates by gender, observing continued low participation for women in certain STEM programs, such as physics and some engineering disciplines. The GAO report also noted the greater drop-off of women as compared to men at every stage, from high school to doctoral programs. The report highlighted the need for steps to help address this, such as strong outreach efforts to increase the interest of younger students in the sciences.⁴⁸ In addition, the report recommended that agencies with science missions, such as NASA and the U.S. Department of Energy, conduct Title IX compliance reviews to ensure that grant recipient programs are providing equal opportunity regardless of gender.

NASA also relied on a number of scholarly reports and publications. Prominent among these were the National Academy of Sciences, National Research Council report, *To Recruit and Advance: Women Students and Faculty in Science and Engineering* (2006) (hereafter cited as NRC Report or *To Recruit and*

⁴⁷ See generally The National Academies, National Research Council, *Gender Differences at Critical Transitions in the Careers of Science, Engineering, and Mathematics Faculty* (2011); Marc Goulden, Ph.D., Karie Frasch, Ph.D., and Mary Ann Mason, J.D., Ph.D., The University of California, Berkeley Berkeley Center on Health, Economic, & Family Security and The Center for American Progress, *Staying Competitive: Patching America's Leaky Pipeline in the Sciences* (November 2009); The National Academies, National Research Council, *To Recruit and Advance: Women Students and Faculty in Science and Engineering* (2006); National Academy of Sciences, National Academy of Engineering and Institute of Medicine, *Beyond Bias and Barriers: Fulfilling the Potential of Women in Academic Science and Engineering* (2006); American Institute of Physics Statistical Research Center, *Women Physicists Speak Again*, April 2006 (accessible at: <http://www.aip.org/statistics/trends/reports/iupap05.pdf>); Ellen Sekreta, *Sexual Harassment, Misconduct, and the Atmosphere of the Laboratory: The Legal and Professional Challenges Faced by Women Physical Science Researchers at Educational Institutions*, 13 Duke J. Gender L. & Pol'y 115 (Spring 2006); Catherine Pieronek, *Title IX and Gender Equity in Science, Technology, Engineering and Mathematics Education: No Longer an Overlooked Application of the Law*, 31 J.C. & U.L 295 (2005); Government Accountability Office, *Gender Issues: Women's Participation in the Sciences Has Increased, but Agencies Need to Do More to Ensure Compliance with Title IX* (July 2004); American Institute of Physics Statistical Research Center, *Women in Physics Speak: The 2001 International Survey of Women in Physics*, 2001 (accessible at: <http://www.aip.org/statistics/trends/reports/iupap.pdf>); Corinne A. Moss-Racusin, John F. Dovidio, Victoria L. Brescoll, Mark J. Graham and Jo Handelsman, "Science faculty's subtle gender biases favor male students," *Proceedings of the National Academy of Sciences* (2012), accessible at <http://www.pnas.org/content/early/2012/09/14/1211286109.full.pdf>

Jean M. Curtain, Geneva Blake, and Christine Cassagnau, American Institute of Physics, "The Climate for Women Graduate Students in Physics," *Journal of Women and Minorities in Science and Engineering*, vol. 3, pp. 95-117 (1997); Mildred S. Dresselhaus, Judy R. Franz, Bunny S. Clark, "Improving the Climate for Women in Physics: A Program of Site Visits Funded by the National Science Foundation" (American Physical Society and the American Association of Physics Teachers: 1995) (ME Program Summary, accessible at <http://www.ME.org/programs/women/sitevisits/summary.cfm>) (ME Program Summary).

⁴⁸ U.S. Government Accountability Office (GAO) report, *Gender Issues: Women's Participation in the Sciences Has Increased, but Agencies Need to Do More to Ensure Compliance with Title IX* (July 2004).

Advance); the University of California Berkeley, Center on Health, Economic & Family Security report, *Staying Competitive Patching America's Leaky Pipeline in the Sciences* (2009) (hereafter cited as UC Berkeley Report); the American Association of University Women's report, *Why So Few? Women in Science Technology, Engineering, and Mathematics* (2010); and "Science faculty's subtle gender biases favor male students," in *Proceedings of the National Academy of Sciences* (hereinafter cited as the PNAS Report) (2012).

The Need for a Sustained Commitment to Diversity among University Leaders and Administrators

The NRC Report, *To Recruit and Advance*, was based on a comprehensive literature review and site visits to four universities "recognized for successfully advancing and retaining women students, faculty or leaders."⁴⁹ *To Recruit and Advance* was a valuable tool to better understand women's experiences in science, technology, engineering, and mathematics (STEM) studies and helped to guide NASA's assessment under the instant review of promising practices regarding recruitment and advancement of women students in STEM programs.⁵⁰ For example, the report identified the need to create and institutionalize a sustained commitment to diversity among university leaders and administrators.⁵¹ This commitment should be demonstrated by dedicating resources to that effort, e.g., Women in Engineering programs, and through ensuring visibility for women students and faculty in communications materials and the Department's Web site, which can help to show that the program is welcoming and inclusive of women.⁵² Another key strategy is to extend outreach to students at the K-12 and undergraduate levels in the form of summer science and engineering camps, lecture series, career days, and mentoring programs.⁵³

Emphasizing the Societal Impacts of STEM Work

The NRC Report indicated that specific retention tools such as curricular modifications and "family friendly" policies might also be of assistance in increasing the numbers of women in STEM programs. For example, courses designed to emphasize the societal benefits or "real-world" applications of engineering have broadened the appeal of engineering studies, helping to create more diverse engineering student populations.⁵⁴ The AAUW report, Why So Few, supports the notion that emphasis on the societal impacts of science and engineering work, something that has often been lacking in the undergraduate curricula in the STEM disciplines:

[W]ell-documented gender differences exist in the value that women and men place on doing work that contributes to society, with women more likely than men to prefer work with a clear social purpose . . . [M]ost people do not view STEM occupations as directly benefiting society or individuals. . . As a result, STEM careers often do not appeal to women (or men) who value making a social contribution. Certain STEM sub disciplines with a clearer social purpose, such as biomedical engineering and environmental

⁴⁹ NRC Report, Summary, p.2.

⁵⁰ NRC stated that it "sought to move beyond yet another catalogue of challenges facing the advancement of women academic in STEM to provide a document describing actions actually taken by universities to improve the situation for women." Ibid., Preface, p. vii.

⁵¹ Ibid., chap. 1, p.8.

⁵² Ibid., chap. 2, p.47.

⁵³ Ibid.

⁵⁴ Ibid., chap. 3, pp. 53 (citing Busch-Vishniac, I., and J. Jarosz, *Can diversity in the undergraduate engineering population be enhanced through curricular change?* Journal of Women and Minorities in Science and Engineering 10:255–281, 258 (2004)), 55, 60 (citing Farrell, E. F., "Engineering a warmer welcome for female students," Chronicle of Higher Education," February 22, 2002).

engineering, have succeeded in attracting higher percentages of women than have other sub-disciplines like mechanical or electrical engineering.”⁵⁵ (Citations omitted)

A key takeaway from this research for undergraduate STEM programs is the need to consider pedagogical enhancements to emphasize the societal or “real world” impacts of STEM work in meaningful ways. This is especially needed in freshman survey courses, in which many students are sampling a field to see if it might be the right major for them. A curriculum alive with examples of STEM work that is changing the world might very well help to increase the overall student diversity in the program.

Family Friendly Policies

A 2009 report of the University of California at Berkeley, *Staying Competitive: Patching America’s Leaky Pipeline in the Sciences* (UC Berkeley Report) notes that to be in compliance with Title IX, recipients must: 1) treat pregnancy as a temporary disability for purposes of calculating job-related benefits, including any employer-provided leave, and 2) provide unpaid, job-protected leave for “a reasonable period of time” if the institution does not maintain a leave policy for employees.⁵⁶ The UC Berkeley report also notes that, to help address family and care giving issues, institutions should have in place family responsive policies, benefits, and resources, including time-based policies and benefits such as stopping the clock (i.e., tenure-clock extension), various child care supports such as on- and off-campus centers, monetary supplements such as tuition remissions, and other resources such as lactation rooms.⁵⁷

Overall, the UC Berkeley Report, a major study on experiences of women scientists, found that unfriendly family policies—not lack of interest or commitment—are what turn many women away from academic science. Moreover, the report recommended universities adopt family supportive policies for all classes of researchers, not just faculty members, noting that graduate-student researchers and postdoctoral scholars receive the most limited benefits and yet are arguably the most important people affecting the future of U.S. science. In fact, the report found that this is the biggest leak in the pipeline: the point at which women that have received their Ph.D.s. or are working as postdoctoral scholars are making the critical decision of whether to continue their careers in academic research. According to the report, too many of them are deciding not to, often because of their interest in starting a family.

Research conducted by the Alfred P. Sloan Foundation found that family formation—most importantly marriage and childbirth—accounts for the largest leaks in the pipeline between Ph.D. receipt and the acquisition of tenure for women in the sciences.⁵⁸ According to the Sloane Foundation research, women in the sciences who are married with children are 35 percent less likely to enter a tenure track position after receiving a Ph.D. than married men with children and 27 percent less likely than their male counterparts to achieve tenure upon entering a tenure-track job.⁵⁹ Tenured women are nearly three times more likely than men to be single without children.⁶⁰ In addition, the Sloane Foundation found that tenure-track faculty

⁵⁵ American Association of University Women, *Why So Few? Women in Science Technology, Engineering, and Mathematics* (2010), pp. 22-23 (citing Eccles [Parsons] et al., 1983; Eccles, 1994, 2006; Jozefowicz et al., 1993; Konrad et al., 2000; Margolis et al., 2002; Lubinski & Benbow, 2006; Eccles, 2006; National Academy of Engineering, 2008; Diekman et al., 2009; Eccles, 1994; Sax, 1994; Gibbons, 2009).

⁵⁶ Marc Goulden, Ph.D., Karie Frasch, Ph.D., and Mary Ann Mason, J.D., Ph.D., The University of California, Berkeley Berkeley Center on Health, Economic, & Family Security and The Center for American Progress, *Staying Competitive: Patching America’s Leaky Pipeline in the Sciences* (November 2009), p. 5 (citations omitted).

⁵⁷ Ibid., p. 6.

⁵⁸ Alfred P Sloan Foundation, “[Keeping Women in the Science Pipeline](#),” Drs. Mary Ann Mason, Marc Goulden, Karie Frasch, University of California, Berkeley, presented at the Workforce Flexibility Conference, Georgetown Law School, Washington, DC, Nov. 29-30, 2010.

⁵⁹ Ibid., p. 5

⁶⁰ Ibid., p. 7

women who were married with young children were 21 percent less likely than tenure-track men who are married with young children, 26 percent less likely than tenure-track women who were married without young children, and 19 percent less likely than single women without children to have their work partially or fully supported by federal grants or contracts on a year-to-year basis.⁶¹

Young scientists early in the pipeline are the least likely to receive benefits. Only a fraction of research universities offer a baseline family-responsive maternity leave policy of at least six weeks of guaranteed paid leave following childbirth to graduate students, postdoctoral scholars, and academic researchers, with only 13 percent of universities making this baseline policy available to graduate students (43 percent of them offer only ad hoc paid leave, or no paid leave at all). Many universities do provide some maternity and parental leave, but the limitations associated with these policies significantly affect contingent classes of researchers such as graduate students, postdoctoral scholars, and academic researchers. These limitations include requirements that limit the number of individuals who qualify for the policy, limitations on the length of the policy or the percentage of salary paid, and limitations focused on the accrual of sick and/or vacation leave.⁶²

As stated, to be in basic compliance with Title IX, universities must 1) treat pregnancy as a temporary disability for purposes of calculating job-related benefits, including any employer-provided leave, and 2) provide unpaid, job-protected leave for “a reasonable period of time” if the institution does not maintain a leave policy for employees. The Sloane Foundation paper recommends that Universities, in partnership with Federal agencies:

- Promote clear, well-communicated, baseline family responsive policies for all classes of researchers.
- Provide federal agency or university supplements to offset family event productivity loss.
- Collaboratively move toward a full package of family friendly policies that take into account the career-family life course.
- Remove time-based criteria for fellowships and productivity assessments that do not acknowledge family events and their impact on career timing.
- Collect and analyze the necessary data to make sure existing and future policy initiatives are effective in meeting researchers’ needs and comply with Title IX.⁶³

Education and Awareness Opportunities for STEM Faculty and Students

Another important tool for STEM departments is training to raise awareness among faculty and students on gender issues such as sexual harassment prevention.⁶⁴ NASA’s Title IX compliance review program has shown a number of instances where STEM departments may benefit from targeted training to address issues relating to inappropriate gender-related conduct occurring in program settings, such as study groups, labs, and field trips.

Possible Presence of Implicit Bias

The PNAS report documented a randomized double-blind study conducted to test for the presence of gender bias on the part of science faculty that could contribute to the gender disparity in STEM fields. In this study science faculty from research universities rated the application materials of a student, who was randomly assigned either a male or female name, for a laboratory manager position. The study found that

⁶¹ Ibid., p. 10

⁶² Ibid., p. 8

⁶³ Ibid., pp. 12-13

⁶⁴ NRC Report., chap. 4, p. 78

faculty rated the male applicant as significantly more competent and employable than the *identically-qualified* female applicant. These faculty members also selected a higher starting salary and offered more career mentoring to the male applicant.

What is especially noteworthy is that the gender of the faculty participants did not affect responses, such that female and male faculty study participants were equally likely to exhibit bias against the female student. This study also found that preexisting subtle bias against women on the part of participating faculty was associated with less support for the female student, but was unrelated to reactions to the male student.

“Unanticipated” Issues

The NRC report also described issues that “may not be anticipated” influencing the working environment of the laboratory.⁶⁵ For example, personal safety issues may be different for women working alone at night in a lab. One faculty member interviewed by NRC commented that whereas general safety issues had been “background noise,” as he put it, the issue of personal safety became a much higher priority when women students joined the lab.

Title IX Compliance Reviews

Title IX compliance reviews are also recommended in the literature as a means of addressing environmental issues that may negatively impact women in STEM. For example, the AAUW report *Why So Few?* states: “Title IX reviews can help identify institutional policies and practices that negatively, and in some cases inadvertently, affect personal choices in gender-specific ways. Simply put, Title IX can help create a climate where women and men of similar talent who want to be scientists or engineers have equal opportunity to do so.”⁶⁶

Gender Issues in Physics Programs: Surveys and Site Visits

American Institute of Physics (AIP) Survey Results

To be aware of experiences of women in the physics context, NASA reviewed data collected by the American Institute of Physics (AIP). This data showed some of the concerns of women physics students about their program experiences. For example, a 1993 AIP “climate” survey of physics programs showed that only 27 percent of women graduate student respondents in the U.S. believe that their department encourages self-confidence.⁶⁷

In its 2001 survey report *Women Physicists Speak*, AIP observed that: “[w]omen . . . face barriers in the form of strongly held beliefs that [they] are incapable of doing good science”⁶⁸ and that “[c]onfidence in one’s ability can be especially important for female students when they confront the negative effects of sexism, which can cause women to question their ability or their right to pursue advanced degrees.”⁶⁹ And,

⁶⁵ Ibid., chap. 2, p. 41.

⁶⁶ AAUW Report, p. 13 (citations omitted).

⁶⁷ See Jean M. Curtain, Geneva Blake, and Christine Cassagnau, American Institute of Physics, “The Climate for Women Graduate Students in Physics,” *Journal of Women and Minorities in Science and Engineering*, vol. 3, pp. 95-117 (1997); see also ME Program Summary

⁶⁸ American Institute of Physics Statistical Research Center, *Women in Physics Speak: The 2001 International Survey of Women in Physics*, 2001, p. 19. Accessible at: <http://www.aip.org/statistics/trends/reports/iupap.pdf>.

⁶⁹ Ibid., p. 7.

in its 2006 report, *Women Physicists Speak Again*, the AIP continues to identify climate as one of the top reasons women physicists give for being discouraged about physics.⁷⁰

American Physical Society Site Visit Program

In its literature review, NASA also relied on the summary report of the American Physical Society (APS) Committee on the Status of Women Site Visit Program. The report, "Improving the Climate for Women in Physics," provides valuable information gathered by APS about women's experiences in physics programs, based on site visits to over 40 university physics departments across the country since 1990.⁷¹ For each site visit, APS reviews quantitative and qualitative information to assess the climate for women at the host facility.

The findings generated from APS's site visit program provide valuable context for gender equity issues in physics programs. According to APS, problems commonly experienced by women in the physics departments reviewed include instances of inappropriate behavior and attitudes such as pictures and computer printouts with inappropriate images of women in teaching assistants' communal offices; thesis advisors who call their female students "honey" or the equivalent and "a prevalent assumption that all rewards obtained by women are "only because you are a woman."⁷² APS found that the long term effects of these experiences "takes much of the enjoyment out of the graduate experience of many female physics students and helps to explain why only the very committed and the very tough remain in physics."⁷³

However, APS reports that the climate for women varies dramatically among the departments it has reviewed, with many positive climates reported.⁷⁴ Based on its Site Visit Program, APS finds that important ingredients for a positive climate can include: at least several active, mainstream female faculty; a group of female students who interact regularly with each other; a supportive department chair who listens and responds to concerns of students; and efforts to create a safer physical environment.⁷⁵

Overall Recommendations

What the research literature tells us is that there are some proactive steps that STEM programs can take that are consistent with the purpose and intent of Title IX. A small sampling of these steps, representative of the larger themes in the literature on women and STEM, include:

- Engaging in targeted outreach and recruitment
- Establishing mentoring programs
- Sustaining strong partnerships with campus professional organizations, such as the Society of Women Engineers
- Adopting policies that enable faculty, students and employees to combine work, family and other personal responsibilities
- Providing ongoing education and awareness opportunities for faculty and students that is both tailored to the STEM environment and addresses issues such as implicit gender bias and inappropriate gender-related conduct that may not rise to the level of discriminatory harassment but is still unacceptable

⁷⁰ American Institute of Physics Statistical Research Center, *Women Physicists Speak Again*, April 2006, pp. 10-12. Accessible at: <http://www.aip.org/statistics/trends/reports/iupap05.pdf>.

⁷¹ APS Program Summary.

⁷² Ibid.

⁷³ Ibid.

⁷⁴ Ibid.

⁷⁵ Ibid.

- Conducting on-going self-evaluation efforts consistent with Title IX regulations, that is, a focus on admission and treatment of students, and employment.

Overall, NASA has found that Title IX compliance efforts of educational institutions can help to address such concerns regarding gender and STEM. For example, effective Title IX coordination can establish collaborative partnerships between the Title IX Coordinator's office and academic departments, ensuring, among other things, appropriate training for faculty and students to raise awareness on gender issues, e.g., harassment and gender bias. Effective Title IX coordination may also ensure that individuals fully understand the process for addressing discrimination concerns, and how to avail themselves of it.

In addition, periodic self-evaluation can greatly assist efforts to identify concerns regarding admission and treatment of students, and help programs to address problem areas in a host of specific areas, from stronger outreach and recruitment efforts, to greater transparency in program policies and practices, to program participants' perceptions of the program environment. NASA has found that the process of a Title IX review itself provides schools with an excellent opportunity to step back and assess their programs in these respects.

APPENDIX B: STUDENT SURVEY DATA

NASA Title IX External Compliance Survey

NASA TITLE IX COMPLIANCE REVIEW INFORMATION COLLECTION	
PRIVACY INFORMATION	
<p><i>This information collection is anonymous, does not collect or use personally identifiable information, and data are not retrievable by personal identifier. You are advised not to put information on your form or in comments that would identify you.</i></p>	
<p>PURPOSE: This information collection is part of a NASA compliance review under Title IX of the Education Amendments of 1972 (Title IX). NASA is required to conduct Title IX compliance reviews pursuant to the Agency's Title IX regulations and the NASA Authorization Act of 2005, which requires the Agency to conduct a minimum of two Title IX reviews annually. The purpose of NASA's Title IX compliance reviews is to ensure that educational programs receiving NASA funding are providing equal opportunities for program elements, from classroom and lab participation, to financial assistance, advising, testing, physical safety, and overall academic environment. Students perceptions and experiences in all of these areas are critical to NASA's Title IX assessment.</p>	
<p>DISCLOSURE: Providing information on this information collection is voluntary. There will be no effort to trace any information back to an individual. There is no penalty if you choose not to respond. However, maximum participation is encouraged so that data will be complete and representative. Also, since your answers cannot be traced to you we encourage you to be as open and honest as possible, even if you feel what you need to say may be interpreted as negative in some way. All information you provide will be helpful in this mission.</p>	
<p>STATEMENT OF RISK: The data collection procedures are not expected to involve any risk or discomfort to you. The only risk to you is accidental or unintentional disclosure of any identifying data you provide. However, NASA has a number of policies and procedures to ensure that data are kept anonymous and protected. If you have any questions about this information collection, please contact: Dr. Lakshmi Sankar (lakshmi.sankar@aerospace.gatech.edu or 404-894-3014).</p>	
<p>INSTRUCTIONS: Please click on "Next" to continue. Choosing the "Save" button will save your responses should you need to revisit the survey at a later time to finish, but the "Save" button will not submit your survey responses. To submit your final survey responses, at the end of the survey choose the "Finish" button - you will not be able to return to the survey or change any responses after you select the "Finish" button. Once the survey is submitted, you will be directed to the Official NASA Website.</p>	

SURVEY ADMINISTRATION

SURVEY ADMINISTRATION:	NSSC, using Inquiste v9
ANNOUNCEMENT:	September 17th
INVITATION:	September 19th, 2285 SDSM&T students
REMINDERS:	September 25th, October 1st
SURVEY CLOSES:	October 9th
RESPONSE RATE:	24% (408 surveys submitted, 150 surveys incomplete)
SURVEY CONTENT	
REPORT CONTENT:	* 33 Survey Questions: Scale Ratings, Multiple Choice, and Comment
	Q1-6 Program Climate
	Q7-18 Gender Discrimination/Harassment
	Q19-24 Campus Safety
	Q25-33 General Background Questions
* COMMENTS	

SURVEY IN A NUTSHELL

- * Overall, close to two-thirds or more of students taking the survey reported a positive climate at SDSM&T, reporting positive (Often, Very Often/Almost Always) support and interaction with faculty and fellow students. A lower percent of students reported receiving career encouragement from their fellow students or TAs.

Female respondents were more likely than male respondents to indicate they work cooperatively with other students on course assignment and tend to discuss ideas with classmate.

- * Overall, approximately two-thirds or more of respondents reported sexual discrimination or harassment behaviors as happening never or once or twice and only one percent of respondents identified the behaviors as sexual harassment. Incidents involved fellow students and few (1%, n=4) involved faculty. Few respondents (n=2) indicated that they reported an incident of gender discrimination/sexual harassment.

Males were more likely to report never experiencing these behaviors, and that they would report gender discrimination or sexual harassment to campus security; Females were more likely to describe incidents as involving fellow students; Females were also more likely to indicate they would not report because they didn't know how, felt uncomfortable, didn't think anything would be done, or they thought they would not be taken seriously.

- * Three percent or less of students indicated experiencing any of the uninvited behaviors queried in the survey, indicated the behaviors were by other students, and did not feel in danger of sexual assault. Less than twenty percent of students reported some extent of concern for personaly safety in dorms or sleeping areas, while approxiamtely one third indicated concern for off-campus, non-University sponsored events. Over a quarter percent of students felt that physical safety had become more of a problem since they entered the program.

Males were more likely to report they did not experience any uninvited behaviors and that they were not concerned about their physical safety; Females were more likely to indicate experiencing unwanted gender behaviors, that some behaviors involved fellow students, and to indicate that some of the behaviors were sexual harassment, but they did not feel in danger of harm or sexual assault. Female respondents were also more likely to indicate they are concerned for physical safety on and off campus (including dorms).

- * Not all respondents provided demographic information (73%, n=405). Percents reported were based on the entire pool of respondents (n=558) to keep this in perspective. Over half of the students reported they were not married; just under three-quarter percent did not have children; almost two-thirds were under the age of 30, White, not Hispanic/Latino/Spanish Origin, or undergraduates. Half of the respondents taking the survey indicated they were Male.
 - * Some respondents mentioned that they are fearful in areas surrounding campus, off-campus housing especially to the West of campus. There was mention of homeless and drunken individuals or vagrants wandering onto campus. Some students also mentioned walking from dorms or the stadium at night is dangerous. When mentioning sexual harassment or discrimination, some commented that women are given favored treatment and waived from some course responsibilites to encourage them to stay in the program - while others mentioned that the school doesn't have appropriate facilites for women since the campus was initially built for men. Some mentioned there should be more women in STEM fields and that they have never witnessed any type of harassment or discrimination.
-

SUMMARY SURVEY RESPONSES

(Percents are calculated from total of those surveyed (N=558; Gender comparison percents are from those that responded to that question)

Note: shading indicates statistically significant difference (Z-test) at p<.05

PROGRAM CLIMATE

1. For the following items, please select the choice that best reflects how often you have experienced the following activities or experiences associated with this program.

a. I work cooperatively with other students on course assignments.

{Choose one}

- | | |
|-------------|--------------------------|
| 23% (n=127) | Very Often/Almost Always |
| 33% (n=185) | Often |
| 23% (n=130) | Occasionally |
| 01% (n=8) | Never |

MALE		FEMALE	
24%	67	34%	43
43%	120	38%	48
31%	87	26%	32
02%	5	02%	2

b. There is a level of competition among students in this class that makes me uncomfortable.

{Choose one}

- | | |
|-------------|--------------------------|
| 02% (n=11) | Very Often/Almost Always |
| 04% (n=20) | Often |
| 28% (n=158) | Occasionally |
| 46% (n=258) | Never |

MALE		FEMALE	
03%	7	02%	3
04%	11	06%	7
33%	92	38%	48
61%	169	54%	67

c. I am encouraged to show how a particular course concept can be applied to an actual problem or situation.

{Choose one}

- | | |
|-------------|--------------------------|
| 22% (n=125) | Very Often/Almost Always |
| 40% (n=225) | Often |
| 16% (n=92) | Occasionally |
| 01% (n=5) | Never |

MALE		FEMALE	
31%	86	23%	29
49%	138	54%	67
19%	53	22%	27
01%	3	01%	1

d. I discuss ideas with my classmates (either individuals or in a group).

{Choose one}

- | | |
|-------------|--------------------------|
| 22% (n=124) | Very Often/Almost Always |
| 36% (n=202) | Often |
| 20% (n=109) | Occasionally |
| 02% (n=11) | Never |

MALE		FEMALE	
28%	79	31%	39
43%	119	48%	59
27%	76	18%	22
02%	6	03%	4

e. Instructors give me enough feedback on my work.

{Choose one}

- | | |
|-------------|--------------------------|
| 19% (n=104) | Very Often/Almost Always |
| 40% (n=224) | Often |
| 19% (n=108) | Occasionally |
| 02% (n=10) | Never |

MALE		FEMALE	
24%	67	26%	33
49%	137	50%	62
25%	70	22%	28
02%	5	02%	2

1. For the following items, please select the choice that best reflects how often you have experienced the following activities or experiences associated with this program. (cont.)

f. Instructors treat all students with respect.

{Choose one}

52% (n=290)	Very Often/Almost Always
21% (n=119)	Often
06% (n=34)	Occasionally
01% (n=3)	Never

MALE	FEMALE
67%	186
26%	73
07%	19
00%	1
62%	78
30%	38
06%	8
01%	1

g. Instructors treat female students in the same way as male students.

{Choose one}

57% (n=317)	Very Often/Almost Always
19% (n=106)	Often
04% (n=22)	Occasionally
00% (n=2)	Never

MALE	FEMALE
76%	212
20%	56
04%	11
00%	1
61%	76
33%	41
06%	8
00%	0

h. I feel comfortable asking the instructors questions in their classes.

{Choose one}

37% (n=205)	Very Often/Almost Always
28% (n=157)	Often
13% (n=71)	Occasionally
03% (n=14)	Never

MALE	FEMALE
49%	138
31%	88
18%	49
02%	5
40%	50
42%	53
13%	16
05%	6

i. I interact with instructors outside of class (e.g., office hours, email or discussion boards).

{Choose one}

16% (n=90)	Very Often/Almost Always
29% (n=163)	Often
32% (n=178)	Occasionally
03% (n=16)	Never

MALE	FEMALE
12%	33
22%	59
61%	165
05%	14
14%	12
25%	21
50%	42
11%	9

j. I interact with other students in my program outside of class.

{Choose one}

25% (n=142)	Very Often/Almost Always
28% (n=155)	Often
23% (n=131)	Occasionally
03% (n=18)	Never

MALE	FEMALE
33%	91
34%	95
30%	84
04%	10
36%	45
33%	41
26%	33
05%	6

k. Lab instructors treat female students in the same way as male students.

{Choose one}

56% (n=313)	Very Often/Almost Always
18% (n=103)	Often
05% (n=26)	Occasionally
00% (n=2)	Never

MALE	FEMALE
74%	206
20%	57
06%	16
00%	0
65%	81
29%	36
05%	6
01%	1

1. For the following items, please select the choice that best reflects how often you have experienced the following activities or experiences associated with this program. (cont.)

I. I have sufficient access to lab equipment relative to other students in the lab.

{Choose one}

- | | |
|----------------|--------------------------|
| 54%
(n=300) | Very Often/Almost Always |
| 18%
(n=101) | Often |
| 06%
(n=36) | Occasionally |
| 01%
(n=6) | Never |

MALE	FEMALE
67%	187
23%	65
08%	23
01%	3
72%	89
21%	26
06%	8
01%	1

m. Male and female students have equal access to lab equipment.

{Choose one}

- | | |
|----------------|--------------------------|
| 68%
(n=380) | Very Often/Almost Always |
| 10%
(n=55) | Often |
| 01%
(n=5) | Occasionally |
| 00%
(n=1) | Never |

MALE	FEMALE
88%	245
10%	29
01%	3
00%	0
83%	103
16%	20
01%	1
00%	0

n. Lab responsibilities are shared equally among lab group members.

{Choose one}

- | | |
|----------------|--------------------------|
| 46%
(n=254) | Very Often/Almost Always |
| 28%
(n=158) | Often |
| 04%
(n=25) | Occasionally |
| 01%
(n=4) | Never |

MALE	FEMALE
60%	165
34%	94
06%	18
00%	0
52%	64
43%	53
03%	4
02%	2

2. How frequently have each of the following persons encouraged you to continue in your major or increased your initial enthusiasm for your major?

a. Professors in my program

{Choose one}

- | | |
|----------------|--------------------------|
| 37%
(n=205) | Very Often/Almost Always |
| 26%
(n=146) | Often |
| 13%
(n=71) | Occasionally |
| 03%
(n=16) | Never |

MALE	FEMALE
44%	124
35%	98
18%	50
03%	8
51%	64
31%	39
14%	17
04%	5

b. My fellow students

{Choose one}

- | | |
|----------------|--------------------------|
| 20%
(n=109) | Very Often/Almost Always |
| 34%
(n=192) | Often |
| 19%
(n=107) | Occasionally |
| 05%
(n=27) | Never |

MALE	FEMALE
23%	65
44%	123
26%	74
06%	18
29%	36
40%	50
25%	31
06%	7

2. How frequently have each of the following persons encouraged you to continue in your major or increased your initial enthusiasm for your major? (cont.)

c. My teaching assistants (TAs)

{Choose one}

- | |
|------------------------------------------------------------------------------------------------------------------------------|
| 11% (n=64) Very Often/Almost Always
25% (n=138) Often
25% (n=139) Occasionally
15% (n=86) Never |
|------------------------------------------------------------------------------------------------------------------------------|

	MALE	FEMALE	
14%	38	17%	21
33%	90	31%	38
34%	93	31%	37
20%	54	21%	25

d. Members of my family

{Choose one}

- | |
|------------------------------------------------------------------------------------------------------------------------------|
| 39% (n=219) Very Often/Almost Always
22% (n=124) Often
12% (n=66) Occasionally
04% (n=21) Never |
|------------------------------------------------------------------------------------------------------------------------------|

	MALE	FEMALE	
47%	130	59%	72
32%	89	23%	28
17%	46	13%	16
05%	13	05%	6

e. A mentor (student or professional) assigned to me

{Choose one}

- | |
|--------------------------------------------------------------------------------------------------------------------------------|
| 18% (n=101) Very Often/Almost Always
20% (n=113) Often
18% (n=103) Occasionally
19% (n=107) Never |
|--------------------------------------------------------------------------------------------------------------------------------|

	MALE	FEMALE	
22%	60	26%	32
29%	78	21%	26
24%	65	30%	36
25%	69	23%	28

f. An informal mentor, not assigned to me

{Choose one}

- | |
|------------------------------------------------------------------------------------------------------------------------------|
| 20% (n=111) Very Often/Almost Always
23% (n=131) Often
16% (n=87) Occasionally
17% (n=97) Never |
|------------------------------------------------------------------------------------------------------------------------------|

	MALE	FEMALE	
24%	67	30%	36
31%	86	30%	36
21%	57	22%	27
24%	65	18%	22

g. Other

{Choose one}

- | |
|-----------------------------------------------------------------------------------------------------------------------------|
| 14% (n=77) Very Often/Almost Always
17% (n=97) Often
19% (n=104) Occasionally
16% (n=91) Never |
|-----------------------------------------------------------------------------------------------------------------------------|

	MALE	FEMALE	
22%	53	19%	20
25%	61	27%	28
29%	70	26%	27
24%	58	27%	28

3. For the following items, please select the choice that best indicates the extent (if any) to which you may have changed in any of the areas as a result of being in this program:

a. My confidence that this major was the right choice for me has...

{Choose one}

30% (n=166)	Increased Greatly
24% (n=135)	Increased Somewhat
14% (n=79)	Not Changed
08% (n=44)	Decreased Somewhat
01% (n=7)	Decreased Greatly

MALE	FEMALE
39%	108
32%	90
18%	51
09%	26
01%	4
	02%
	3

b. The likelihood I will continue in this program has...

{Choose one}

34% (n=188)	Increased Greatly
20% (n=109)	Increased Somewhat
20% (n=111)	Not Changed
04% (n=21)	Decreased Somewhat
01% (n=4)	Decreased Greatly

MALE	FEMALE
42%	118
28%	79
25%	71
04%	11
00%	1
	02%
	2

4. What is the highest degree you expect to earn in your lifetime?

{Choose one}

16% (n=90)	Bachelor's
34% (n=187)	Master's
23% (n=129)	Doctorate

MALE	FEMALE
24%	65
44%	117
32%	86
	33%
	39

5. For each category of individuals (e.g. students, instructors) choose the number from the scale that best represents the quality of your relationships with those persons at your campus.

5 = Friendly, available - I have a sense of belonging

1 = Unfriendly, unavailable - I have sense of not belonging.

a. Male students in my department

{Choose one}

34% (n=189)	5
27% (n=152)	4
11% (n=62)	3
03% (n=15)	2
01% (n=7)	1

MALE	FEMALE
47%	130
34%	94
15%	43
03%	8
01%	4
	02%
	2

b. Female students in my department

{Choose one}

28% (n=159)	5
25% (n=138)	4
14% (n=80)	3
06% (n=33)	2
03% (n=15)	1

MALE	FEMALE
38%	106
32%	88
20%	55
06%	18
04%	12
	02%
	3

5. For each category of individuals (e.g. students, instructors) choose the number from the scale that best represents the quality of your relationships with those persons at your campus. (cont.)

c. Male faculty in my department

{Choose one}

36% (n=203)	5
28% (n=157)	4
08% (n=47)	3
03% (n=14)	2
01% (n=4)	1

MALE	FEMALE
48%	50%
37%	36%
11%	11%
04%	02%
01%	01%

d. Female faculty in my department

{Choose one}

35% (n=198)	5
25% (n=139)	4
11% (n=64)	3
03% (n=17)	2
01% (n=5)	1

MALE	FEMALE
43%	58%
34%	28%
17%	11%
05%	02%
01%	01%

6. In your department, to what extent do you feel that your suggestions or comments in the classroom are taken seriously by:

a. Male Faculty Members

{Choose one}

49% (n=271)	Often
16% (n=92)	Sometimes
04% (n=23)	Once or Twice
02% (n=9)	Never

MALE	FEMALE
71%	68%
21%	24%
06%	05%
02%	03%

b. Female Faculty Members

{Choose one}

46% (n=255)	Often
16% (n=90)	Sometimes
04% (n=24)	Once or Twice
01% (n=6)	Never

MALE	FEMALE
70%	69%
22%	24%
06%	06%
01%	02%

c. Male Student Peers

{Choose one}

41% (n=228)	Often
26% (n=144)	Sometimes
04% (n=21)	Once or Twice
01% (n=7)	Never

MALE	FEMALE
60%	54%
35%	37%
04%	07%
02%	02%

d. Female Student Peers

{Choose one}

41% (n=227)	Often
25% (n=141)	Sometimes
03% (n=18)	Once or Twice
02% (n=9)	Never

MALE	FEMALE
59%	56%
35%	38%
05%	04%
02%	02%

GENDER DISCRIMINATION/HARASSMENT

In this question you are asked about sex/gender related talk and/or behavior that was unwanted, uninvited, and in which you did not participate willingly.

7. How often while in your current program have you been in situations involving individuals in your Academic program, where one or more of these individuals (of either gender)... Mark one answer in each row.

a. Repeatedly told sexual stories or jokes that were offensive to you?

{Choose one}

- | | |
|-------------|----------------------|
| 57% (n=318) | Never |
| 10% (n=58) | Once or twice |
| 05% (n=26) | Sometimes |
| 01% (n=5) | Often |
| 01% (n=4) | Very often |

MALE		FEMALE	
85%	237	60%	75
09%	26	23%	29
05%	13	10%	13
01%	2	02%	3
00%	0	03%	4

b. Referred to people of your gender in insulting or offensive terms? (e.g., demeaning, not suited for type of work, etc.)

{Choose one}

- | | |
|-------------|----------------------|
| 57% (n=318) | Never |
| 11% (n=63) | Once or twice |
| 04% (n=23) | Sometimes |
| 01% (n=4) | Often |
| 01% (n=5) | Very often |

MALE		FEMALE	
88%	245	52%	65
09%	24	30%	38
03%	8	12%	15
00%	1	02%	3
00%	1	03%	4

c. Treated you "differently" because of your gender (e.g., mistreated, slighted, excluded, condescending, or ignored you)?

{Choose one}

- | | |
|-------------|----------------------|
| 63% (n=349) | Never |
| 08% (n=44) | Once or twice |
| 03% (n=15) | Sometimes |
| 01% (n=3) | Often |
| 00% (n=2) | Very often |

MALE		FEMALE	
94%	263	62%	77
04%	11	26%	33
01%	4	09%	11
00%	1	02%	2
00%	0	02%	2

d. Made offensive or inappropriate remarks about your appearance, body, or sexual activities?

{Choose one}

- | | |
|-------------|----------------------|
| 66% (n=370) | Never |
| 05% (n=27) | Once or twice |
| 02% (n=11) | Sometimes |
| 00% (n=2) | Often |
| 00% (n=1) | Very often |

MALE		FEMALE	
94%	260	81%	101
04%	12	12%	15
02%	5	05%	6
00%	0	02%	2
00%	0	01%	1

e. Made gestures or used body language of a sexual nature that embarrassed or offended you?

{Choose one}

- | | |
|-------------|----------------------|
| 69% (n=384) | Never |
| 03% (n=19) | Once or twice |
| 01% (n=5) | Sometimes |
| 00% (n=2) | Often |
| 00% (n=0) | Very often |

MALE		FEMALE	
97%	268	86%	107
03%	7	10%	12
01%	2	02%	3
00%	0	02%	2
00%	0	00%	0

7. How often while in your current program have you been in situations involving individuals in your Academic program, where one or more of these individuals (of either gender)... (cont.)

f. Physically threatened or intimidated you because of your gender?

{Choose one}

- | | |
|-------------|---------------|
| 72% (n=403) | Never |
| 01% (n=7) | Once or twice |
| 00% (n=0) | Sometimes |
| 00% (n=2) | Often |
| 00% (n=0) | Very often |

	MALE	FEMALE
100%	277	94%
00%	1	04%
00%	0	00%
00%	0	02%
00%	0	00%

g. Made unwanted attempts to establish a romantic sexual relationship with you despite your efforts to discourage it?

{Choose one}

- | | |
|-------------|---------------|
| 68% (n=381) | Never |
| 04% (n=21) | Once or twice |
| 01% (n=7) | Sometimes |
| 00% (n=1) | Often |
| 00% (n=2) | Very often |

	MALE	FEMALE
99%	276	78%
00%	1	15%
00%	1	05%
00%	0	01%
00%	0	02%

h. Made you feel threatened with some sort of retaliation for not being sexually cooperative?

{Choose one}

- | | |
|-------------|---------------|
| 72% (n=403) | Never |
| 01% (n=4) | Once or twice |
| 00% (n=2) | Sometimes |
| 00% (n=1) | Often |
| 00% (n=1) | Very often |

	MALE	FEMALE
100%	277	94%
00%	0	03%
00%	1	01%
00%	0	01%
00%	0	01%

i. Touched you in a way that made you feel uncomfortable?

{Choose one}

- | | |
|-------------|---------------|
| 71% (n=394) | Never |
| 03% (n=14) | Once or twice |
| 00% (n=2) | Sometimes |
| 00% (n=1) | Often |
| 00% (n=0) | Very often |

	MALE	FEMALE
99%	274	90%
01%	3	08%
00%	1	01%
00%	0	01%
00%	0	00%

j. Intentionally cornered you or leaned over you in a sexual way?

{Choose one}

- | | |
|-------------|---------------|
| 72% (n=399) | Never |
| 02% (n=10) | Once or twice |
| 00% (n=1) | Sometimes |
| 00% (n=1) | Often |
| 00% (n=1) | Very often |

	MALE	FEMALE
99%	276	92%
01%	2	06%
00%	0	00%
00%	0	01%
00%	0	01%

k. Implied better academic opportunity or better treatment if you were sexually cooperative?

{Choose one}

- | | |
|-------------|---------------|
| 73% (n=408) | Never |
| 00% (n=1) | Once or twice |
| 00% (n=1) | Sometimes |
| 00% (n=1) | Often |
| 00% (n=0) | Very often |

	MALE	FEMALE
100%	276	98%
00%	1	00%
00%	0	01%
00%	0	01%
00%	0	00%

7. How often while in your current program have you been in situations involving individuals in your Academic program, where one or more of these individuals (of either gender)... Mark one answer in each row. (cont.)

i. Attempted to have sex with you without your consent or against your will?

{Choose one}

- | | |
|-------------|---------------|
| 73% (n=410) | Never |
| 00% (n=1) | Once or twice |
| 00% (n=0) | Sometimes |
| 00% (n=1) | Often |
| 00% (n=0) | Very often |

	MALE	FEMALE
100%	277	99% 124
00%	1	00% 0
00%	0	00% 0
00%	0	01% 1
00%	0	00% 0

m. Other unwanted gender-related behavior?

{Choose one}

- | | |
|-------------|---------------|
| 70% (n=392) | Never |
| 01% (n=7) | Once or twice |
| 00% (n=2) | Sometimes |
| 00% (n=1) | Often |
| 00% (n=1) | Very often |

	MALE	FEMALE
99%	270	94% 114
01%	2	04% 5
00%	1	01% 1
00%	0	01% 1
00%	0	00% 0

Please identify and explain "Other unwanted gender-related behavior".

[SEE COMMENTS]

8. How many of the behaviors listed in the previous question, that you marked as happening to you, do you consider to have been sexual harassment?

{Choose one}

- | | |
|-------------|--------------------------------------------------------------|
| 52% (n=289) | Does not apply, I marked "NEVER" for all items <Skip to |
| 01% (n=5) | Some were sexual harassment |
| 03% (n=17) | Some were sexual harassment, some were not sexual harassment |
| 19% (n=107) | None were sexual harassment |

	MALE	FEMALE
81%	227	42% 52
01%	2	02% 3
01%	2	12% 15
18%	49	44% 55

9. Which of the following individuals were involved in the behaviors you reported experiencing?

{Choose one}

- | | |
|------------|---------------------------------------------|
| 01% (n=4) | Some involved faculty members |
| 17% (n=95) | Some involved fellow students in my program |
| 00% (n=2) | Some involved campus staff |
| 03% (n=17) | Choose not to reply |
| 01% (n=8) | Other <please specify> |

	MALE	FEMALE
04%	2	03% 2
67%	35	83% 60
04%	2	00% 0
17%	9	10% 7
08%	4	04% 3

10. To what extent would you feel comfortable ...

a. Reporting gender discrimination?

{Choose one}

- | | |
|-------------|-------------------|
| 18% (n=100) | Very large extent |
| 18% (n=102) | Large extent |
| 19% (n=108) | Moderate extent |
| 12% (n=67) | Small extent |
| 05% (n=30) | Not at all |

	MALE	FEMALE
25%	69	23% 28
26%	73	23% 28
27%	75	25% 31
14%	38	23% 29
08%	22	06% 8

10. To what extent would you feel comfortable. (cont.)

b. Reporting sexual harassment?

{Choose one}

- | | |
|-------------|--------------------------|
| 25% (n=137) | Very large extent |
| 18% (n=102) | Large extent |
| 16% (n=89) | Moderate extent |
| 08% (n=47) | Small extent |
| 06% (n=31) | Not at all |

MALE		FEMALE	
32%	87	38%	47
27%	75	21%	26
23%	64	19%	23
10%	27	16%	20
08%	23	06%	8

c. Stepping in to stop a situation of gender discrimination?

{Choose one}

- | | |
|-------------|--------------------------|
| 23% (n=126) | Very large extent |
| 19% (n=106) | Large extent |
| 19% (n=108) | Moderate extent |
| 07% (n=39) | Small extent |
| 04% (n=25) | Not at all |

MALE		FEMALE	
33%	91	26%	32
27%	75	24%	30
24%	66	33%	40
09%	24	12%	15
07%	19	05%	6

d. Stepping in to stop a situation of sexual harassment?

{Choose one}

- | | |
|-------------|--------------------------|
| 29% (n=163) | Very large extent |
| 22% (n=123) | Large extent |
| 12% (n=69) | Moderate extent |
| 05% (n=28) | Small extent |
| 04% (n=23) | Not at all |

MALE		FEMALE	
41%	114	37%	45
31%	86	30%	37
15%	41	21%	26
06%	18	08%	10
06%	18	04%	5

e. Pointing out to someone that they have "crossed the line" with gender-related comments behavior.

{Choose one}

- | | |
|-------------|--------------------------|
| 26% (n=144) | Very large extent |
| 20% (n=111) | Large extent |
| 16% (n=90) | Moderate extent |
| 07% (n=38) | Small extent |
| 04% (n=21) | Not at all |

MALE		FEMALE	
35%	96	36%	44
29%	81	24%	29
21%	58	25%	31
09%	25	11%	13
05%	15	05%	6

11. If you experienced/witnessed gender discrimination/sexual harassment in your program, how would you react?

{Choose one}

- | | |
|-------------|---------------------------------------------------------------------------------------------|
| 03% (n=16) | I would not interfere with or report the situation |
| 34% (n=190) | I would directly confront the individual to identify their behavior as inappropriate |
| 13% (n=70) | I would wait and confront the individual at another time |
| 20% (n=109) | I would report the behavior to a responsible official |
| 04% (n=24) | Other |

MALE		FEMALE	
04%	10	05%	6
49%	136	41%	51
19%	52	15%	18
24%	68	31%	38
05%	13	09%	11

12. If you decided to report a gender discrimination/sexual harassment incident, who would you report the incident to?

{Choose all that apply}

- 54% (n=303) Faculty member
- 27% (n=148) Campus Security
- 30% (n=167) Campus Staff
- 09% (n=49) Teacher Assistant (TA)
- 26% (n=145) Student Affairs
- 16% (n=91) EO Office (Title IX Coordinator, Discrimination Complainants Mgr, etc.)
- 10% (n=54) Ombudsman (University Mediator, Dispute Resolution Officer, etc.)
- 04% (n=24) Other <please specify>

	MALE	FEMALE	
75%	210	70%	88
39%	108	28%	35
39%	109	45%	56
14%	39	08%	10
36%	100	34%	43
25%	69	18%	22
15%	43	09%	11
05%	15	07%	9

13. Have you reported any incidents of gender discrimination/sexual harassment while attending this program?

{Choose one}

- 00% (n=2) Yes
- 74% (n=412) No <Skip to Q17>

	MALE	FEMALE	
00%	0	02%	2
100%	280	98%	123

14. Who did you report the incident to?

{Choose all that apply}

- 50% (n=1) Faculty member
- 00% (n=0) Campus Security
- 50% (n=1) Campus Staff
- 00% (n=0) Teacher Assistant (TA)
- 00% (n=0) Student Affairs
- 00% (n=0) EO Office (Title IX Coordinator, Discrimination Complainants Mgr, etc.)
- 00% (n=0) Ombudsman (University Mediator, Dispute Resolution Officer, etc.)
- 00% (n=0) Other <please specify>

15. How satisfied were you with the outcome of your report?

{Choose one}

- 50% (n=1) Very Satisfied
- 00% (n=0) Satisfied
- 50% (n=1) Neither satisfied nor dissatisfied
- 00% (n=0) Dissatisfied
- 00% (n=0) Very dissatisfied

16. Please provide any comments on your reporting process and outcome.

[SEE COMMENTS]

17. What are your reasons for not reporting an incident of gender discrimination or sexual harassment?

{Choose all that apply}

- 14% (n=77) I thought it was not important enough to report.
- 06% (n=35) I did not know how to report.
- 07% (n=40) I felt uncomfortable making a report.
- 16% (n=89) I took care of it myself.
- 05% (n=27) I did not think anything would be done.
- 03% (n=19) I thought I would not be believed (or taken seriously).
- 05% (n=26) I thought reporting would take too much time and effort.
- 03% (n=15) I thought I would be labeled a troublemaker.
- 02% (n=13) I thought my evaluations or chances for professional advancement would suffer.
- 05% (n=27) I feared some form of retaliation.
- 03% (n=18) I did not want people gossiping about me.
- 03% (n=17) I felt shame/embarrassment.
- 02% (n=12) I thought I would be blamed for the incident.
- 02% (n=12) I thought it would hurt my reputation and standing.
- 03% (n=16) I did not want to hurt the offender's career.
- 21% (n=117) Other <please specify>

[SEE COMMENTS]

	MALE	FEMALE
17%	48	23%
06%	17	14%
06%	18	18%
19%	54	26%
04%	10	14%
03%	8	09%
05%	15	08%
03%	7	06%
03%	8	04%
06%	16	09%
03%	8	08%
02%	5	10%
03%	7	04%
03%	8	03%
04%	10	05%
32%	89	22%

18. In your opinion, has sexual harassment become more or less of a problem in your program since you entered this program?

{Choose one}

- 34% (n=188) Less of a problem
- 38% (n=212) About the same
- 00% (n=1) More of a problem

	MALE	FEMALE
49%	134	41%
51%	139	58%
00%	0	01%

CAMPUS SAFETY

19. Since you started this program, has someone in your program, including students, staff, or faculty, engaged in the following unwanted and uninvited behaviors?

a. Followed or spied on you in public areas (e.g., in the library or while off Academy grounds)

{Choose one}

00% (n=0)

Yes, and I felt in danger of physical harm or sexual assault

03% (n=14)

Yes, but I did not feel in danger of physical harm or sexual assault

70% (n=393)

No

	MALE	FEMALE	
00%	0	00%	0
01%	3	09%	11
99%	276	91%	113

b. Spied on you in private areas (e.g., watched you while you were changing clothes or showering)

{Choose one}

00% (n=0)

Yes, and I felt in danger of physical harm or sexual assault

00% (n=1)

Yes, but I did not feel in danger of physical harm or sexual assault

73% (n=406)

No

	MALE	FEMALE	
00%	0	00%	0
00%	1	00%	0
100%	277	100%	125

c. Showed up at places where you were even though he/she had no reason

{Choose one}

00% (n=0)

Yes, and I felt in danger of physical harm or sexual assault

02% (n=12)

Yes, but I did not feel in danger of physical harm or sexual assault

71% (n=394)

No

	MALE	FEMALE	
00%	0	00%	0
01%	4	06%	8
99%	273	94%	117

d. Left unwanted items for you to find (e.g., gifts or other items)

{Choose one}

00% (n=0)

Yes, and I felt in danger of physical harm or sexual assault

01% (n=6)

Yes, but I did not feel in danger of physical harm or sexual assault

72% (n=401)

No

	MALE	FEMALE	
00%	0	00%	0
01%	2	03%	4
99%	277	97%	120

e. Stood outside or hung around your dorm room or classroom even though he/she had no reason to be there

{Choose one}

00% (n=1)

Yes, and I felt in danger of physical harm or sexual assault

03% (n=15)

Yes, but I did not feel in danger of physical harm or sexual assault

70% (n=392)

No

	MALE	FEMALE	
00%	0	01%	1
02%	6	07%	9
98%	273	92%	115

CAMPUS SAFETY (cont.)

f. Vandalized or tampered with your belongings

{Choose one}

- | | |
|-------------|-----------------------------------------------------------------------------|
| 00% (n=0) | Yes, and I felt in danger of physical harm or sexual assault |
| 02% (n=9) | Yes, but I did not feel in danger of physical harm or sexual assault |
| 72% (n=399) | No |

MALE	FEMALE
00%	00%
02%	03%
98%	97%

0 0 4 121

g. Took personal items that belonged to you

{Choose one}

- | | |
|-------------|-----------------------------------------------------------------------------|
| 00% (n=1) | Yes, and I felt in danger of physical harm or sexual assault |
| 03% (n=17) | Yes, but I did not feel in danger of physical harm or sexual assault |
| 70% (n=389) | No |

MALE	FEMALE
00%	01%
03%	07%
97%	92%

0 1 9 114

h. Took your picture or videotaped you without your consent

{Choose one}

- | | |
|-------------|-----------------------------------------------------------------------------|
| 00% (n=0) | Yes, and I felt in danger of physical harm or sexual assault |
| 01% (n=8) | Yes, but I did not feel in danger of physical harm or sexual assault |
| 72% (n=399) | No |

MALE	FEMALE
00%	00%
01%	03%
99%	97%

0 0 4 121

i. Sent you unsolicited personal messages (e.g., e-mails, instant messages, sexting, notes, or letters)

{Choose one}

- | | |
|-------------|-----------------------------------------------------------------------------|
| 00% (n=2) | Yes, and I felt in danger of physical harm or sexual assault |
| 02% (n=13) | Yes, but I did not feel in danger of physical harm or sexual assault |
| 70% (n=391) | No |

MALE	FEMALE
00%	02%
02%	06%
98%	92%

0 2 8 115

j. Posted on Facebook, Twitter, and/or other social media

{Choose one}

- | | |
|-------------|-----------------------------------------------------------------------------|
| 00% (n=0) | Yes, and I felt in danger of physical harm or sexual assault |
| 04% (n=22) | Yes, but I did not feel in danger of physical harm or sexual assault |
| 69% (n=385) | No |

MALE	FEMALE
00%	00%
03%	12%
97%	88%

0 0 15 110

k. Made unsolicited personal phone calls to you

{Choose one}

- | | |
|-------------|-----------------------------------------------------------------------------|
| 00% (n=1) | Yes, and I felt in danger of physical harm or sexual assault |
| 02% (n=9) | Yes, but I did not feel in danger of physical harm or sexual assault |
| 71% (n=396) | No |

MALE	FEMALE
00%	00%
02%	03%
98%	97%

1 0 4 120

CAMPUS SAFETY (*cont.*)

I. Other

{Choose one}

00% (n=0)	Yes, and I felt in danger of physical harm or sexual assault
00% (n=1)	Yes, but I did not feel in danger of physical harm or sexual assault
63% (n=350)	No

Please identify and explain "Other".

[SEE COMMENTS]

20. Which of the following individuals were involved in the behaviors your reported?

{Choose one}

63% (n=353)	Does not apply, I marked 'No' for all items.
00% (n=1)	Some involved faculty members.
08% (n=47)	Some involved fellow students in my program.
00% (n=1)	Some involved campus staff.

MALE	FEMALE
93%	258
00%	1
06%	16
00%	1
75%	93
00%	0
25%	31
00%	0

21. To what extent are you concerned about your physical safety in the following locations?

a. On campus grounds, in dormitory/living and sleeping area

{Choose one}

01% (n=6)	Very large extent
01% (n=7)	Large extent
03% (n=19)	Moderate extent
04% (n=25)	Small extent
41% (n=231)	Not at all

MALE	FEMALE
01%	2
01%	2
05%	10
06%	13
87%	181
05%	4
06%	5
11%	9
15%	12
62%	49

b. On campus grounds, not in dormitory/living and sleeping area

{Choose one}

02% (n=9)	Very large extent
01% (n=8)	Large extent
05% (n=28)	Moderate extent
11% (n=62)	Small extent
47% (n=262)	Not at all

MALE	FEMALE
01%	3
00%	1
04%	11
13%	32
81%	202
05%	6
06%	7
14%	17
25%	29
50%	59

c. Off campus grounds, at off-campus dormitory/housing/living location

{Choose one}

01% (n=8)	Very large extent
02% (n=11)	Large extent
08% (n=43)	Moderate extent
10% (n=57)	Small extent
35% (n=193)	Not at all

MALE	FEMALE
01%	2
02%	4
11%	24
19%	40
67%	140
06%	6
07%	7
19%	19
17%	17
51%	51

21. To what extent are you concerned about your physical safety in the following locations? (cont.)

d. Off campus grounds, at a University-sponsored event

{Choose one}

- | | |
|-------------|--------------------------|
| 01% (n=7) | Very large extent |
| 01% (n=7) | Large extent |
| 04% (n=21) | Moderate extent |
| 09% (n=52) | Small extent |
| 48% (n=268) | Not at all |

MALE		FEMALE	
01%	2	04%	5
00%	1	05%	6
05%	13	07%	8
13%	31	19%	21
80%	193	65%	73

e. Off campus grounds, not at a University-sponsored event

{Choose one}

- | | |
|-------------|--------------------------|
| 02% (n=11) | Very large extent |
| 03% (n=14) | Large extent |
| 11% (n=59) | Moderate extent |
| 17% (n=93) | Small extent |
| 35% (n=193) | Not at all |

MALE		FEMALE	
02%	4	06%	7
03%	8	05%	6
12%	31	24%	28
24%	61	28%	32
59%	148	37%	43

22. In your opinion, has physical safety become more or less of a problem on campus since you entered this program?

{Choose one}

- | | |
|-------------|-----------------------------|
| 27% (n=153) | a. Less of a problem |
| 41% (n=226) | b. About the same |
| 03% (n=16) | c. More of a problem |

MALE		FEMALE	
43%	116	29%	36
54%	146	65%	80
03%	9	06%	7

23. Please provide further detail on any situation or location on or near campus grounds where you are concerned for your physical safety:

[SEE COMMENTS]

24. Please share any further comments you may have on your social or academic experiences involving gender discrimination, sexual harassment, or physical safety while attending this program.

[SEE COMMENTS]

GENERAL BACKGROUND

The following section asks questions on demographic information such as marital status, gender, race/ethnicity and age. This information will not be used to identify any individual and will only be used to describe the overall total respondents and for possible comparison across different groups. No group will be reported if there is any chance an individual could be identified.

25. What is your current marital status?

{Choose one}

- | | |
|-------------|--------------------------------------------------|
| 09% (n=50) | Married and living with spouse |
| 01% (n=5) | Married and not living with spouse |
| 00% (n=0) | Legally separated |
| 01% (n=6) | Divorced |
| 00% (n=1) | Widowed |
| 04% (n=24) | Not married-living with significant other |
| 57% (n=318) | Not married |

MALE		FEMALE	
14%	39	09%	11
01%	2	02%	3
00%	0	00%	0
01%	2	03%	4
00%	0	01%	1
04%	11	10%	13
81%	225	74%	92

26. Do you have any children under the age of 18?

{Choose all that apply}

- | | |
|-------------|------------|
| 72% (n=350) | No |
| 07% (n=41) | Yes |

MALE		FEMALE	
89%	250	90%	113
11%	30	09%	11

27. Have you ever requested family leave?

{Choose one}

- | | |
|-------------|-------------------------------------------------------------------------------|
| 02% (n=12) | Yes, and it was granted. |
| 00% (n=1) | Yes, and it was not granted. |
| 01% (n=6) | No, I did not make a request for family leave even though I needed to. |
| 70% (n=389) | No, I never made a request and have not needed family leave. |

MALE		FEMALE	
03%	9	02%	3
00%	1	00%	0
00%	1	04%	5
96%	269	94%	117

If you requested family leave and it was not granted, or did not feel comfortable applying for family leave when you actually needed it, please provide further detail:

[SEE COMMENTS]

28. Gender:

{Choose one}

- | | |
|-------------|---------------|
| 50% (n=280) | Male |
| 22% (n=125) | Female |

GENERAL BACKGROUND (cont.)

29. Age: <enter actual age>

{Enter text answer}

- | | |
|-------------|-------|
| 26% (n=144) | <20 |
| 29% (n=161) | 20-24 |
| 08% (n=44) | 25-29 |
| 04% (n=22) | 30-34 |
| 05% (n=28) | 35+ |

MALE		FEMALE	
39%	109	28%	35
37%	104	45%	56
10%	29	12%	15
06%	16	05%	6
06%	17	09%	11

30. Ethnicity:

{Choose one}

- | | |
|-------------|---------------------------------------------|
| 02% (n=9) | <i>Hispanic, Latino, Spanish Origin</i> |
| 69% (n=386) | <i>Not Hispanic, Latino, Spanish Origin</i> |

MALE		FEMALE	
01%	4	04%	5
99%	270	96%	116

31. Race: <select all that apply>

{Choose all that apply}

- | | |
|-------------|--------------------------------------|
| 65% (n=362) | <i>White</i> |
| 01% (n=6) | <i>Black/African American</i> |
| 04% (n=24) | <i>Asian</i> |
| 01% (n=3) | <i>Native HI/Pacific Islander</i> |
| 02% (n=13) | <i>American Indian/Alaska Native</i> |
| 02% (n=11) | <i>Other <please specify></i> |

MALE		FEMALE	
89%	250	90%	112
01%	2	03%	4
06%	18	05%	6
01%	2	01%	1
03%	9	03%	4
04%	10	01%	1

32. Current Status:

{Choose one}

- | | |
|-------------|-------------------------------------|
| 60% (n=337) | <i>Undergraduate</i> |
| 07% (n=41) | <i>Graduate - Master's</i> |
| 04% (n=24) | <i>Graduate - Doctoral</i> |
| 00% (n=) | <i>Research Fellow</i> |
| 00% (n=1) | <i>Other <please specify></i> |

MALE		FEMALE	
84%	235	82%	101
09%	26	12%	15
06%	17	06%	7
00%	0	00%	0
00%	1	00%	0

33. Academic Major:

{Enter text answer}

- | | |
|-------------|----------------------------------|
| 10% (n=58) | <i>Chemical/Biological</i> |
| 06% (n=34) | <i>Computer Science/Math</i> |
| 06% (n=31) | <i>Electrical Engineering</i> |
| 06% (n=32) | <i>Geology</i> |
| 14% (n=79) | <i>Mechanical Engineering</i> |
| 58% (n=324) | <i>Other Engineering/Science</i> |

34. Survey Completion Status (38% Response Rate):

- | | |
|-------------|--------------------|
| 27% (n=150) | <i>In progress</i> |
| 73% (n=408) | <i>Completed</i> |

MALE		FEMALE	
00%	0	00%	0
100%	280	100%	125

NASA Title IX External Compliance Survey: COMMENTS

7. How often while in your current program have you been in situations involving individuals in your Academic program, where one or more of these individuals (of either gender)...

- A male professor once interrupted a female professor's class for about two minutes to talk about how
1 'great' she was. Her response seemed like it was expected behavior from him, so I emailed him
anonymously and asked him to stop. This was back in 2005.
- 2 I am gay. All of the offense has stemmed from that.
- 3 I feel that women are favored more than men simply because there are less of them on campus.
- 4 I think the biggest issue I've encountered is jokes about women not belonging in the workforce, much
less a workforce so dominated by men, such as engineering.
My advisor has women do most of the work and allows men to slack off. Women are not credited for
5 their work, and are expected to do 5X the work that is expected from the men. Funding also appears
to be somewhat skewed.
- 6 people assume that i don't know what i am doing sometimes because i am a girl. this happens a lot
with the new guys at the school but they learn fast that this is not the case.
-

9. Which of the following individuals were involved in the behaviors you reported experiencing?

- 1 Faculty & Students
- 2 Friends
- I'm an adult and I do not allow or elicit such remarks to offend me. I can't change others and I'm not
3 going to. I can however take care of situations that may be offensive in a proper and professional
manner.
- 4 other students in different programs
- 5 students in other programs
- 6 Students on campus
- 7 The people who live next to me on my floor
-

11. If you experienced/witnessed gender discrimination/sexual harassment in your program, how would you react?

- 1 b and d
- 2 b and d, I would stop the action and then report to officials
- 3 c. and d.
- 4 confront if a student , report if a faculty member - if it seemed serious
- 5 Depends on how clear and extreme the discrimination/harassment is.
- 6 Depends on the authority of the personnel and the situation at the time
- 7 Depends on the situation (ie. time, place, audience, etc.)
Depends on the situation. If there were cause for immediate action, I would directly confront the
- 8 individual to protect the victim. If the situation was milder I may confront them at another time, or
report to responsible official depending on my comfort
- 9 either A or D
- 10 I am unsure who to report it to and the effect it would have on my graduation.
- 11 I judge and think lessly of the person discriminating or harrassing.
- 12 i would call them out on it and type a report and give it to their boss.

- 13 I would chose B or D depending on the exact situation.
 - 14 I would determine which action needed to be taken depending on the situation.
 - 15 I would indicate that the behavior was inappropriate; if the behavior continues, I would report it to a responsible official.
 - 16 I would tell the person that their actions are unwelcome at our school and that if they did not stop that I would take up action with the instructor or someone from the school.
 - 17 I would wait to see if things got better, and if not, then I would talk to someone.
 - 18 I'd probably just ask people on the internet how to respond. I'm unfortunately quite shy.
 - 19 I'd resort to option B and if that didn't work I would take action of option D
 - 20 If it involved another girl, I would step in.
 - 21 It would depend on how bad the discrimination or harassment was. Or is the harasser was someone I knew. I would likely use B, C, and or D
 - 22 sex in school of mines? are you kidding me?
 - 23 Talk to the person being harassed before confronting the other individual.
 - 24 Who knows? It's not like it happens in front of other people anyways.
-

12. If you decided to report a gender discrimination/sexual harassment incident, who would you report the incident to?

- 1 I would look it up on the school website.
 - 2 all of the above and if needed, the police
 - 3 Dean Mahon
 - 4 dean of students
 - 5 Dean of Students
 - 6 Dean of Students Office
 - 7 Department Head
 - 8 Fellow students
 - 9 I would go right to the president of the school.
 - 10 i would report to my Boss Becky Cornell the Palmerton and conoly Hall director and my boss
 - 11 it would depend on where it happened (closest resource)
 - 12 my lawyer
 - 13 my mother
 - 14 Pat Mahon
 - 15 Police
 - 16 RA
 - 17 RA/ Hall director
 - 18 report to the discriminator of harasser
 - 19 Resident Assistant
 - 20 Resident Attendant (RA)
 - 21 The Press if no action had been taken by the above authorities.
 - 22 To someone who could do something about it.
 - 23 unsure
-

17. What are your reasons for not reporting an incident of gender discrimination or sexual harassment?

- 1 Hard to determine if these things are actually occurring and I would feel uncomfortable potentially damaging someone's reputation for something that they did not do.
 - 2 I did not believe any incidents I observed were serious enough to warrant reporting
 - 3 I have not witnessed anything worthy of report. Classmates joking in an offensive way was very mild and did not continue.
 - 4 i will always report any sexual incident
 - 5 I would have if there was one to report.
 - 6 I would likely report it
 - 7 I wouldn't find a reason; I will definitely report and i would want the same action taken if someone harassed me as well.
 - 8 initially,directly confronting the offender can be effective.
 - 9 It is their private life. IF it is obvious that it is bad i would report it
 - 10 It was never serious enough to warrant reporting
 - 11 It was not serious enough.
 - 12 Never seen anything that needed reporting
 - 13 none have happened to the extent that needed to be reported
 - 14 Not worried about the situations entailed in this survey
 - 15 nothing has happened that required reporting
 - 16 Other than a few off-color jokes I have not witnessed an act of either gender discrimination or sexual harassment
 - 17 The only incidents I've encountered have been jokes. I've never experience sincere discrimination or harassment.
 - 18 The situation did not require a formal/informal complaint
-

89 *Never observed an incident*

19. Since you started this program, has someone in your program, including students, staff, or faculty, engaged in the following unwanted and uninvited behaviors?

- 1 I don't get why are there so many questions about the sexual harrasment... It disturbs me I received numerous (10+) phone calls from an instructor in the humanities department at the beginning of a semester of my freshman year at SDSM&T. I reported the issue to the Dean of Students (Dean Mahon). The issue was resolved immediately and I received no further correspondence (i.e., phone calls) from the individual.
 - 2 Most of these do not apply as I am an online student only and never go to the campus.
 - 3 Slanderous statements.
-

23. Please provide further detail on any situation or location on or near campus grounds where you are concerned for your physical safety:

- 1 Area near campus is a bad neighborhood. My apartment is very close to this area. There are often homeless people, etc. Nevertheless, the situation has improved since I first moved there.
- 2 Area walking between Peterson dorms and LaCroix apartments at night.
- 3 around campus there are some homes full of very non trusting people drinking and smoking at all times of the day with usually some sort of small knife being flipped up and down.
- 4 at night when drunk native americans are wandering around campus

- 5 Before the new student housing was built the area across the street was rather sketchy.
- 6 Crossing St. Joseph St when not all cars obey the crosswalk.
- 7 Days where campus was threatened but no lockdown was started.
- 8 During intramural sports activities. Individuals not associated with the school have showed up and threatened students.
- 9 General caution is applied whenever I, a female, walk alone in isolated areas as well as night time.
- 10 Homeless are always walking through campus. Some are causing trouble.
- 11 I am not concerned about my physical safety. I don't really think there are too many dangers on campus or off campus.
- 12 I am not concerned for my physical safety, and have not been. The campus seems safe to me.
I do not appreciate the type of crowd and individuals ("shady characters" if you will) who are attracted to the gas station directly north of Surbeck across St. Joseph st. Many of them make me feel uncomfortable and slightly fear for the safety of others. A particular concern is that many individuals who go to the gas station to buy alcohol who walk go directly past the ADPi sorority house.
- 13
- 14 I feel slightly less safe in any gun-free zone.
- 15 I have never been concerned about my physical safety on campus. School of Mines seems to be a safe and professional learning/work environment.
- 16 I have no concern for my safety. As the campus and the department are a very safe and friendly environment.
I live in North Rapid where I occasionally have to call the police department on domestic disturbances. This is characterized as a bad part of town, so I'm always on guard and try to be careful.
- 17
- 18 I only say about the same, because it has always been a non-issue for me as I am on-line degree student only.
I think our campus is open, well lit and I feel safe around other students but if it were late at night I would worry a bit. The surrounding neighborhoods are not very safe and I know even situations that should be safe can occasionally be dangerous.
- 19
- 20 I usually call the campus safety to drop me home (i stay really close to the college) or call my friends.
- 21 I would not trust all of the men in the city who frequent the bars downtown.
- 22 If I am around people that are not sober, I worry more for my safety than when they are sober, so I try to avoid those situations.
- 23 In general I'm more aware of what could go wrong, so I am rarely in a condition where I'm not slightly worried about safety.
- 24 In the slums west of campus, although it has gotten better since the new apartment building was built.
- 25 Incident in 2010: Walked from campus across town and was confronted by an individual with a weapon and verbal threats less than a mile from the campus. Incident was not reported.
- 26 it's rapid city
- 27 Just at night it can be a little scary.
- 28 Kansas City Street. It's a serious dive. The whole block near campus needs extreme renovation.
- 29 Later at night, there are still issues with drunk members of the public wandering onto campus, making it unsafe for certain individuals.
- 30 Location of campus and the possible walking trip downtown.
- 31 Low-income neighborhood borders the campus.

- 32 Most of the concern I have is from strangers roaming around campus late at night.
- 33 My physical safety is not an issue. I am not concerned about it as nothing happened so far.
- 34 Native Americans are the only issue locally as they walk across campus usually under the influence of alcohol.
- 35 Night in parking lot outside the stadium (yellow parking)
- 36 north rapid, when someone's following me at night
On campus at night. There are not enough call boxes and the mineral industries door closest to
- 37 parking does not usually work with the keys that are given to students (it rarely opens with the key, only when its warm out, the night janitors said their keys usually don't work either).
- 38 parking far away and walking alone at night
- 39 Parking lots since they are dark and don't offer any video surveillance.
- 40 people that don't belong on campus, walking freely and causing problems.
- 41 Rapid is just a scary place
- 42 SDSMT has a very sketchy neighbor hood around it.
- 43 Since the school is located in a sort of sketchy part of town, there's about a mile radius around the school that makes me feel unsafe.
- 44 Sketchy people living to the west
- 45 Sometimes drunk people appear around my apartment. But they don't seem very violent, and I tend to keep to my room, so I just make sure to lock my door and it's all good.
- 46 Sometimes I stay late to study with friends. My lot is on the other side of campus so I might need to walk across campus after dark alone. I just tend to be more alert and observant.
- 47 Sometimes there are people hanging around the parking lots by the football field after dark.
- 48 Student organized events that are sponsored by campus organizations do not have the safety checks and balances that they should.
- 49 The area right off campus seems dangerous to me, but the school is working with the police station to clean up the area and it has gotten better!
- 50 The Campus bought out and demolished some questionable apartments near the campus.
- 51 The construction area behind the Surbeck is a bit dangerous and dark in the evenings
- 52 The couple of blocks towards downtown
- 53 the local homeless population can be threatening
- 54 The neighborhood 3 blocks west of campus has gang bangers
- 55 The neighborhood around campus isn't exactly the safest
- 56 The neighborhood next to our campus has quite a few homeless people walking around drunk, and every few months there seems to be a shooting there so I avoid that side of campus.
- 57 the neighborhood out side of campus
- 58 The off-campus housing is in a bad part of town.
There are a number of vagrants and other questionable individuals who walk through campus, or neighborhoods adjacent to campus. I don't think there have been any reported problems ON campus, but there are issues immediately adjacent to campus. Overall, I feel there has been an increase in
- 59 domestic and related violence near campus - a shooting, stabbings, etc. Since the campus expanded west, removing an apartment where many sex offenders lived, the area has improved somewhat. However, it could still use improvement.

- 60 There are not enough security posts on campus and the ones that we have are in lousy locations. At
my last school there were posts everywhere and I new that if I pushed one someone would be there
immediately. Even if this is a smaller campus, I know that if I push an emergency button, nobody is
going to show up.
- 61 This college is in Rapid City, SD. There are a lot of individuals in the area that like to drink and
sometimes wander around campus. However, campus safety/RC Police do an excellent job at
preventing incidents like that.
- 62 Threat letter found spring 2012
- 63 Walking alone to my car in the far away parking lot at night. There's usually no one else around, but
it is still a little scary.
- 64 Walking back to campus around midnight. The school had sponsored a free movie night downtown.
We had to walk past some obviously drunk/high middle-aged men and women. They were nice
enough but I didn't like the way they were staring and asking use where we were going.
- 65 Walking from parking lots at night to the dorms, but Campus Safety is available.
- 66 Walking from the "green permit" parking section up by the King Center at night.
- 67 Walking from the stadium at night after work, by myself, is not ideal. It is uncomfortable.
- 68 Walking from yellow parking to dorm when nights get late. Solve parking problem.
- 69 Walking some of the streets at night
- 70 Walking through the neighborhood next to campus
- 71 Walking to school from my apartment on East Kansas City St
- 72 We may be in a sketchy part of town, but I've always felt safe being close to the school.
- 73 Well the roads are pretty dangerous around here. Especially with construction. Also the houses near
the campus are rented out to shady folks.
- 74 West of campus, between dorms and 3rd street, hills south west of campus
- 75 when i am walking to the car late at night. just because it is usually alone and there are alot of guys
here.
- 76 When I walk by those houses along St. Joe's, but i have never walked alone.
- 77 With all these rules, life is becoming more weird and weird.
- 78 You always have to keep your guard up. Accidents may happen and it is best to be prepared for them
if they do happen.

**24. Please share any further comments you may have on your social or academic
experiences involving gender discrimination, sexual harassment, or physical safety while
attending this program.**

- 1 All of the men and women in my program that I have had class with or from have always been very
respectful and none of that has been an issue at this campus.
- 2 Girls have always been treated better. they don't have to do anything sexual or even friendly to a
male professor or TA to get a better grade or an extension on homework. if a TA even sees a girls
name on the paper he will automatically grade her easier than anyone else and the TA doesn't even
have to know the girl. That's the way it is in the work world why should it be any different in the
academic world.
- 3 guys who are students tend to think that the girls here need more help because we are girls. this has
happened a few times.

- I believe it is important to cultivate more female engineers; my campus does well to actively recruit
- 4 women into the engineering programs. Of course that is less scholarship money for me, but diversity is essential in all fields, and more women in the engineering field will make us all stronger.
- I continually read how women are 'discriminated' against at this mostly-male campus when I continually hear that one or two have managed to have course requirements waived in order for
- 5 them to stay on schedule, and never have heard about males who have the same generosity extended to them. We are constantly made out to be the bad guys when all we are doing is just going to class everyday and, frankly, working our asses off.
- 6 I do not believe its even happening, at least with my experience.
- 7 I don't really have any further comments.
- 8 I feel like as a whole, women are favored more by faculty and get more attention simply because there are less of them, this doesn't really seem fair but isn't a huge issue either.
- I feel that my department puts way too much emphasis on retaining female students while disregarding the majority male population. This is especially true when students need the
- 9 administration to work with students' class scheduling. They are more willing to work with female students due to their under representation in the field of engineering at the expense of male students.
- 10 I feel that the South Dakota School of Mines & Technology is very welcoming to women, and does everything it can to treat all students in an equal manner.
- 11 I feel this program (and university) is overall very fair and safe.
- 12 I have experienced absolutely no harassment nor discrimination whilst attending SDSMT. I am very pleased with the friendly atmosphere on campus :)
- 13 I have experienced no incidents in any of these areas during my program, and I have heard of very few, all coming from students about other students and quickly resolved.
- 14 I have experienced NONE, and have seen NONE.
- 15 I have never really had any problem with gender discrimination at all.
- 16 I have not seen anything to suggest that personal safety would be an issue anywhere on campus.
- 17 I haven't experienced any of the mentioned harassment ever, fortunately.
- 18 I haven't had that many issues and nothing worth reporting. I've heard a faculty member joke about a gender discriminatory statement he made, but I didn't think it was a big deal or that he was serious.
- 19 I haven't seen any of it, I just don't think that this whole survey is necessary you know...
- 20 I haven't witnessed any discrimination, sexual harassment and have never felt unsafe.
- I was only made recently aware that you could call SDSM&T Security and ask for an escort across
- 21 campus. As a female who sometimes has to stay on campus late, I would have liked to have been made aware of this earlier in my college career.
- I've been in classes where I'm the only guy, I've been in several classes where there's only one or two women, I've never heard the topic brought up or anyone singled out for it. If there's any sort of
- 22 Title IX problem here, it's that there's not nearly enough STEM recruiting for female students out of high school.
- In my experience, the staff here are very conscientious about gender issues. I have never felt
- 23 uncomfortable around any of them and I find them to be aware of how things may be interpreted by others and they also make an effort to teach the students about such things.

- 24 It is my experience that the females in the Mechanical Engineering department are treated as special by most students and faculty. Women in this major are so rare that most seem to be favored if not pampered. I am not complaining nor do I feel it is discriminatory. I feel it is simply an effort to encourage more female participation in the major.
- 25 It seems to be a very safe campus. I haven't heard of any problems like this here at all.
Most student and teachers are very respectful of me as a female and I feel like I'm taen seriously.
- 26 There have been a couple of teachers who seemed to have lower respect for females but I didn't have enough interaction with them to know how much that is true.
- 27 None, my college doesn't tolerate it and neither does it happen. Except in terms of favoritism where a girl may have more leniency when it comes to homework, exams, etc.
- 28 None. Good faculty and staff with representation in departments I am associated with of both genders.
- 29 Not really a gender thing but one of the campus safety student staff members used their key card to steal another students homework. (they were both male)
- 30 on campus it does not seem to be a concern but outside of campus they have told us never to walk alone.
SDSMT is a horrible school for women because it is not built for women (for example, there is no women's bathroom on the floor that I work on). Women are expected to dress and act like men, if we dress at all like women, we are treated like outsiders. Dressing and acting like men takes more of a mental toll on us than one would think. We want to be ourselves, but find we get treated better in jeans and over-sized t-shirts with sneakers.
- 32 Some female instructors have been lacking in instruction but I believe it's more to do with inexperience, than having to deal with their gender.
- 33 Some females believe they are superior to all other males since our campus has a low female to male rate.
- 34 Some guys on campus get really lonely. They can be aggressive when want a girl friend and she isn't interested.
- 35 Someone stole my parking permit from my pick-up. I got ticketed but the people voided it and gave me a new pass free of charge.
- 36 The only issue I have encountered was with friends talking directly to me about other people in a sexually explicit way, for which I asked them not to
37 the school is a wonderful place where people sustain good efforts to make everyone comfortable gay/straight/bi woman or man. The best place to go to school
- 38 There has been only one student that I worked with practiced gender discrimination.
- 39 These items are a complete non-issue for me. The SDSMT staff I have interfaced have treated me with the utmost respect.
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27. Have you ever requested family leave?

- 1 I didn't realize there was an option for family leave when I needed it.
- 2 I figured it would postpone my studies, if it were available to complete courses online while on leave, I would've applied.
- 3 Our financial situation did not allow for less income at the time of the births of my children. I was required to go back to work as soon as was physically possible to help support my family.
- 4 Wife was in the hospital for several weeks in a different state and it resulted in me loosing my on-campus job.
-