



University of Central Florida Department of Physics

Title IX Compliance Report



Office of Diversity and Equal Opportunity
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TABLE OF CONTENTS

I. INTRODUCTION	3
A. Background.....	3
B. Objectives and Scope	3
II. COMPLIANCE REVIEW ANALYSIS	4
A. Designation of Official for Title IX Coordination and Enforcement	4
1. Compliance Assessment	4
2. Recommendations	6
3. Promising Practices	7
B. Adoption of Grievance Procedures and Policy Dissemination	7
1. Compliance Assessment	7
a. Grievance Procedures	7
b. Policy Dissemination	10
2. Recommendations	11
C. Self-Evaluation.....	12
1. Compliance Assessment	12
2. Recommendations	13
D. Recruitment, Admissions, Enrollment, Degrees Earned, and Faculty Recruitment.....	13
1. Compliance Assessment	13
a. Outreach and Recruitment	14
b. Graduate Admissions, Enrollment, and Degree Progress	15
c. Undergraduate Admissions, Enrollments, and Degree Progress	16
d. Faculty and Faculty Hires	17
2. Recommendations	18
E. Program Administration and Academic Environment.....	18
1. Compliance Assessment	18
2. Recommendations	23
3. Promising Practices	24
III. CONCLUSION	25
APPENDIX A: January 2016 Letter from NASA Administrator to NASA Grant Recipients	26
APPENDIX B: Methodology.....	28
1. Pre-onsite Review Activities	28
2. Onsite Compliance Review Activities.....	28

I. INTRODUCTION

NASA conducted a compliance review of the University of Central Florida (UCF), Department of Physics, 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-audits" 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 UCF'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 program under review; and
- Evaluate the Physics Department's provision of equal opportunity regardless of gender in the following areas of program administration: student and faculty 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), and physical safety of the program environment.

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), reenacted as 51 USC § 40909 (2011). 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 UCF and its Physics Department designed to promote gender equity, specifically to:

- Describe efforts consistent with the recommendations and focus of the July 2004 GAO report; and
- 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.

NASA's standard methodology for conducting its Title IX compliance reviews as well as a summary of the individuals interviewed during this review can be found at Appendix B.

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. In the "Yes" or "No" charts used for each section, a "Yes" answer means that compliance is generally sound on a given area. A "No" does not necessarily mean non-compliance, but does indicate a compliance issue or concern. However, the greater the number of "No" responses, or the seriousness of a single "No" response, the more likely NASA will find non-compliance on a given area. The associated recommendations are intended to strengthen existing compliance. Promising practices associated with each of the compliance areas are also reported. It should be noted that UCF was given an opportunity to respond to NASA's proposed recommendations prior to the issuance of this report. References to UCF's responsive information on NASA's draft report and recommendations are provided, as appropriate.

A. Designation of 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. NASA reviewed UCF's dissemination of contact information for its Title IX Coordinator and the extent to which faculty, staff, and students are aware of her role on campus. NASA also focused on other key aspects of Title IX coordination such as the skills and competencies needed to effectively perform the key responsibilities of administering and implementing the University'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.⁶

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

⁶ 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 regulatory provision. These additional considerations appear in DOJ's document, "Questions and Answers Regarding Title IX Procedural Requirements" (Title IX Q&A). This document is accessible at <http://www.justice.gov/crt/about/ocr/coord>TitleIXQandA.php>. More recently, in April 2015, the U.S. Department of Education (DOEd) Office for Civil Rights (OCR) offered a Dear Colleague Letter (DCL) and Resource Guide specifically addressing Title IX coordination, focusing on the authority, responsibilities, and training of Title IX Coordinators (accessible at <http://www2.ed.gov/about/offices/list/ocr/letters/colleague-201504-title-ix-coordinators.pdf> and <http://www2.ed.gov/about/offices/list/ocr/docs/dcl-title-ix-coordinators-guide-201504.pdf>). In addition, effective Title IX

Assessment Criteria: Designation of Title IX Coordinator and Effective Functioning	Yes	No
1. The University has designated a Title IX Coordinator.	X	
2. The Title IX Coordinator has notified faculty, staff, and students regarding his or her contact information (including name, office address, and telephone number).	X	
3. Departmental faculty, students, and staff are familiar with the name and/or office of the Title IX Coordinator.		X
4. The Title IX Coordinator has the appropriate skills and competencies regarding the key responsibilities of administering the University's Title IX grievance process.	X	
5. Title IX Coordinator has the authority and access to university senior leadership needed to effectively perform roles and responsibilities.	X	

Observations:

The head of the Equal Opportunity and Affirmative Action (EOAA) office, and the Title IX Coordinator of record at the time of the review, has an excellent background and clear expertise with Title IX matters, including expert knowledge of Department of Education (ED) Office for Civil Rights (OCR) "Dear Colleague Letters" (DCLs) and other guidance on effective Title IX policy and procedures. The Title IX Coordinator reports to the Chief of Staff and works closely with the Chief Compliance Officer, who reports directly to the university's President. As a direct report to the Chief of Staff and a close working associate of the Chief Compliance Officer, the Title IX Coordinator has the kind of access to top leadership envisioned by the Title IX regulatory provision creating the coordinator role. Faculty and students did not know who the Title IX coordinator was as a general rule. This is common on large campuses. Nonetheless, additional steps to publicize the Title IX Coordinator's contact information and office are recommended (see Recommendations, below).

Assessment Criteria: Provision of Title IX Training	Yes	No
1. Title IX Coordinator provides appropriate training to faculty, staff, and students.	X	
2. Students interviewed recall having had education and awareness opportunities on:		
a. Sex discrimination		X
b. Sexual harassment		X
c. Sexual assault		X
d. Implicit (unconscious) bias		X
3. If training is provided, is it mandatory?	X	
4. If training is provided, are there education and awareness modules designed to resonate with STEM students and faculty, e.g., using hypothetical examples of inappropriate conduct or actions that might occur in a STEM setting such as a lab?	X	

Observations:

It does not appear, based on interviews, that Physics graduate students (Teaching Assistants and Research Assistants) recall Title IX or related training. Efforts to better ensure that information conveyed in training "stays with" participants should be an even stronger focal point (see Recommendations, below). UCF reports it is providing mandatory training under the Campus Sexual Violence Elimination (SaVE) Act to TAs and RAs, as well as undergrads.

coordination is one of a number of key Title IX requirements addressed in OCR's April 2014 guidance, "Questions and Answers on Title IX and Sexual Violence" (April 2014 Q&A), accessible at <http://www2.ed.gov/about/offices/list/ocr/docs/qa-201404-title-ix.pdf>. This guidance clarifies and expounds on Title IX requirements in the context of addressing sexual violence, but it contains valuable guidance for compliance with a host of Title IX requirements. These are critical documents with which Title IX Coordinators should be well-versed.

2. Recommendations

a. Strategic Efforts to Enhance Contact Information Dissemination. UCF should undertake strategic efforts to better disseminate information on the Title IX Coordinator and her office – targeted to all academic departments, including the Physics and other STEM programs.

Update: UCF has informed NASA that it has developed a “Shield” Web site in part to address Title IX, specifically as it relates to sexual misconduct. The Shield site, like the EOAA office site, provides contact information for the Title IX coordinator and other resources on campus. Email communications are regularly sent to all UCF employees and student employees providing information on Title IX, the Title IX coordinator’s contact information, and a link to the Shield site. The university hired a new fulltime Title IX Coordinator in November 2015 and a fulltime Title IX student outreach and prevention specialist this spring to improve awareness of employees and students of the Title IX program and the identity of the Title IX Coordinator.

b. Enhanced Training Efforts. NASA recommends annual Title IX training more intentionally designed to resonate with the audience by using specific examples, case studies, or scenarios in settings recognizable to a STEM faculty, e.g., classroom, and lab, professional conferences. Such training should focus both on subtler forms of gender bias that can pervade STEM program environments, as well as on more egregious examples of sexual harassment. In this regard, NASA recommends utilization of its “Unconscious Bias in STEM” learning tool, accessible at: <http://missionstem.nasa.gov/eLearn.html>

NASA further recommends that the Title IX Coordinator’s office continue to work with the Physics Department to ensure that graduate students in the department performing teaching duties are trained on Title IX and related requirements under the Campus Sexual Violence Elimination (SaVE Act). In this regard, UCF reports that it has identified graduate students with classroom responsibilities and graduate students who serve in a leadership role with students as responsible employees. Since resident assistants are classified as Campus Safety Authorities (CSAs) under the Clery Act and are provided other reporting obligations, those students have also been identified to meet the responsible employee criteria.

Update: USF reports that the Title IX Coordinator has provided, and continues to provide, training to students who meet the definition of “responsible employee.” To educate the university community who do not meet the criteria of responsible employee, in addition to mandatory new employee and new student training, the university has ongoing awareness programs to bring attention to the importance of the prevention and response to incidents of sexual harassment and other forms of discrimination. UCF also reports that an email is distributed to all faculty and staff at the start of every Spring and Fall semester that reminds them and provides them a link for training on discrimination, harassment, and retaliation. Included in this training are Title IX requirements and an online quiz. Every new UCF graduate and undergraduate student is required to take online training concerning sexual assault prevention that includes the identity of the Title IX Coordinator and information about the Shield Web site. If the student does not successfully complete the training, he or she will not be able to register for classes.

3. Promising Practices

a. Coordination between Faculty and Student-Centered Efforts. Naming student rights and responsibilities director as Deputy Title IX Coordinator is an excellent means of linking the position that handles Title IX issues where a student is the alleged harasser with the position that handles allegations against faculty and staff. This helps to facilitate the needed coordination and collaboration.

b. Single Organization Devoted to Student Well-Being. Creation of a single organization whose mission is dedicated to students' physical, academic, and ethical well-being is highly progressive.

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.⁷ NASA's Title IX regulations also require grant recipients to take specific and 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 the recipient 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.⁸ UCF's compliance with regard to (a) the content of the grievance procedures and how they are implemented, and (b) policy dissemination, is discussed below.

a. Grievance Procedures

NASA's compliance assessment seeks to ensure that UCF has developed and is implementing procedures that afford a grievant "prompt and equitable" resolution of student and employee complaints alleging any action that would be prohibited by the Title IX regulations.⁹ As the regulations do not provide any further specificity regarding the procedures, NASA looked to key guidance documents from DOJ and DoEd OCR.¹⁰

These guidance documents provide additional considerations on the basic components of effective, i.e., prompt and equitable, grievance procedures in the discrimination and harassment contexts.¹¹ NASA reviews University procedures also to determine if they include several items which OCR requires and others which OCR has stated **should** be included in writing. In addition, NASA reviews how well the procedures are implemented in the Department under review.

⁷ Designation of responsible employee and adoption of grievance procedures, 14 C.F.R. § 1253.135(b).

⁸ Dissemination of policy, 14 C.F.R. § 1253.140.

⁹ 14 C.F.R. § 1253.135(b).

¹⁰ These include the following: 1) DOJ Title IX Q&A and OCR's 2) Revised Sexual Harassment Guidance, 3) April 2011 "Dear Colleague" letter (DCL) on sexual violence, and 4) April 2014 Q&A.

¹¹ DOJ 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 DOJ, Title IX Q&A, "Grievance Procedures."

Assessment Criteria: Grievance Procedures As Written – Required by OCR	Yes	No
In evaluating whether UCF's grievance procedures are prompt and equitable, thus satisfying the Title IX requirement, NASA looks to applicable DOJ and OCR guidance to determine whether the procedures meet the requirements set forth below. In the case of UCF, NASA found as follows:		
1. Notice of right to file with appropriate Federal agency, either simultaneously or after unsatisfactory resolution of internal grievance. ¹²		X
2. Notice to students and employees of procedure, including where complaints may be filed.	X	
3. Application of procedure to complaints alleging harassment carried out by employees, other students, or third parties.	X	
4. Provisions for adequate, reliable, and impartial investigation of complaints, including the opportunity to present witnesses and other evidence.	X	
5. Designated and reasonably prompt timeframes for the major stages of the complaint process.	X	
6. Written notice to complainant and alleged perpetrator of the outcome of complaint. ¹³	X	
7. Assurance that the school will take steps to prevent recurrence of any harassment and correct its discriminatory effects on the complainant and others, if appropriate.	X	
8. Appeals, if included, must be accorded equally between the parties. ¹⁵	X	
9. Appropriate dissemination, including efforts to ensure ease of access and understanding. ¹⁶	X	
Observations: The UCF Title IX grievance policy and procedures are embodied in the University's Discrimination Grievance Policy and its Discrimination Grievance Investigation Process. ¹⁷ The policy and investigative process documents are accessible from the UCF Equal Opportunity and Affirmative Action (EOAA) Web site under the main heading of "Resources." As a general matter, these documents conform to OCR compliance requirements for Title IX procedures, as indicated in the chart above. The exception is that they do not inform students on their right to file a complaint of discrimination/harassment directly with the Federal government and, in particular, which agencies to file with, e.g., ED OCR. Consistent with NASA's recommendation, this information has been provided on the EOAA Web site under "Discrimination Reporting."		

¹² DOJ, Title IX Q&A, "Grievance Procedures."

¹³ April 2014 Q&A, p. 12.

¹⁴ See OCR Revised Sexual Harassment Guidance, § IX. Prompt and Equitable Grievance Procedures (citations omitted); see also, April 2014 Q&A, p. 12.

¹⁵ April 2011 DCL, p. 12.

¹⁶ 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." Revised Sexual Harassment Guidance, § IX. Prompt and Equitable Grievance Procedures.

¹⁷ These are accessible at [These documents are accessible at <http://eeo.ucf.edu/documents/DiscriminationGrievancePolicy.pdf>](http://eeo.ucf.edu/documents/DiscriminationGrievancePolicy.pdf) and <http://www.eeo.ucf.edu/documents/DiscriminationInvestigationProcedure.pdf>, respectively.

Assessment Criteria: Grievance Procedures As Written – Recommended by OCR	Yes	No
According to OCR, “a school’s Title IX grievance procedures should also explicitly include in writing” the following consideration. [Emphasis added.] ¹⁸ In the case of UCF, NASA found as follows:		
1. Statement of jurisdiction over Title IX complaints.	X	
2. Definition of sexual harassment (which includes sexual violence).	X	
3. Explanation as to when such conduct creates a hostile environment.	X	
4. Reporting policies and protocols, including provisions for confidential reporting.	X	
5. Identification of employee(s) responsible for evaluating requests for confidentiality.	X	
6. The evidentiary standard that must be used (preponderance of the evidence) (i.e., more likely than not that sexual violence occurred) in resolving a complaint; ¹⁹	X	
7. Notice of: <ul style="list-style-type: none"> • Title IX prohibition against retaliation. • Student’s right to file a criminal complaint and Title IX complaint simultaneously. • Available interim measures that may be taken to protect the student in the educational setting. • Potential remedies for students. • Potential sanctions against perpetrators. 		X
8. Sources of counseling, advocacy, and support.	X	

Observations:
 We note that nowhere in the Discrimination Grievance Policy or Investigation Process documents is there a statement informing complainants (in both the process for a faculty member as an alleged harasser and for a student as an alleged harasser) of the right to file a criminal complaint and Title IX complaint simultaneously. This information should be explained clearly within the Discrimination Grievance Policy and/or the Investigation Process documents (see Recommendations, below).

¹⁸ April 2014 Q&A, p. 13.

¹⁹ April 2011 DCL, 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; see also April 2014, Q&A, p. 13.

Assessment Criteria: Grievance Procedures As Implemented by the Department	Yes	No
1. In the Department in the past 5 years, there have been formal complaints of:		
• Sex discrimination		X
• Sexual harassment	X	
• Sexual assault		X
2. If yes, did the University follow the written Title IX procedures in addressing the incident(s)?	X	
3. Faculty, staff, and/or students reported other or potential incidents of:		
• Sex discrimination		X
• Sexual harassment	X	
• Sexual assault		X

Observations:
NASA learned about an allegation of harassing conduct raised against a Physics professor in 2014. While the Chair of the Department and the Title IX Coordinator's office were made aware of the concerns, it was difficult for the school to act because the alleged harasser declined to participate in a fact-finding inquiry and wished to maintain anonymity. Given the totality of the circumstances, including the timeframe of the allegations (seven years had elapsed since the conduct at issue occurred and NASA's review only covered the past five years), NASA views UCF's response as appropriate. This response included verbal counseling of the faculty member alleged to have engaged in harassing conduct to make sure that the faculty member understood the school's harassment policy and was not engaging in any current harassment.

b. Policy Dissemination

OCR's guidance emphasizes the need for recipient institutions to have "well-publicized" grievance procedures.²⁰ 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."²¹ Importantly, OCR stated in its Revised Sexual Harassment Guidance (2001) that 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.²²

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,

²⁰ See OCR Revised Sexual Harassment Guidance, Preamble, "Enduring Principles from the 1997 Guidance."

²¹ Ibid., § V(D), "The Role of Grievance Procedures."

²² Ibid., § IX. Prompt and Equitable Grievance Procedures (emphasis added).

faculty, and staff.”²³ 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.²⁴

Assessment Criteria: Policy Dissemination	Yes	No
1. Title IX policies and procedures are posted in the following locations:		
a. On University Web site for Title IX Coordinator	X	
b. On University Web site for Student Affairs or other office	X	
c. In University handbook and/or catalog	X	
d. In the Department under review (i.e., on a poster or other notice)		X
e. Other:	X	
2. The Title IX procedures are easily found through a search on the University Web site.	X	
3. Students are regularly reminded of Title IX policies and procedures via email or letter (e.g., at the start of each semester).	X	
4. Students interviewed seem to understand the process for filing a Title IX complaint.		X
5. Faculty members interviewed seem to understand the process for filing a Title IX complaint.		X
Observations:		
NASA spoke to a number of students and some faculty who seemed unclear on the process for filing a Title IX complaint. In response to this observation, UCF informed NASA that, in addition to information already provided on the EOAA Web site, the university developed a “Shield” Web site, accessible at https://shield.ucf.edu/ . The Shield site is devoted to sexual misconduct resolution and prevention, and, like the EOAA site, addresses Title IX in the sexual harassment context, providing contact information for the Title IX Coordinator and other resources on campus. (See also Recommendation II.A.2(a), above.)		

2. Recommendations

a. Policy Procedures as Written/Disseminated. UCF should make sure that complainants (in both the process for faculty member as alleged harasser and student as alleged harasser) are aware of their right to file directly with the U.S. Department of Education (ED) Office for Civil Rights (OCR) or other Federal funding agencies, e.g., NASA. UCF informed NASA that it has updated the Shield Web site regarding options for reporting Title IX related complaints. As noted, this information already appears on the Web site of the EOAA office.

In addition, UCF should incorporate a statement within its Discrimination Grievance Policy or Investigation Process documents clearly explaining (in both the process for a faculty member as an alleged harasser and for a student as an alleged harasser) the right to file a criminal complaint and Title IX complaint simultaneously.

NASA further recommends posting the NASA brochure on nondiscrimination under the grant-related civil rights laws (<http://odeo.hq.nasa.gov/documents/nondiscrimination.pdf>) and the link to NASA’s MissionSTEM “How to File a Complaint” (of discrimination or harassment) page on the Physics and

²³ April 2011 Dear Colleague letter, § Prompt and Equitable Requirements, (A) Notice of the grievance procedures.

²⁴ Public dissemination of Title VI information, 28 C.F.R. § 42.405(c).

other NASA-funded department websites at UCF (<http://missionstem.nasa.gov/filing-a-complaint.html>). In response to this recommendation, UCF reports that the Physics Department has agreed to post the NASA brochure and link on its Web site. The EOAA office has already posted information about how to file a complaint directly with NASA on its Web site in the category of “Discrimination Reporting,” and will incorporate the above links. The “Discrimination Reporting” category also includes similar information for other Federal granting agencies. This information is available to every member of the UCF community, and is in a predictable, easy-to-find location.

b. Policy/Procedures as Implemented. UCF Physics, in partnership with the Title IX Coordinator’s office, should take further steps to ensure that sexually harassing conduct is not occurring within the department and that a sexually hostile education environment does not exist (see also Recommendations regarding “Self-Evaluation” and “Program Environment,” below). This would include continuing to forward the University’s anti-harassment policy statement to all faculty, staff, and students each semester, having “town hall” type discussions on the topic and how it can be addressed, including the right to raise a complaint directly with the Title IX Coordinator’s office or a Federal grant awarding agency such as ED OCR, and additional dissemination of related information. UCF has agreed to take these and other steps as outlined in the recommendations below.

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.²⁵ While grantees are 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.

NASA’s guide for conducting Title IX self-evaluations provides suggestions for areas to review.

These include:²⁶

- Applications, admissions, matriculations, retention, and degrees-earned rates (for men and women);
- The availability of mentoring relationships;
- The standards and practices used for faculty hiring and promotion decisions;
- Criteria for assignment of graduate students to researchers and advisors;
- Funding of students through assistantships, fellowships, and scholarships; and
- Allocation of lab space and experiences in the lab and classroom.

²⁵ Self-evaluation, 14 C.F.R. § 1253.110(c).

²⁶ NASA, Office of Diversity and Equal Opportunity, *Title IX and STEM: A Guide for Conducting Title IX Self-Evaluations in Science, Technology, Engineering, and Mathematics Programs*, June 2012, accessible at: <<http://odeo.hq.nasa.gov/>>.

Participation in this Title IX review and reviewing the data requested by the NASA Office of Diversity and Equal Opportunity for conducting this review is a good start to conducting a self-evaluation. Continued efforts should be made to comprehensively review data regarding participation in STEM programs, by gender.

Review Criteria: Title IX Self-Evaluation	Yes	No
1. The University has responded fully to NASA's Title IX compliance information request.	X	
2. The University has conducted a climate survey or other survey relevant to Title IX within the last 5 years (e.g., sexual assault awareness survey, campus safety survey, etc.)	X	
3. The University and/or Department regularly evaluate application and admissions data to ensure admissions decisions are gender-neutral.	X	
Observations: UCF's responses to NASA information data requests during this review constitute a solid beginning to a Title IX self-evaluation in the key areas of admissions and enrollments of students. UCF Physics is to be commended for its previous self-evaluation efforts as well.		

2. Recommendations

Self-Evaluation. UCF Physics should perform a Title IX self-evaluation of the department using NASA's guide Title IX and STEM: A Guide for Conducting Title IX Self-Evaluations and a request to the American Physics Society Committee on the Status of Women to conduct a site visit assessing the climate/environment of the department (see <https://www.aps.org/programs/women/sitevisits/>).

UCF informs NASA that the Physics Department plans to work with the American Physical Society Committee on the Status of Women to develop strategies on how to improve the environment for women, during the 2016-2017 school year, including an on-campus visit. The university periodically conducts self-audits of its programs because of the importance of ongoing assessments to program effectiveness. The University Audit office is in the final stages of conducting an internal audit of UCF's university-wide Title IX program. NASA looks forward to learning the results of this audit as part of its post-report monitoring of compliance recommendations.

D. Recruitment, Admissions, Enrollment, Degrees Earned, and Faculty Recruitment²⁷

1. Compliance Assessment

The NASA Title IX regulations state that recipients may not discriminate on the basis of sex in admissions and recruitment. Specifically, the regulations prohibit educational institutions from such activities as:²⁸

- Giving preference to one person over another on the basis of sex, by ranking applicants separately on such basis, or otherwise;

²⁷ All data in this section pertaining to Boston University students was provided by the University in response to NASA's information request.

²⁸ 14 C.F.R. §1253.300–1253.455.

- Applying numerical limitations upon the number or proportion of persons of either sex who may be admitted;
- Administering or operating any test of other criterion for admission that has a disproportionately adverse effect on persons on the basis of sex;
- Making preadmission inquiries as to the marital status of applicants for admission (including whether such applicant is “Miss” or “Mrs.”); and
- Applying rules concerning actual or potential parental, family, or marital status of an applicant that treats persons differently on the basis of sex when determining whether a person satisfies admission criteria.

In addition, NASA's regulations regarding the prohibition of discrimination on the basis of sex in employment in educational programs also apply to recruitment, advertising, and the process of application for employment.²⁹

Consistent with these requirements, NASA reviewed the Physics Department's student recruitment and admissions practices, as well as data on 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 five academic years: 2009 through 2014.

a. Outreach and Recruitment

Assessment Criteria: Outreach and Recruitment	Yes	No
1. The Department participates in programs to provide outreach to high school students (particularly for female students).	X	
2. The Department has undertaken recruitment efforts to attract more female applicants.	X	
Observations: UCF's COMPASS program, which is in its third year, is a National Science Foundation (NSF) funded program whose mission is to increase the number of UCF students pursuing a discipline. COMPASS is built on 4 pillars: (1) undergraduate student success in STEM; (2) K-12 outreach; (3) faculty collaboration to work on STEM education and education research (ideally to increase proposals and funding); and (4) training and retraining of K-12 teachers (a long-term goal). Also, NASA notes UCF's EXCEL program, which has a primary goal of retaining students in STEM. EXCEL participants are graduating at higher percentages than non-participants, with improved math scores. UCF has found that EXCEL student data shows similar increases in student improvement for women and even higher increases for Hispanic and African American students. The University found that, although it was retaining women in EXCEL, it was retaining women at a lower percentage than men. UCF started looking at ways to improve the 15% or so gap, and found women were not feeling engaged in the community, as well as not feeling supported. To address these issues, UCF started the women's mentoring program, which focuses on upper-class women mentoring incoming freshmen. With the mentoring program, the gap has narrowed to about 5%. The University finds that women really want support from one another.		

²⁹ 14 C.F.R. §1253.500.

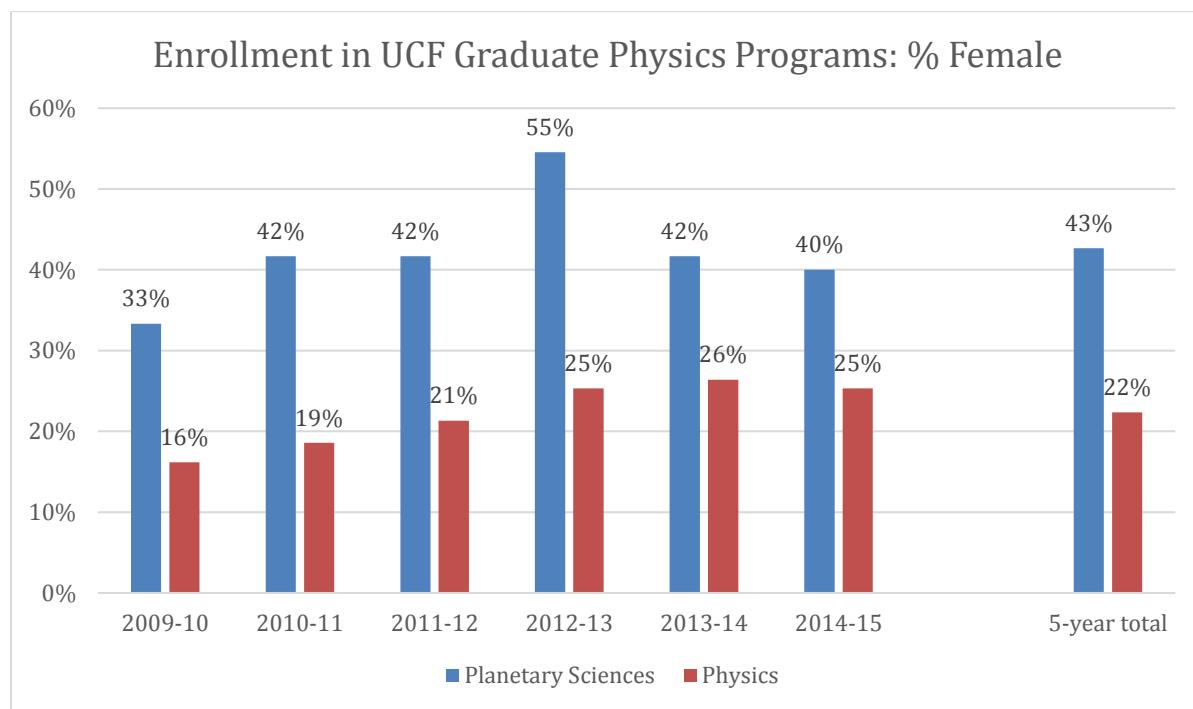
b. Graduate Admissions, Enrollment, and Degree Progress

(i) Admissions Process

Graduate admissions criteria are posted and clearly described on the UCF Web site and appear to be neutral, valid predictors of success. NASA has seen no evidence that admissions criteria is being applied unfairly or has an adverse impact on gender. Fellowships, teaching assistant, and research assistant applications are on the UCF Web site, as well.

(ii) Graduate Admissions, Enrollment, and Financial Aid

On average, between 2009-10 and 2013-14, men accounted for 65 percent of all graduate students in the Physics program and women accounted for 35 percent. Women accounted for a higher proportion of students in the planetary sciences track.



While female graduate students constituted an average of 22% of the student population, they received 11% of Physics graduate fellowships and were only 16% of students awarded the Ph.D. (Only two Ph.D.'s were awarded to students in the Planetary Sciences track during this time, both to women.)

DEGREES AWARDED (Ph.D.): UCF PHYSICS

	MALE	FEMALE	TOTALS	M %	F %
2009-10	10	1	11	90.9%	9.1%
2010-11	8	0	8	100.0%	0.0%
2011-12	7	0	7	100.0%	0.0%
2012-13	7	2	9	77.8%	22.2%
2013-14	5	4	9	55.6%	44.4%
TOTALS	37	7	44	84.1%	15.9%

Review Criteria: Graduate Admissions, Enrollment, and Financial Aid			Yes	No
1. Graduate admissions criteria appear to be neutral, valid predictors of success; are fairly applied; and have no adverse impact based on gender.		X		
2. There is no evidence of a gender-based differential between those accepted and those enrolling.		X		
3. Admissions processes and policies are set forth in writing and clearly described.		X		
4. Procedures for selecting students for fellowships, research assistantships, teaching assistantships, and other types of funding are set forth in writing and clearly described.		X		

Observations:

Although graduate fellowships within the Planetary Sciences Group and the overall Physics Department combined were reflective of student enrollment demographics, graduate fellowships for Physics in general were notably lower, on average, for female students. Further, Physics has seen a substantial drop between female student enrollments versus degrees awarded. (See Recommendations, below.) Planetary Sciences ratios of female to male students are notable. One Planetary Sciences faculty member discussed recruitment efforts, by being a site for the American Physical Society's Bridge program. Other members of the Department have been going to other schools nearby and giving talks. Planetary Sciences faculty talk to their colleagues at other schools to recruit students.

c. *Undergraduate Admissions, Enrollments, and Degree Progress*

Although women constituted an average of 17% of the undergraduates in the Physics program from 2009-2014, they received only 10 of the undergraduate degrees in Physics.

UCF PHYSICS: TOTAL UNDERGRADUATE ENROLLMENTS					
	MALE	FEMALE	TOTALS	M %	F %
2009-10	109	21	130	84%	16%
2010-11	113	21	134	84%	16%
2011-12	128	21	149	86%	14%
2012-13	142	29	171	83%	17%
2013-14	143	33	176	81%	19%
TOTALS	778	161	939	83%	17%

UCF PHYSICS: BACHELOR DEGREES AWARDED					
	MALE	FEMALE	TOTALS	M %	F %
2009-10	18	2	20	90%	10%
2010-11	8	2	10	80%	20%
2011-12	11	1	12	92%	8%
2012-13	21	1	22	96%	5%
2013-14	25	3	28	89%	11%
TOTALS	83	9	92	90%	10%

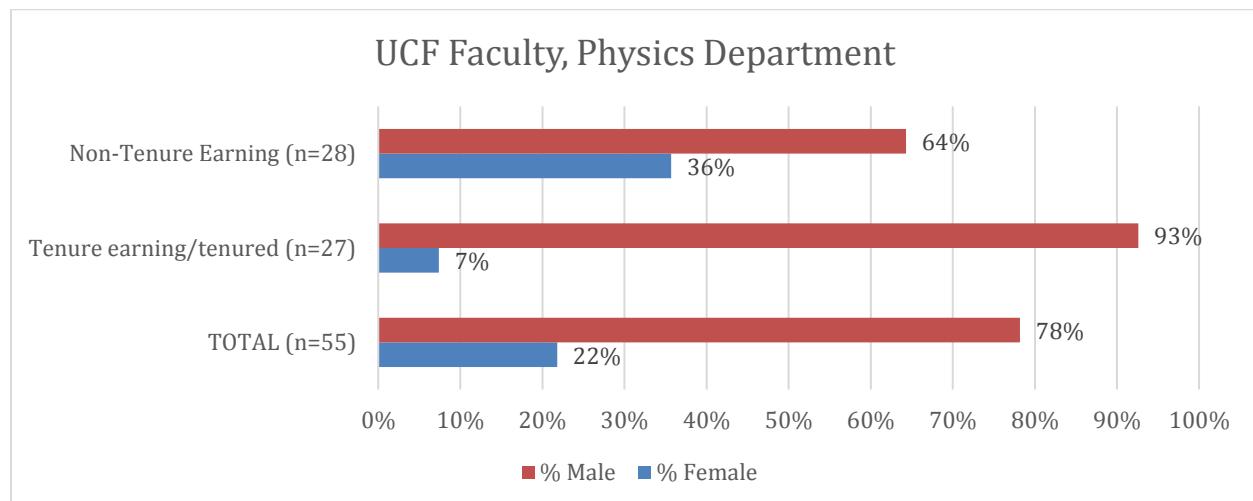
Review Criteria: Undergraduate Admissions, Enrollment, and Financial Aid	Yes	No
1. Undergraduate admissions criteria are neutral, valid predictors of success; are fairly applied; and have no adverse impact based on gender.	X	
2. There is no evidence of a gender-based differential between those accepted and those enrolling.	X	
3. Admissions processes and policies are set forth in writing and clearly described.	X	

Observations:
According to the data NASA received, between 2009 and 2014, women accounted for around 22% of undergraduate applicants who state they want to major in Physics and 17% percent of the undergrads enrolled with a Physics major. However, over the same period, women account for just under 10% of those receiving Bachelor's degrees in Physics. NASA is concerned about this trend and recommends that the Department consider conducting a climate survey to better understand it, as well as to understand whether the issue is one of gender, possibly stemming from implicit bias or other environmental barriers. The Department should also consider if any additional steps may be needed to support female students.

UCF informed NASA that the Physics Women Society hosted the American Physical Society for Undergraduate Women in Physics SE section in 2013. According to one faculty member, the Women in Physics society in the department works a lot on recruitment, for example, through the open house in Physics, which includes a tour of the labs and meeting Women in Physics Society members.

d. Faculty and Faculty Hires

Women faculty within the Physics Department are notably underrepresented in tenured positions, compared to their representation on the faculty.



Assessment Criteria: Faculty Hires	Yes	No
1. Search committees receive training/education regarding diversity, unconscious bias, or implicit gender bias.		X
2. Gender diversity is a requirement for search committees.		X
3. The University or Department tracks gender diversity of applicant pools.	X	
4. The University or Department takes steps to ensure the gender diversity of applicant pools.		X

Observations:

Women faculty in the Physics Department are underrepresented in tenured positions (7.4%), considering their total percentage of faculty representation (21.8%). One Planetary Sciences Group faculty member noted that there is a broad understanding among faculty that they need more women faculty in the Department, and that they consider this when new positions open up. Repeatedly, male and female Physics students remarked that they had never taken a class taught by a woman. NASA heard from students that the tenure percentages for women “can be discouraging,” and that the lower numbers of female undergraduates are not assisted by the lack of role models. (See Recommendations below.) NASA was pleased to learn about the Center for Success for Women Faculty on the campus and the Women in Sciences luncheon, as well as the yearly mini-tenure reviews, designed as a checks-and-balances to protect against discrimination.

2. Recommendations

a. Low Numbers of Female Graduate Fellows. The Department should look at their processes for awarding graduate fellowships, as well as their graduation rates, to see if any gender bias or other environmental barriers exist for female students in this area. The Department should also consider if any additional steps should be made to support female students. The Department should also routinely analyze statistical data on students, broken down by gender, to observe issues early and take action promptly and strategically to address concerns where they are seen. An excellent way to do this is through Title IX self-evaluation, as recommended.

b. Low Numbers of Female Faculty. The Department should more carefully evaluate, through Title IX self-evaluation and other means, its policies and decision boards to determine if gender bias or institutional barriers are a factor in the disparity between male and female faculty. See also “Observations” for this section, above. The Department should place greater focus and strategic action on implicit bias education and awareness for faculty search committees, as well as engage in stronger efforts to ensure gender diversity on faculty search committees and in applicant pools.

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.³⁰

³⁰ Education programs or activities, 14 C.F.R. § 400(a),(b)(7).

NASA looks to the following to assess compliance in the program administration context:

- a. Denial of Benefits/Limitation on Program Participation.** NASA's Title IX regulations prohibit a recipient from denying the benefits of its programs or services or otherwise limiting program participation based on sex, including sexual harassment and sexual violence.³¹
- b. Discriminatory Effects.** 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.³²
- c. Career Counseling and Guidance.** The Title IX regulations explicitly state that a recipient may not discriminate on the basis of gender with regard to career counseling or guidance.³³
- d. Parental and Marital Status.** The NASA Title IX regulations include detailed provisions on matters pertaining to marital and parental status.³⁴ 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. The regulations also require that pregnancy and childbirth be treated in the same manner and under the same policies as any other temporary disability or physical condition.³⁵ 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... 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."³⁶ More recently, in its "Dear Colleague" letter of June 25, 2013 and the accompanying technical assistance document, "Supporting the Academic Success of Pregnant and 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.³⁷

To reinforce the requirements set forth in a) above, in January 2016, NASA Administrator Charles F. Bolden, Jr., sent a letter to all NASA grant recipients reminding them of their responsibilities under Title IX and the importance of ensuring equal opportunity to all participants (see Appendix A). Administrator Bolden stated, in part:

NASA takes very seriously our obligations, both legal and ethical, to make sure that when we provide Federal dollars to a STEM education program that the program is extending equal opportunity to all of its participants. We seek to help STEM programs nationwide in their efforts to achieve educational environments in which equality of opportunity and inclusion are not just buzzwords, but are internalized by all members of the community and institutionalized in fair and equitable policies and practices... No

³¹ *Id.*

³² Enforcement procedures, 14 C.F.R. § 605.

³³ Counseling and use of appraisal and counseling materials, 14 C.F.R. § 1253.425.

³⁴ Marital or parental status, 14 C.F.R. § 1253.445 and 1253.530.

³⁵ Admission, *Prohibitions relating to marital or parental status*, 14 C.F.R. § 1253.300(c)(3).

³⁶ Marital or parental status, 14 C.F.R. § 1253.445 (b)(5).

³⁷ The 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>>.

grantee institution that allows impermissible harassment to go unaddressed can be deemed to be in compliance with civil rights law.³⁸

The NASA Administrator's reinforcement of Title IX's prohibition against sexual harassment in academic programs reflects a key element of the compliance review team's assessment of the program environment, that is, the existence of or extent to which there are concerns among students regarding sexual harassment or sex discrimination in the program. The compliance team also examined the Physics Department's program administration in a variety of specific arenas, including academic advising, research participation, classroom and lab experiences, "family friendly" policies, and physical safety of the program environment). These program aspects were examined to determine whether there was evidence of students being treated differently or otherwise limited in program participation, on the basis of gender. NASA's Title IX student survey provided insight into several of these areas and supported the findings from the student interviews.³⁹

Assessment Criteria: Advising	Yes	No
1. The program has a written process for matching students to advisors.	X	
2. There is a standard, transparent process that students are aware of for changing advisors, and students are able to do so without repercussions.		X
3. NASA heard gender-related concerns regarding one or more faculty advisors.		X
4. Overall, students believe faculty advising is fair and equitable regardless of gender.	X	

Observations:

Faculty members noted that, in both their advising and teaching roles, they have observed a problem for some women in the Physics program relating to confidence in their own abilities. Several faculty members reported that in their experience, male students tend to be over-confident while female students tend to underestimate their abilities. This underestimation of their own abilities, and related "confidence" issues is a consistent theme NASA has observed in its Title IX reviews of Physics. Possible efforts the department may wish to undertake to help address this issue might include a stronger collaboration with the American Physical Society's Committee on the Status of Women, already planned with the upcoming APS site visit NASA has heard about.

Several Physics students remarked that at UCF you "have to find your own advisor," and speak of a preference for a more organized system. NASA heard that it can be a "bad idea" to change advisors. "If you switch advisors, all of the research you've done before you switch may be useless. It could create a bad relationship between you and an advisor if you leave and don't finish your work." (See Recommendations below).

³⁸ Charles F. Bolden, Jr., Administrator, NASA, letter to NASA grant recipients, January 15, 2016, accessible at http://www.nasa.gov/sites/default/files/atoms/files/bolden_letter_20160115.pdf.

³⁹ Information on NASA's Title IX Compliance survey and response rates is in Appendix B.

Assessment Criteria: Learning Environment and Classroom Experiences	Yes	No
1. The program has incorporated methods to improve female undergraduate representation, such as providing dedicated resources or modified curricula to better engage women in STEM, especially in early in the program.	X	
2. There is equal access to lab equipment and participation in labs.	X	
3. Students perceive gender bias in high-stakes exams.		X
4. Statistical data suggests differential outcomes based on gender in high-stakes exams.		X
5. Students of both genders feel as though interactions in the classroom and lab are generally appropriate and respectful.	X	
6. Students feel professors or TAs doubt their abilities because of gender.		X
7. Students have been “warned” about certain professors because of their treatment of or interactions with students (e.g., rumors of sexual harassment, etc.).	X	
8. NASA heard concerns regarding the following:		
• Professors/TAs recognizing and calling on one gender more often than another in class discussions.		X
• Professors/TAs interrupting students of one gender but not students of the other, or allowing others in the class to do so.		X
• Use of sexist stereotypes through subtle, often unintentional means.	X	
• Offensive jokes or inappropriate gender-related remarks in the lab or classroom.		X
• Disrespect of abilities, based on gender (e.g., she got into that program because they’re saying “we need more women”).		X
• Unfair grading, based on gender.		X
• Other inappropriate gender-related conduct or actions.	X	
9. The Department or Program supports organizations dedicated to gender equity, e.g., women in science and engineering.	X	
Observations: As noted above, the relative lack of confidence in ability among some women students emerged as a theme in the interviews NASA conducted. However, there was consensus that professors treat men and women equally, stating that they observed no gender differences with regard to interactions between faculty and students in the lab or classroom participation. While there are no compliance concerns specifically around key program elements such as advising and research participation, insofar as equitable treatment in these settings, there are concerns related to the broader academic environment. In addition to the issue referenced above relating to an allegation of sexual harassment against a professor, NASA heard during interviews about other possible indicators of program environment issues. For example, NASA heard concerns regarding a faculty member said to have made sexist remarks in class and to have hammered away at a female faculty candidate to the point of making her cry. NASA also heard about a professor who critiqued female students’ outfits when they were giving presentations, such as questioning the appropriateness of the outfit for a presentation. Several students remarked on a perceived need for more female teachers, with one student stating that there was a problem with the department not having enough role models. NASA also heard that “older male faculty members are less supportive of women.”		

Assessment Criteria: Learning Environment and Classroom Experiences	Yes	No
<p>While interview and survey responses indicate some environmental issues, NASA did not find that the program is engaging in disparate treatment or limiting any individual's participation based on gender. However, we are concerned about the potential for unaddressed confidence issues, inappropriate gender-related conduct, and even small instances of subtle bias that can add up over time is of concern. A continued intentional focus on ensuring equal opportunity and inclusion is needed going forward. (See Recommendations below.)</p> <p>UCF informs NASA that the Physics Department is making a strong effort to remove bias in all of its outreach and recruitment efforts, and to encourage female and minority applicants. Outreach is led by a female faculty member, who frequently works together with the Women Physics Society, a graduate student-led organization in the Department. The WPS has developed outreach activities targeting mid-school female students. The same faculty responsible for outreach also leads the Freshman Seminar, which aims at attracting students to the physics major early (freshman and sophomore years) by creating a sense of community and by getting them involved with departmental activities and research. A dozen faculty get involved in this course. An Undergraduate Life Committee coordinates activities aiming at creating a community environment. The Department's undergraduate coordinator, who so far has single-handedly done all student advising, is a female faculty member.</p>		

Assessment Criteria: Family Friendly and Parental Leave Policies	Yes	No
1. The institution has a separate leave policy that addresses parental/family status.	X	
<ul style="list-style-type: none"> If yes, does the parental/family leave policy treat pregnancy and child birth in the same manner as any other temporary disability or physical condition? 		X
<ul style="list-style-type: none"> If no, does the Program treat pregnancy as a justification for a leave of absence for as long a period of time as deemed medically necessary by the student's physician and that allows for reinstatement to the status she held when the leave began? 		
2. The Program regularly disseminates information to program participants, including faculty and students, regarding pregnancy-related policies.		X
3. The individual situations NASA heard about involving pregnancy indicate that individual faculty members are responding appropriately and consistent with Title IX requirements.		X

Observations:

Based on NASA's onsite interviews, there appears to be little confidence among Physics faculty, staff, and students regarding the handling of pregnancy and parental leave related matters. One interviewee stated that, regarding parental leave, the university faculty "weren't that accommodating." Another remarked that until recently, a pregnant student's situation "was based on what the advisor and student could work out." Still another remarked that, in the undergraduate context, for a student who was pregnant, "there was nothing to be done, they have to make it through the class or take an incomplete." These are all cause for concern because they tend to suggest a program environment that is not adequately addressing the need to ensure equal opportunity in the context of pregnant and/or parenting students. At a minimum, the comments suggest the need for greater clarity on UCF's policy in this area.

Assessment Criteria: Campus Safety	Yes	No
1. Students believe the campus is a safe environment (e.g., has night-time shuttle service, night-time escort service, police cars on patrol, information dissemination about safety issues)	X	
2. Information on safety policies is disseminated to students.	X	
3. Students are aware of the following safety measures:		
• Night-time shuttle service		X
• Night-time escort service		X
• Regular security/police patrols on campus		X
• Regular security/police patrols in buildings where students work at night		X
• Dissemination of information about safety issues		X
• Controlled-access buildings and labs		X
4. Serious crimes have occurred within the past 5 years in departmental buildings/facilities or in other campus facilities used by the Department.		X

Observations:
NASA heard concerns about working in the lab late at night when there is “no one around.” Women interviewees and respondents on the NASA Title IX survey were more likely than men to express concerns about safety both on and off campus and were more likely than male to report feeling somewhat unsafe at off-campus non-University-sponsored events or on-campus grounds (not in dorm/living and sleeping area). Students of both sexes mentioned that they were not familiar with the campus nighttime escort or walker service. NASA also heard there was not a lot of parking near the building. This has been a problem for students working into or all through the night. There are 20 parking spots in the lot near the Physics building allocated to health and other clinic staff and these are not used at night, but reserved: “can they be used by students working in lab late?” is a question raised. It should be noted NASA’s review does not suggest concerns around physical safety have limited any student’s program participation based on gender.

2. Recommendations

a. Addressing Environmental Concerns. NASA reiterates the need to better ensure the program environment in the Physics Department is free from harassing conduct and that a more intentional focus is placed on faculty and student education and awareness in the context of gender equity and diversity and inclusion generally. NASA commends UCF Physics for inviting the APS Committee on the Status of Women to conduct a site visit. We reiterate our recommendations above to conduct a Title IX Self-Evaluation on the Physics Department using NASA’s guide on this topic, and to focus on other means of calling attention to the issue, for example, departmental Town Hall meetings, faculty discussions.

b. Clarifying Memo on Parental Leave/Pregnancy. NASA recommends that UCF Physics should issue a clarifying memo on policy for students, faculty and staff, including post-docs – ensuring that faculty is aware that the Title IX Coordinator is the “go to” official on pregnancy, parental leave, just as on sexual harassment and gender discrimination.

In response, the university states that it agrees it must take steps to increase the visibility of Title IX's application to pregnancy and parental leave. The Title IX Coordinator began including this information in its Title IX faculty training last year, specified that sex discrimination includes pregnancy discrimination in the President's Statement, and plans to revise other outreach and policy documents to highlight this point. The Student Accessibility Services office knows to refer any student who inquires about pregnancy leave or an accommodation for pregnancy to the Title IX Coordinator. The Office of Human Resources also refers employees with questions about pregnancy accommodation to the Title IX Coordinator. However, Human Resources handles parental leave.

Also, the former female chair of the Physics Department was instrumental in ensuring that the Physical Science building includes a lactation privacy room (room 430) in order to support UCF mothers who are student, staff, or faculty.

c. Safety Programs' Information Dissemination. NASA recommends that UCF and the Physics program do a better job of advertising the existence of programs such as the nighttime escort/"wall-home" service to the campus community.

UCF informs NASA that the campus Police Department has a well-known escort service that runs until 1:00 am, accessible in one click by the UCF Web site search "police escort" (<http://police.ucf.edu/blog/seps-safe-escorts-available-those-campus-night>). The Police Department would also respond to individual requests after 1:00 am, if possible. The University has an excellent campus safety record given its size. However, the Physics chair will work with the building manager to determine if there is a pattern of improper access to the Physics building at night (by reviewing security camera film and access card data) that may be addressed.

d. Parking. NASA recommends that UCF and Physics take steps to address concerns raised by students around availability of parking closer to the building.

UCF informs NASA there are students in all programs who are on campus late. It is not feasible to allow one group of students to use dedicated parking during certain hours without doing so for all more than 60,000 students. However, options for afterhours parking are being evaluated.

3. Promising Practices

a. Studio Model/Learning Assistants Program. This is an excellent way to address the need for a more welcoming environment in the undergraduate Physics classroom, based on a collaborative, peer learning model. The performance evaluation for the program includes analysis of outcomes by gender. This program is currently run by a junior female faculty member and the previous Chair. Participation is reasonably gender balanced, considering most physics students are male.

b. Undergraduate Research. UCF provides extensive undergraduate research opportunities through research grants, EXCEL, and other programs. At least one female graduate stated that she was a Physics BS at UCF who did undergraduate research and later rejoined her undergraduate research advisor as a PhD candidate.

c. Undergraduate Physics Room. This program was created by the previous Chair, one for graduate students and one for undergraduates. The undergraduate room holds about 20 people and, according to undergraduate students interviewed, has become an important aspect of the undergraduate Physics experience for many students, a place where study groups meet, where students meet informally to discuss course work and to collaborate on assignments. It is open and occupied on a 24/7 basis. While by no means unique, UCF's Physics program rooms appear to exemplify the kind of collaborative atmosphere needed to combat the "chilly climate" that prevents so many Physics programs from being welcoming and inclusive environments for diverse student bodies.

UCF informs NASA that the department is creating a second graduate teaching assistant room. UCF Physics has been a Bridge Program site since 2015. This is a competitive program run by the American Physical Society to increase the number of underrepresented minorities in physics graduate programs. The department has already received 6 students through this program and should receive 3 more in Fall 2016. While not directly addressing Title IX, this is another initiative to improve diversity in the Department. UCF also has a strong and active chapter of the Society of Physics Students; graduate students have their own association as well.

III. CONCLUSION

Based on an evaluation of the data provided by UCF and from on-site interviews and observations, NASA finds UCF to be in compliance with the Title IX procedural requirements regarding coordination and self-evaluation. NASA found that UCF's procedures as written generally conform to OCR requirements and considerations. UCF's implementation of the procedures within the Physics Department also appears to be conform to requirements insofar as appropriate response to allegations of behaviors inconsistent with Title IX, such as harassing conduct, when they have arisen.

NASA also found that the Physics program is in compliance with Title IX in that we did not find methods of administration that were having an adverse impact or otherwise limiting program participation based on gender. However, Physics should conduct Title IX self-evaluation and engage other assessment efforts, such as a site visit from the APS Committee on the Status of women, to more strategically address climate issues that can negatively impact the program environment. UCF Physics should focus in particular on the potential for harassing conduct to create a hostile educational environment and on the need for creating and disseminating appropriate flexibilities for pregnant and parenting students. In addition, the Title IX Coordinator's office should continue to work closely with Physics and other academic departments to ensure that all faculty, staff and students are aware of their rights and responsibilities under Title IX, especially reporting and resolving allegations of harassing conduct and assault. The report recommendations regarding program administration are designed to assist UCF and Physics in furthering their efforts to ensure equal educational opportunity regardless of gender.

APPENDIX A: January 2016 Letter from NASA Administrator to NASA Grant Recipients

National Aeronautics and
Space Administration
Office of the Administrator
Washington, DC 20546-0001



As a leader in the fields of science, technology, engineering, and mathematics (STEM), NASA endeavors to make our collaborations with our grant recipient institutions as productive and successful as possible in all facets of our shared objectives. This means that we seek not only the most innovative and cutting-edge scientific and technological research from our grant recipients, we also expect strong efforts to create and sustain welcoming and inclusive educational environments. We view such efforts not as “something nice to do” if the time can be spared, or something that human resources or the diversity and equity offices are responsible for, but rather as an integral and indeed necessary aspect of all educational program environments.

Let me be perfectly clear: NASA does not tolerate sexual harassment, nor should any organization seriously committed to workplace equality, diversity and inclusion. Science is for everyone, and any behavior that demeans or discourages people from fully participating is unacceptable.

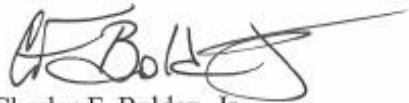
NASA takes very seriously our obligations, both legal and ethical, to make sure that when we provide Federal dollars to a STEM educational program that the program is extending equal opportunity to all of its participants. We seek to help STEM programs nation wide in their efforts to achieve educational environments in which equality of opportunity and inclusion are not just buzzwords, but are internalized by all members of the community and institutionalized in fair and equitable policies and practices. We do so, in part, through program assessments under civil rights laws, such as Title VI of the Civil Rights Act of 1964, which prohibits race, color, and national origin discrimination and harassment among federal funding recipients, and Title IX of the Education Amendments Act of 1972, which prohibits educational funding recipients from engaging in sex discrimination, including sexual harassment and sexual violence. Accordingly, where a grantee's compliance is at issue, we work closely with the grant recipient institution and other stakeholders, such as the Department of Education's Office for Civil Rights, to bring that recipient into compliance. No grantee institution that

allows impermissible harassment to go unaddressed can be deemed to be in compliance with civil rights law.

That being said, we must all remain vigilant about protecting the legal rights of those who pursue careers in STEM. I urge all of our NASA grantee institutions to examine closely their current policies and procedures for addressing allegations of misconduct such as harassment. It is critical for educational institutions to address these matters as promptly and equitably as possible. Beyond the law, we must seek to create the kinds of welcoming and supportive program environments in which all students can flourish.

For grantee institution officials or beneficiaries of NASA grants wishing to learn more about rights and responsibilities under the law, I would direct your attention to NASA's MissionSTEM Web site, accessible at <http://missionstem.nasa.gov/index.html>. MissionSTEM is designed as a civil rights technical assistance tool for STEM programs. It provides a wealth of written information and visual material on civil rights requirements, as well as promising practices for achieving greater diversity and creating more inclusive STEM program environments. I urge your institutions to make use of this powerful tool at your disposal. For those who wish to leave a comment or ask a question at MissionSTEM, they may do so at <http://missionstem.nasa.gov/comments-questions.html>.

We must lead the way by refusing to be silent in the face of conduct that is not only illegal but destroys the very fabric of our STEM community. I believe we can grow stronger as a community by arming ourselves with knowledge about the kinds of behavior that are unacceptable and won't be tolerated in our STEM workplaces and educational environments.



Charles F. Bolden, Jr.

APPENDIX B: 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. NASA also developed a summary 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.⁴⁰

NASA partnered with UCF 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 UCF Physics academic environment in support of the compliance review analysis and assessment; and 2) provide UCF Physics 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. Thus, focal points of the survey were program climate, gender discrimination/harassment, and campus safety, including sexual assault and sexual violence. NSSC deployed the survey via email to UCF Physics students during the period April 6 – May 1, 2015. The survey was sent to all UCF Physics students. The response rate was 24%, with 26 completed surveys submitted. Anecdotal information from the survey is discussed in NASA’s Compliance Review Analysis (see Section II of the report). A complete report of the survey was also provided to the University.

2. Onsite Compliance Review Activities

The NASA compliance team conducted an onsite review of the UCF Physics Department on April 7-9, 2015. During its visit, the compliance team conducted one-on-one interviews with Dr. Michael D. Johnson, Dean, College of Sciences (COS); Dr. Cynthia Young, Associate Dean, COS; Dr. Anthony Jenkins, Senior Associate Vice President and Dean of Students; Dana Juntunen, Assistant Dean of Students and Executive Director for the Office of Student Rights and Responsibilities; Dr. Maribeth Ehasz, Vice President of Student Development and Enrollment Services; Rhonda Bishop, Chief Compliance and Ethics Officer; Dr. Melissa Dagley, Executive Director of iSTEM; Debbie Reinhart, NSF ADVANCE Principal Investigator; and Maria Beckman, Director, Office of Equal Opportunity and Affirmative Action (EOAA) and Title IX Coordinator. The team also interviewed 14 Physics faculty members (seven male faculty members and seven female faculty, including Dr. Elena Glitsyan, Undergraduate Program Chair). NASA also spoke with three female Physics Post-Docs, 13 Physics graduate students (eight female graduate students, five male graduate students) and eight undergraduate students (five male and three female undergraduates). Before, during and after the onsite, NASA staff have communicated on a regular basis with Ms. Beckman, serving in her role as the Title IX Coordinator.

⁴⁰ This document is accessible at: http://missionstem.nasa.gov/docs>Title_IX_Summary_Lit_Rev_6-3-13_TAGGED.pdf