



# UNIVERSITY OF MIAMI

## AGE DISCRIMINATION ACT COMPLIANCE REPORT



**Rosenstiel School of Marine  
and Atmospheric Science**

**Office of Diversity and Equal Opportunity  
November 2011**

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## INTRODUCTION

### A. Background

As a federal grant-awarding agency, NASA is obligated to evaluate its grant recipients' compliance with the Age Discrimination Act of 1975<sup>1</sup> ("Age Act" or "the Act"). NASA conducted this compliance review of the University of Miami ("UM" or "the University") Rosenstiel School of Marine and Atmospheric Science ("RSMAS"), a NASA grant recipient program, under the authority of the Age Act and its companion NASA regulations.<sup>2</sup> This review focused on ensuring that UM is complying with the law and NASA regulations; fully understands its legal obligations under the Age Act; and is implementing policies and procedures appropriate to achieving equality of opportunity and access for all students, regardless of age.

### B. Scope

NASA's Age Act regulations provide tools for effective oversight and monitoring of the Act's requirements. Each recipient is required to sign a written assurance that it will comply with the regulations and avoid discrimination based on age.<sup>3</sup> The University, as a recipient of NASA grants, has signed the required assurances.

In addition, NASA may require recipients to provide information and reports, to ascertain whether the recipient is complying with the Act and its regulations.<sup>4</sup> Under this provision, NASA limited the scope of its review to the University's and RSMAS's methods of administration regarding three substantive measures of compliance:

1. Formal Indicators of Institutional Support for Compliance: NASA examined institutional policies and procedures demonstrating knowledge of and commitment to the requirements of the Age Act.

2. Admissions Policies, Outreach Efforts, and Retention: NASA analyzed admissions policies and institutional outreach efforts that eliminate or limit potential barriers to entry, and may also attract non-traditionally aged students. For purposes of this review, NASA defined "non-traditionally aged" students as undergraduates over the age of 25 when first enrolled as freshmen, and graduate students age 30 or older when starting their graduate program.<sup>5</sup>

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<sup>1</sup> See, 42 U.S.C. §§ 6101 to 6107.

<sup>2</sup> 14 C.F.R. Part 1252.

<sup>3</sup> See, 14 C.F.R. § 1252.302(a).

<sup>4</sup> See, 14 C.F.R. §1252.302(b) and §1252.303.

<sup>5</sup> The National Center for Education Statistics (NCES) acknowledges there is no precise definition for the term "non-traditional student," but suggests that part-time status and age are common elements in most definitions. Generally "traditionally" aged undergraduates are between the ages of 18 to 24. NCES used this as a demarcation based on the age at which students are considered financially independent for purposes of financial aid. NCES, "Special Analysis 2002 Nontraditional Undergraduates," Institute of Education Sciences, U.S. Department of Education, <http://nces.ed.gov/programs/coe/2002/analyses/nontraditional/sa01.asp#ft3>. See

3. Access to Programs and Facilities: NASA examined UM’s and RSMAS’s efforts to ensure equality of access to educational offerings and benefits, including the academic and other support services necessary to achieve a degree.

### **C. Methodology**

This compliance review was conducted in two phases. The first phase was a “desk-audit” review, in which UM submitted its responses to a Self-Evaluation Tool. During the second phase, NASA submitted an Information Request to UM and RSMAS, requesting documents and other materials reflecting policies and procedures concerning the Age Act , as well as identification and allocation of EO resources.<sup>6</sup>

In November, 2010, NASA conducted an onsite assessment of RSMAS, interviewing officials charged with anti-discrimination compliance, the Associate Vice President and University Registrar, as well as RSMAS faculty, staff, and students. NASA also conducted interviews with a sampling of non-traditionally aged RSMAS students. While the review primarily focused on the Undergraduate program, NASA expanded its on-site assessment to include graduate students as a means of exploring the full breadth of the RSMAS program and its research facilities. A total of 20 students were interviewed. Ages of undergraduate students ranged from 28 to 54 and ages of graduate students ranged from 31 to 49. Of the 20 RSMAS students interviewed, six were in the PhD program, four were in the Master’s Degree program, and six were in the undergraduate program.

## **NASA AGE ACT REGULATORY REQUIREMENTS**

### **A. Rules Prohibiting Age Discrimination**

The Age Act and NASA regulations prohibit age discrimination in any program or activity receiving Federal financial assistance from NASA. Prohibited discriminatory acts include, but are not limited to, excluding individuals from, denying them the benefits of, or subjecting them to discrimination in any program or activity of the recipient. In addition, recipients of Federal financial assistance may not use age distinctions or take any other actions, which have the effect of discriminating against program participants on the basis of age.<sup>7</sup>

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also, “Nontraditional Students Enrich U.S. College Campuses: Older students value challenging courses with real-world applications” (April 29, 2008) (referring to “non-traditional college age students age 25 or older”). Accessed at: <http://www.america.gov/st/educ-english/2008/April/200804281212291CJsamohT0.3335382.html>.

<sup>6</sup> Resources examined included staff and training; outreach, recruitment, admissions, and enrollment; course offerings, mentoring, and faculty advisors; student services; and family-friendly policies.

<sup>7</sup> See, 14 C.F.R. §1252.200(a), (b)). Age distinctions are defined as “any action using age or an age-related term.” (*Id.*, at §1252.103(d)) The term “action” is defined as any “act, activity, policy, rule, standard, or method of administration.” (*Id.*, at § 1252.103(b), *emphasis added*) The term “age related” is defined as “a

Unlike the Age Discrimination in Employment Act (“ADEA”), which is designed to protect individuals age 40 or over in an employment setting, the Age Act does not define the protected category of beneficiary by a specific age or age range. In other words, the Age Act is designed to protect individuals of any age in programs receiving Federal financial assistance.<sup>8</sup>

## **B. Exemptions and Exceptions to the Rules Prohibiting Age Discrimination**

There are exemptions and exceptions to the Age Act under NASA regulations. Programs exempt from coverage include those that create age distinctions “established under authority of any law,” for example, laws designed to provide benefits or assistance to persons based on age.<sup>9</sup> (14 C.F.R. §1251.102). Although a program or activity may fall within the scope of the regulations, it may qualify for one of two recognized exceptions. The first exception is that the activity reasonably takes into account “age” as a factor necessary to the normal operation of the achievement of any statutory objective of a program or activity.<sup>10</sup> In addition, an action that is otherwise prohibited can meet an exception if it is based on factors other than age, *even though it has a disproportionate effect on a certain age group.*<sup>11</sup>

## **INSTITUTIONAL AND RECIPIENT PROGRAM PROFILES**

In examining the program profiles of the University of Miami overall and the Rosenstiel School in particular, NASA reviewed statistics available from the U.S. Census for 2007. According to Census data, of the full-time student population, 75% was under age 25, while 25% was age 25 or older. Of the part-time student population, 29% was under age 25, while 71% was age 25 or older. The Census data was not broken down into “undergraduate” or “graduate” students.

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word or words which necessarily imply a particular age or range of ages (e.g., “children,” “adult,” “older persons,” but not “student”). (*Id.*, at §1252.103(e)).

<sup>8</sup> The applicability of the Age Act to all ages is well-illustrated by a recent case involving a “child prodigy” at the University of Connecticut who was denied enrollment in a class that required field work in Africa. The student’s mother has alleged that the denial violates Federal law and the university’s antidiscrimination policy. (See, [http://chronicle.com/blogPost/13-Year-Old-Prodigy-Claims-Age/21813/?sid=pm&utm\\_source=pm&utm\\_medium=en](http://chronicle.com/blogPost/13-Year-Old-Prodigy-Claims-Age/21813/?sid=pm&utm_source=pm&utm_medium=en))

<sup>9</sup> Section 1251.02 states: “An age distinction contained in that part of a Federal, State, or local statute or ordinance adopted by an elected body.”

<sup>10</sup> For example, an action reasonably takes into account age if age is used as a measure of approximation of one or more other characteristics or the other characteristics are impractical to measure directly on an individual basis. 14 C.F.R. § 1252.201(b).

<sup>11</sup> Nonetheless, the NASA regulations expressly state that: “[a] recipient may not, in any program or activity receiving Federal financial assistance, . . . use age distinctions or take any other actions which have the effect, on the basis of age, of: (1) Excluding individuals from, denying them the benefits of, or subjecting them to discrimination under a program or activity receiving Federal financial assistance; or (2) Denying or limiting individuals in their opportunity to participate in any program or activity receiving Federal financial assistance.” 14 C.F.R. 1252.200(b)(1)-(2).

### **A. University of Miami, Overall**

The University has approximately 15,600 students overall. At present, 9,855 undergraduate students make up 63 % of the total student body. The full-time student enrollment is 9,268, while part-time enrollment is 587 students. New student enrollment for the Fall of 2009 included 2,006 new freshmen and 619 new transfer students. Current graduate enrollment is comprised of 4,761 full-time and 332 part-time students.<sup>12</sup> Less than 10% of its undergraduate, degree-seeking students are adult learners.<sup>13</sup>

### **B. Rosenstiel School of Marine and Atmospheric Science (RSMAS)**

The RSMAS program has an undergraduate enrollment of 250 undergraduate students and 207 graduate students.<sup>14</sup> RSMAS reported that in Academic Year 2009-2010 less than 1% of its undergraduate degree-seeking students are adult learners.<sup>15</sup> A similar situation obtained during the years 2005 to 2009, when there were also very few part-time undergraduate students. Data showed that the number of part-time students ranged from zero to five students during this period. In some years, none of the part-time students was non-traditionally aged and in others, one or two of the students were non-traditionally aged. This gave rise to a skewed result showing a range of 0 to 33% of the part-time undergraduate student population as non-traditionally aged.<sup>16</sup>

## **COMPLIANCE ANALYSIS**

The following sections examine each of the three substantive measures of compliance that are the focal points of this review. Each is addressed based upon information contained in UM's Self-Evaluation Tool, its Response to Information Request, and the University's Web site.

### **A. Formal Indicators of Institutional Support for Compliance**

#### **1. Analysis**

This measure of compliance is defined by NASA as inclusive of formal institutional policies, procedures and programs designed, at least in part, to achieve the goals of the Age Act. This includes the University's efforts to foster awareness of the law's requirements and to provide mechanisms to address concerns regarding the law, including the apparatus in place to address potential violations, such as internal discrimination complaints procedures, orientation or training, and notice to students as to their rights under the law.

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<sup>12</sup> Information was taken from the University's Web site, at [http://www.miami.edu/index.php/about\\_us/fast\\_facts/student\\_enrollment/](http://www.miami.edu/index.php/about_us/fast_facts/student_enrollment/). However, the Web site did not show a breakdown of data for graduate students.

<sup>13</sup> See, UM's Self-Evaluation Tool, page 1.

<sup>14</sup> *Id.*

<sup>15</sup> *Id.*, page 10

<sup>16</sup> See, UM's Response to Information Request, Full-Time Undergraduate Enrollment in RSMAS Programs by Age; Part-Time Undergraduate Enrollment in RSMAS Programs by Age.

*a. Official(s) Charged with Responsibility for Equal Opportunity and Age Act Compliance*

UM reported that it has four positions, whose functions relate to equal opportunity and civil rights matters. Together, the four comprise an EO/Civil Rights team. UM's Vice President for Human Resources serves as the "Executive Director." The Executive Director for Equality Administration serves as UM's EO/civil rights team's "Director" or lead, with the Vice Provost for Faculty Affairs and Senior Associate Dean for Faculty Affairs serving as the "Associate Directors." Of the 20 students interviewed, none were aware of the name of the office to which they would raise a discrimination issue if one were to arise, although all felt confident they could research it online should the need arise. One faculty member stated that he had received the complaint procedures as part of the Advisor's manual and that he had been introduced to the Director and staff of the Equality Administration office. Another stated that the proper party with whom to raise a complaint varied based upon the nature of the complaint and mentioned the Dean of Students and the Ombudsman, but not the Equality Administration office. Based on the varying responses, NASA believes there is a need for the Equality Administration office to take additional steps to disseminate information on its existence and to provide for greater dissemination of relevant policies and procedures. (See discussion and "Recommendations" below.) Both students and employees are notified of the Equality Administration's existence through the following means:

- Employee/student orientations;
- Eight officially designated University Bulletin Boards;
- the publication that ALL students receive: "University of Miami Bulletin" which refers student to this Equality Administration office for assistance;
- Various University websites for students, faculty and staff; and
- A "Notices" statement is contained on all University web site referencing the Equality Administration Office.<sup>17</sup>

*b. Anti-discrimination Policies*

UM articulates a clear anti-discrimination policy.<sup>18</sup> However, NASA has concerns with the University's citations to the Age Act in its literature and on its Web site. For example, these

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<sup>17</sup> The Privacy and Legal Notices Statement is as follows: **Non-Discrimination Policy:** It is the policy of the University of Miami that no person within the jurisdiction thereof shall, on the basis of race, religion, color, sex, age, disability, sexual orientation, veterans status, or national origin, be excluded from, participation in, be denied the benefits of, or be subjected to discrimination or harassment (including sexual harassment) under any program or activity of the University. The University does not intend by this commitment to require compliance with this policy by governmental or external organizations that associate with but are not controlled by the University, except as required by law. The Executive Director of Equality Administration is responsible for coordinating the University's effort to implement the nondiscrimination policy and Affirmative Action Programs for employees and students. The Director may be contacted at the following address or telephone number: Equality Administration Office 1320 Gables One Tower, Suite 100 Coral Gables, FL 33146; 305-284-3064.

documents and materials did not distinguish clearly between the Age Act and the Age Discrimination in Employment Act (ADEA). The ADEA is limited to the employment context, applies to individuals who are forty years of age or older, and is enforced by the U.S. Equal Employment Opportunity Commission (EEOC). The Age Act, as stated above, applies to programs or activities receiving Federal financial assistance; has no age limitations to qualify for coverage; and is monitored by various agencies whose compliance activities with respect to this statute are reported to the U.S. Department of Health and Human Services.

On its Web site, RSMAS posts links to the language of both the Age Act and the ADEA statutes. Both links take one to the Department of Labor's webpage for the Age Act statute.<sup>19</sup> In response to NASA's request for documents, UM submitted its "Compliance Overview" for the Age Act. This document showed that compliance with the Age Act is handled by UM's Human Resources Equality Administration and that "Training," "Quality Control," "Documentation Efforts," and "Assessment" reference employees, Equal Employment Opportunity (EEO) and the EEOC.<sup>20</sup> In UM's "Sponsored Programs Policies and Procedures," the Age Act is mistakenly described as covering "individuals 40 years of age and older."<sup>21</sup> Placement of the policy enforcement in the Human Resources division and references to EEO could mislead one into believing the statutes apply to employees only. NASA recommends correction of these errors (see "Recommendations," below).

None of the 20 students interviewed were aware of the Age Act. One student expressed knowledge that discrimination against students on the basis of age was illegal. The general lack of knowledge is perhaps related to the fact that Age Act compliance has not garnered the same level of attention or interest in mainstream public debate, litigation, or scholarship as other civil rights laws, such as Title IX or the Americans with Disabilities Act to name a couple of examples. As a result, the rights accorded under the Age Act are less well known to those it is designed to protect. In light of this, UM should consider steps to better publicize and disseminate Age Act information to its campus community. (See, "Recommendations," below)

### *c. Internal Discrimination Complaints Policy and Procedures*

The University has a Grievance Procedure for handling discrimination complaints set forth in its "2010-2011 Student Rights and Responsibilities Handbook." UM's Grievance Procedure outlines the informal and formal complaints stages and provides scenarios involving student to student, student to faculty/employee, and student to third party complaints. However, beyond these written

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<sup>18</sup> Cited from its 2010-2011 Student Rights and Responsibilities Handbook, UM's formal Student Nondiscrimination and Anti-Harassment Policy refers to "age" and the Age Act of 1975 as among the protected bases under antidiscrimination law.

<sup>19</sup> See, <http://www.rsmas.miami.edu/grad-studies/>

<sup>20</sup> The EEOC enforces the ADEA; not the Age Act.

<sup>21</sup> See, pp. 4-5 above (discussion of coverage of Age Act).



references, there appears to be no mention of a complaints procedure, specific to students, as there is, for example, regarding disability discrimination.<sup>22</sup>

With the exception of the link from the RSMAS program Web site, NASA could not find a corresponding section specific to students.<sup>23</sup> The Grievance Policies and Procedures section appears to focus exclusively on employees. In addition, NASA was unable to locate anything alerting the complainant or aggrieved party to the rights, timelines, and complaint procedures *outside* of the school's internal processes (e.g., the U.S. Departments of Education, Health and Human Services, or other state or local authorities).

NASA's review of UM's Web sites, conducted in part to evaluate the ease with which a student might be able to locate and utilize the grievance procedures, indicates that the procedures are not particularly easy to find. According to UM, the grievance procedures are not currently posted online as the University is reviewing this policy. In the interim, they have posted an "Equal Opportunity Policy Statement" on their grievance procedure webpage under the student link. NASA was able to easily find the Equality Administration portion of the "Faculty and Staff" tab on UM's Web site, under which there are references to University Policies, including those on Equal Opportunity and Affirmative Action and its Grievance Policies and Procedures.<sup>24</sup>

In terms of strengthening the University's existing EO policy dissemination, while Federal civil rights enforcement agencies have not issued guidance on policy dissemination in the Age Act context, the U.S. Department of Education Office for Civil Rights (OCR) has issued such guidance under Title IX of the Education Amendments Act of 1972 (Title IX). As the Age Act and Title IX are both civil rights laws intended to ensure equal opportunity and non-discrimination for beneficiaries of Federally funded programs, OCR's Title IX guidance is instructive in the Age Act context with regard to dissemination of a recipient's internal complaints policies and procedures. For example, OCR recommends 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.<sup>25</sup> (See "Recommendations" below.)

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<sup>22</sup> UM's Web site includes a page on alleged discrimination due to disability, including the process, time limits, appeal rights, and freedom from retaliation. Students raising complaints are directed to file with UM's Office of Disability Services. See, <http://www6.miami.edu/umbulletin/info/serv/dis.htm>.

<sup>23</sup> There were links to the Student Rights and Responsibilities Handbook, but as noted above, the on-line version appears to be lacking references to non-discrimination, anti-harassment, anti-retaliation, or grievance procedures.

<sup>24</sup> See, <http://www.miami.edu/index.php/facultystaff/>;  
[http://www6.miami.edu/UMH/CDA/UMH\\_Main/0,1770,2607-1,00.html](http://www6.miami.edu/UMH/CDA/UMH_Main/0,1770,2607-1,00.html); and  
[http://www6.miami.edu/UMH/CDA/UMH\\_Main/0,1770,2607-1;30561-2,00.html](http://www6.miami.edu/UMH/CDA/UMH_Main/0,1770,2607-1;30561-2,00.html).

<sup>25</sup> OCR's Revised Sexual Harassment Guidance, Sec. IX. Prompt and Equitable Grievance Procedures, at <http://www2.ed.gov/about/offices/list/ocr/docs/shguide.html>.

RSMAS student interviews, graduate and undergraduate alike, were generally unaware of the Age Act and its applicability to students in an academic setting. Some students reported that they were aware of anti-discrimination laws in general or knew that sexual harassment was illegal, but none were aware of this statute. Similarly, none of the students interviewed knew which office was responsible for handling equal opportunity issues or to whom they should report an issue of discrimination. To their credit, many students indicated that if they had a need to raise a discrimination issue, they would speak with an advisor, the Office of Graduate Studies, or the RSMAS office. Many students felt very comfortable in the RSMAS atmosphere and felt that any concerns would be heard and responded to if raised.

The University provides various avenues for individuals (including students) to make their complaints known to the University: through the Equality Administration Office, Ombudsperson, Dean of Students, Complaint Facilitators/Sexual Harassment Counselors, Human Resources, at the college/school level. Orientation sessions, University web sites and a hotline (1-800-YOUR-CAL) for individuals who wish to file a complaint anonymously.

Regarding actual age complaints filed, UM informed NASA that no complaints based on age from students in the RSMAS program have been filed during the period for which information was requested.

*d. Orientation and Training*

UM provides civil rights training outlines or guides to students during Student Orientation and in the Students Rights and Responsibilities Handbook.<sup>26</sup> Faculty and staff receive information during New Employee Orientation, in the Faculty Manual and Employee Handbook. In addition, faculty and staff are provided training, some of which is mandatory and includes the Age Act. NASA could find no indication of any formal or informal training regarding the Age Act specifically as the University does not track training data and could not provide any specific data.<sup>27</sup> The University provides a Computer-Based Training module on Age Discrimination which addresses both age Acts; in addition the Age Acts are discussed during employee orientation. The material provided by UM contains references to anti-discrimination policies, including those based upon age, recognizes age as a diversity issue, and includes “generational diversity” in its training of faculty. In addition, UM’s Equality Administration Office Web site includes resources on UM’s policies and procedures and statutes. However, as noted above, the materials conflate the Age Act with the ADEA. Moreover, it is clear that dissemination of information on this statute is lacking. The Equality Administration Office also publishes a brochure on the age discrimination laws. This brochure can be found online on the Equality Administration Office’s Web site under “Publications.” The site is linked to various University departments’ Web pages. This information is disseminated online to reach more individuals than the

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<sup>26</sup> See, UM’s Self-Evaluation Tool, pages 2 and 3.

<sup>27</sup> See, UM’s Self-Evaluation Tool, page 1; UM’s Response to Information Request, pages 3-4.

traditional practice of printed hard copies. However, a hard copy of the publication can be printed and is available in the Equality Administration Office.

*e. Monitoring of Compliance and Self-Assessment*

With the exception of the policies and complaint procedures above, NASA did not find that UM has any program in place that monitors compliance with the Age Act. It is also unclear whether UM maintains such proactive tools for similar statutes (e.g., Title VI and Title IX of the Civil Rights Act of 1964, as amended) in order to make an apt comparison. The Equality Administration Office is responsible for monitoring and enforcing all equal opportunity issues including the Age Act. The University provides all stakeholders, including students, applicants, employees, and faculty members, with the opportunity to make a complaint through several Compliance Hotlines to report issues of non-compliance.

**2. Recommendations**

*a. Additional Policy Dissemination Efforts*

UM should immediately post its internal grievance procedures upon completion of its review of the procedures. UM also should consistently identify the Age Act on its Web site, as it already does for similar grant-related and other civil rights laws. UM might consider enhancing the Web site with a page dedicated to identifying and briefly explaining each civil rights law or mandate applicable to the University, referencing points of contact for further information or questions. UM should monitor this process to ensure the correct statutes are referenced and linked. UM and RSMAS should consider posting on their Web sites the NASA brochure on equal opportunity laws that pertain to grant recipient institutions.

*b. References to External Administrative Procedures*

UM should inform aggrieved persons or stakeholders of their rights, timelines, and/or obligations under external administrative procedures or private causes of action, e.g., the U.S. Department of Education Office for Civil Rights.

Note: The University informed NASA in November 2011 that, in each employee manual the University included the Equal Opportunity / Affirmative Action statement. This statement is also included on the official University Bulletin Boards. The statement directs anyone with a grievance to Contact the Equality Administration Office or to contact the appropriate government compliance agencies, providing a list of such agencies.<sup>28</sup>

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<sup>28</sup> The University's most recent EO/AA policy statement is accessible at:  
[http://www6.miami.edu/policies/hr/Administrative\\_Professional/A-GeneralPoliciesandProcedures/A005.pdf](http://www6.miami.edu/policies/hr/Administrative_Professional/A-GeneralPoliciesandProcedures/A005.pdf).

*c. Reference to and Discussion of the Age Act in Training Materials*

UM should clarify and enhance its references to or discussions of the Age Act in its training of faculty, staff, and other stakeholders. This training might include practical aspects of the Act and other statutes pertaining to access to programs and activities to ensure faculty and staff understand the impact of the statutes, behaviors that are prohibited, and consequences of such behaviors.<sup>29</sup>

**B. Admissions Policies, Outreach Efforts, and Retention**

**1. Analysis**

This area of inquiry was designed to evaluate UM and RSMAS admissions, outreach and communications efforts in light of the Age Act's mandate to ensure equal opportunity regardless of age. NASA sought to determine whether, consistent with this mandate, UM and RSMAS reach out to students of both traditional and non-traditional ages.

*a. Admission Statistics*

The University requires that all undergraduate admissions decisions be handled centrally at UM, and not by program, e.g., RSMAS.<sup>30</sup> UM provided limited data of RSMAS's Undergraduate Program enrollment and retention and reported no data on applications, acceptance, and/or enrollment by age for new freshmen or new transfer students.<sup>31</sup>

For the Fall Semester 2009 UM had 22,000 applicants for first-year freshmen; 9,700 were accepted and 2,006 enrolled. With respect to transfer students, 3,700 students; 1,449 were accepted; and 619 enrolled. The data provided by UM showed that from 2005 to 2009, less than two percent (2%) of the RSMAS's full-time undergraduate student population was non-traditionally aged.<sup>32</sup> From 2005 to 2009, there were no more than five part-time students per year. In 2005 and 2006, none of the part-time students was non-traditionally aged. In 2007, the only part-time student (100%) was non-traditionally aged. In 2008, two out of five students (40%), and in 2009, two out of six students (33%) were non-traditionally aged.<sup>33</sup>

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<sup>29</sup>See also, "Academic Advising and Other Faculty-Student Interactions" discussed in Section C. Access to Programs and Facilities.

<sup>30</sup>See, UM's Self-Evaluation Tool, page 12.

<sup>31</sup>Data on UM's Web site showed that for Fall 2009, RSMAS' new student population that year was comprised of 85 new freshmen and 11 new transfers. Ages were not listed. [http://www.miami.edu/index.php/about\\_us/fast\\_facts/student\\_enrollment/](http://www.miami.edu/index.php/about_us/fast_facts/student_enrollment/). No data was requested on its Graduate student application, acceptance, or enrollment.

<sup>32</sup>In 2005, one out of 291; in 2006, one out of 285; in 2007, four out of 270; in 2008, 6 out of 291; and in 2009, five out of 290 students were at least 25 years old.

<sup>33</sup>*Id.*

*b. Admission Requirements*

The University requires that all new freshmen students, irrespective of age, submit scores from either the Scholastic Aptitude Test (SAT) or American College Testing (ACT). However, UM does not require the scores from all transfer students,<sup>34</sup> international students,<sup>35</sup> or students who have been out of school for more than one year.<sup>36</sup> These policies help to address the needs of the adult learner as such policies can help to remove potential obstacles to admission.

At the graduate level, prospective students must submit Graduate Record Examination (GRE) scores and, to qualify for some fellowships, such as to the Division of Marine Biology and Fisheries, it is recommended that students submit Subject Test scores in Biology.<sup>37</sup> In addition, students applying for graduate study at RSMAS must meet rigorous undergraduate program requirements, which vary according to program.<sup>38</sup> Two students stated that they were able to take the GRE twice in order to obtain the scores necessary for admission into the program.

Unlike the undergraduate admissions exceptions, there appear to be no exceptions to or alternate methods of complying with RSMAS's admissions criteria. NASA recognizes the need to maintain rigorous standards for admission. Nonetheless, to the extent that UM's and RSMAS's institutional policy on admissions criteria evolves, the needs of non-traditionally aged students should be recognized as a consideration to eliminate potential barriers.

*c. Minimum Course Credit Requirements*

With any undergraduate program or degree, UM requires that all students meet "General Education Requirements" that include English composition, writing, and mathematics and knowledge of the natural world, people and society, and the arts and humanities. The requirements may be satisfied by courses taken for a letter grade, or by credits earned through Advanced Placement (AP) or International Baccalaureate (IB) examinations taken in high school.<sup>39</sup> Beyond these exceptions, students cannot petition for course credit based upon examination or learning derived from life and

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<sup>34</sup> UM notes that transfer students with fewer than 30 credit hours must submit SAT/ACT scores. See, UM's Web site at [http://www.miami.edu/index.php/ug/applying/transfer\\_application\\_documents/](http://www.miami.edu/index.php/ug/applying/transfer_application_documents/).

<sup>35</sup> International students attending schools outside the United States need not submit SAT scores, but might need to submit TOEFL scores. See, UM's Web site at [http://www.miami.edu/index.php/ug/applying/international\\_student\\_application\\_documents/](http://www.miami.edu/index.php/ug/applying/international_student_application_documents/).

<sup>36</sup> See, Self-Evaluation Tool, page 3.

<sup>37</sup> See, UM's Web site at [http://www.rsmas.miami.edu/grad-studies/Application\\_instructions.html](http://www.rsmas.miami.edu/grad-studies/Application_instructions.html).

<sup>38</sup> For example, a student applying for a graduate program in Marine Geology and Geophysics must have taken undergraduate courses in Physical geology, Mineralogy, Petrology, Paleontology, Structural geology, Field geology, Stratigraphy, Sedimentation, Inorganic and Physical Chemistry, Calculus, Differential equations, and General physics. See, RSMAS Bulletin, pages 15-16 and UM's Web site at <http://www.rsmas.miami.edu/grad-studies/gso-bulletin-2009.pdf>.

<sup>39</sup> UM's Bulletin, pages 10 and 35.

work experiences.<sup>40</sup> UM allows veterans to apply for credit for schooling received while in the armed forces towards elective requirements.<sup>41</sup> Although UM and RSMAS require that progress towards a degree be maintained, neither has set a limit on how long a student can take to complete an undergraduate degree and RSMAS notes that “flexible pacing is possible.”<sup>42</sup> However, graduate degrees must be completed within 6 years and doctorate degrees within 8 years.<sup>43</sup>

Based upon the on-site interviews, it appears that UM and RSMAS are flexible in assisting students in obtaining degrees. In addition to allowing credit for military service, students discussed the ability to appeal UM’s decisions concerning transfer credits. One was able to waive the foreign language credits because the student was obtaining a degree in the evenings and no foreign language courses were available in the evenings. A 73-year old student was able to have prior credits reinstated, helping the student obtain a degree more easily.

*d. Orientation and Student Organizations<sup>44</sup>*

The University offers orientation programs for all incoming students, regardless of age, with separate programs for undergraduate, transfer, and graduate students. There is no orientation program specifically geared toward non-traditionally aged students.<sup>45</sup> At least one undergraduate student indicated that the general orientation included activities that this student considered to be juvenile, such as a scavenger hunt. A transfer student coming from a community college indicated that information concerning the increased demands and rigor of a university program would have been extremely useful in defining expectations and preparing for that degree.

There are more than 245 registered student organizations at UM. While there do not appear to be any offices, centers, or student organizations specifically focused on non-traditionally aged students, commuter students, a large percentage of whom are non-traditionally aged, garner much university-wide support.<sup>46</sup> According to its Web site, UM’s Commuter Student Involvement (CSI) provides a variety of services and programs intended to enhance education and facilitate community building for commuter students. Through the use of Commuter Assistants, commuting students have access to a mentor to provide information about on campus life for commuters. Finally, the Association of Commuter Students, comprised of 160 students, attempts to connect students to campus life and

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<sup>40</sup> UM’s Self-Evaluation Tool, page 9.

<sup>41</sup> UM’s Bulletin page 5 and its Web site at <http://www6.miami.edu/umbulletin/pdf/Bulletin201011.pdf>.

<sup>42</sup> UM’s Self-Evaluation Tool, page 12.

<sup>43</sup> UM’s Bulletin, page 457 and its Web site at <http://www6.miami.edu/umbulletin/pdf/Bulletin201011.pdf>.

<sup>44</sup> The sections on Orientation and Commuter Programs are described in detail in the next section dedicated to Access to Programs. NASA addressed the items in this section as well, but focused on the needs of prospective, applying, or newly accepted students.

<sup>45</sup> See, UM’s Web site at [http://www.miami.edu/index.php/student\\_life/orientation/](http://www.miami.edu/index.php/student_life/orientation/) and at [http://www.miami.edu/index.php/graduate\\_school/new\\_students/orientation/](http://www.miami.edu/index.php/graduate_school/new_students/orientation/).

<sup>46</sup> See, UM’s Response to Information Request, page 3.

address commuter concerns.<sup>47</sup> Although commuter programs are not specifically geared to non-traditionally aged students, such students may benefit greatly from these programs. Finally, orientation of faculty and staff includes discussion of its commitment to adults and non-traditionally aged learners, another positive aspect of the institution's efforts regarding adult learners.

*e. Outreach to Non-Traditional Students*

UM's commitment to adult and other non-traditional learners is reflected in its outreach efforts. For example, UM and RSMAS have taken steps to ensure that prospective students identify with and have access to programs that would suit the needs of non-traditionally aged students. UM and RSMAS show diversity of the student population through visual imagery on their respective Web sites, depicting the presence and participation of adult learners.<sup>48</sup> UM also demonstrates its commitment to adult learning through its Lifelong Learning Institute, which offers courses and programs on-site at independent living communities for seniors.<sup>49</sup> UM's Veterans Affairs Office assists veterans and dependents of veterans who are entitled to educational benefits, a potential benefit for prospective non-traditionally aged students.

In addition, UM's Division of Continuing and International Education (DCIE) provides short courses, seminars, workshops, lectures, and special events as well as counseling and advising services for returning students, including adults, pre-college students, part-time students and international students. Through DCIE, UM offers a Bachelor of General Studies (BGS) degree geared towards the working adult student, for example, by offering classes on Saturdays.<sup>50</sup> The current Director of DCIE was a non-traditionally aged student when she attended UM, and her PhD dissertation focused on the differences in learning styles between traditionally and non-traditionally aged students. As Director, she has streamlined the application process for her program by condensing it down to a single page to remove barriers to applying. In addition, she made changes to the program to allow students to take six credits to test out the program and setting no expiration on credits for the BGS program. DCIE obtains an exit survey and requests a program evaluation from every departing BGS student. The DCIE sets an excellent example of commitment to non-traditionally aged learners, and its Director is a potential resource for future programs or faculty and staff training.

RSMAS appears to be applying UM's commitment to adult learning directly to its program. In the Fall of 2010, it launched a new Master of Professional Science program, which is geared toward persons/students seeking advancement in their existing careers.<sup>51</sup>

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<sup>47</sup> UM's Web site at [http://www.miami.edu/index.php/student\\_life/commuter\\_student\\_involvement/](http://www.miami.edu/index.php/student_life/commuter_student_involvement/) and <http://www.miami.edu/studorgs/acs>.

<sup>48</sup> See, UM's Self-Evaluation Tool, pages 9 and 11.

<sup>49</sup> See, UM's Web site at [www.miami.edu/olli/](http://www.miami.edu/olli/).

<sup>50</sup> UM's Response to Information Request, page 3.

<sup>51</sup> *Id.* page 7 and UM's Web site at <http://mps.rsmas.miami.edu/>.

*f. Retention Statistics*<sup>52</sup>

NASA conducted a thorough examination of RSMAS's retention statistics for non-traditionally aged students to determine whether there were any differences between retention for non-traditionally aged as compared to traditionally aged students in the program. For the most recent year for which NASA collected statistics, academic year 2009, UM's RSMAS data showed that three of the five non-traditionally aged full-time students (60%) returned to a RSMAS program, although one changed majors. Two of the five students (40%) either did not return to UM or graduated from a non-RSMAS program. One student was deceased.<sup>53</sup> In contrast, in 2009, 179 of the 285 traditionally aged full-time students (63%) returned to, while 31 (11%) graduated from a RSMAS program. There were 28 students (10%) who returned and 25 (9%) who graduated, but from a non-RSMAS program. Of the 285 traditionally aged full-time students, 21 (7%) did not return to UM.<sup>54</sup>

In 2009, 40 % of non-traditionally aged students left the RSMAS program, as compared to 26% of the traditionally aged students.<sup>55</sup> In 2009, one of the two non-traditionally aged part-time students (50%) returned to a RSMAS program. The other student returned to UM, but in a non-RSMAS program.<sup>56</sup> One of the three traditionally aged part-time students (33%) returned to a RSMAS program. The other two students (67%) graduated from a RSMAS program.<sup>57</sup>

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<sup>52</sup> The sections on Counseling, Labs, Tutors, and the Academic Resource Center are described in detail in the next section dedicated to Access to Programs. NASA addressed the items in this section as well, but focused on the University's goals of retaining students at UM and improving student success.

<sup>53</sup> NASA also reviewed the most recent three previous academic years 2006-2008. In 2008, one out of the four non-traditionally aged students (25%) returned to RSMAS, while three of the four (75%) did not return to UM. In 2007, there was a single non-traditionally aged student. That student (100%) did not return to UM. In 2006, the single non-traditionally aged student (100%) graduated from the RSMAS program. See, UM's Response to NASA Information Request, pages 333 -336.

<sup>54</sup> In 2008, 179 of the 266 traditionally aged full-time students (67%) returned to and 49 (18%) graduated from a RSMAS program. There were 21 students (8%) who returned and 1 (0%) who graduated, but from a non-RSMAS program. Of the 285 traditionally aged full-time students, 15 (6%) did not return to the UM. In 2007, 181 of the 284 traditionally aged full-time students (64%) returned to and 49 (17%) graduated from an RSMAS program. There were 32 students (11%) who returned and 1 (0%) who graduated, but from a non-RSMAS program. Of the 284 traditionally aged full-time students, 21 (7%) did not return to UM. In 2006, 192 of the 291 traditionally aged full-time students (66%) returned to and 50 (17%) graduated from a RSMAS program. There were 32 students (11%) who returned and 3 (1%) who graduated, but from a non-RSMAS program. Of the 291 traditionally aged full-time students, 14 (5%) did not return to UM. See, UM's Response to NASA Information Request, pages 333 -336.

<sup>55</sup> In 2008, 75% of nontraditionally aged students left the RSMAS program, as compared to 15%. In 2007, it was 100% to 18%. In 2006, it was 0% to 17%.

<sup>56</sup> In 2008, the single non-traditionally aged part-time student returned, but in a non-RSMAS program. In 2006 and 2007, there were no part-time students who were considered non-traditionally aged. See, UM's Response to NASA Information Request, pages 337-339

<sup>57</sup> In 2008, there were no traditionally aged part-time students. In 2007, one of three students graduated from a RSMAS program, one returned to a non-RSMAS program, and one student did not return to UM. In 2006, three of five students graduated from a RSMAS program, one returned to an RSMAS program, and one student did not return to UM. See, UM's Response to NASA Information Request, pages 337-339.



As the sample sizes for the non-traditionally aged student populations are too small to draw any meaningful conclusions, we note these statistics simply to illustrate the kinds of comparisons UM and RSMAS may wish to examine going forward. Such comparisons can help to determine whether there is a need for further research, for example, focus groups, to determine whether non-traditional students have particular issues that may be addressed through adjustments in program policy or practice.

Along these lines we note that UM offers services that may be utilized to help improve retention of students, regardless of age. UM reported that its Counseling Center is available to all students to assist them in coping with pressures associated with balancing home, work, and school. Computer labs, the Math lab, and the Writing Center offer services to all students to improve their technology, math, and/or academic, business, and personal writing skills.<sup>58</sup> The Academic Resource Center (ARC) offers peer tutoring, academic, time management, and study skills. Finally, UMX, a one-credit elective course taught by UM faculty, administrators, and advisors across different disciplines as a way of providing mentoring to incoming students, provides a mentoring relationship for new and transfer students.<sup>59</sup>

It is noteworthy that during on-site interviews, NASA heard that statistically, there is a fairly large attrition rate after freshman year, across the board, because students do not realize the nature of the program until they begin it. The RSMAS Associate Director stated that older students tend to leave and come back for various reasons, including financial. Many students do return and when they do, they pick up where they left off.

Overall, there appears to be a small population of non-traditionally aged students in RSMAS programs. Nevertheless, the University and RSMAS seem committed to recruiting and retaining a diverse and high-caliber student body.

## **2. Recommendations**

### *a. Regular Examination of Student Statistics by Age*

UM and RSMAS should regularly examine application, acceptance, and retention statistics of the student population by age. These self-assessments would help to ensure that there is not a disparity or deviation in the numbers of students in any category of age group. Such assessments would also assist in further exploring the impact of current policies and practices on non-traditionally (and traditionally) aged learners. This would form the basis for an institutional assessment as to any potential issues regarding key facets of the program, *e.g.*, admissions, outreach, or access to

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<sup>58</sup> See, UM's Self-Evaluation Tool, page 8.

<sup>59</sup> See, UM's Web site at <http://www.umarc.miami.edu/flash.html>. On the ARC page, there is a note that the University is not offering "Academic Success Counseling," though it is unclear which of the above-mentioned services this might entail.

programs and facilities. In turn, this would help to craft policies and strategies to address concerns raised.

*b. Orientation*

UM may wish to consider adding an orientation program or gathering within one of the larger orientations (e.g. transfer orientation) to bring together non-traditionally aged students and address issues particular to those students. UM or RSMAS could provide written materials to transfer students, as they may have been exposed to less rigorous educational demands prior to attending RSMAS and may need guidance with respect to increased demands.

*c. Outreach Efforts*

To increase the non-traditionally aged student population, UM and RSMAS might consider improving outreach to include learning institutions, organizations, and/or employers, in which they are likely to reach non-traditionally aged learners. This could take the form of a marketing program or building on any existing programs geared toward recruitment of former and active duty military members, a group of individuals with a large number of non-traditionally aged students. As noted, UM and RSMAS already have undertaken efforts to show visual imagery depicting both traditionally and non-traditionally aged students on their Web sites. UM and RSMAS should continue these efforts and may wish to expand them, to include other promotional materials showing both traditionally and non-traditionally aged students, including veterans, as well as incorporating testimonials from both traditionally and non-traditionally aged students in the programs, describing the program(s) in the context of their unique demands and lifestyle. Finally, UM and RSMAS may wish to consider creating scholarships targeted towards non-traditionally aged students.<sup>60</sup>

*d. Enhanced Dissemination of Information Regarding Counseling Services.*

As UM's Counseling Center provides services designed to address the needs of both traditionally and non-traditionally aged students, UM and RSMAS may wish to consider enhanced efforts to ensure students are fully aware of the services provided. For example, the department might send an annual memorandum to all students including information about the services provided and a link to the Counseling Center's Web site. In addition, the Counseling Center itself may wish to consider enhancing its marketing efforts to reach out to both traditionally and non-traditionally aged students.

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<sup>60</sup> An excellent example of targeted scholarships can be found in UM's Multicultural Student Affairs office. Its Web site provides useful links to resources and internship opportunities. See, <http://www.sarc.miami.edu/msa/mainsite/public/services/scholarships.aspx>.

### **3. Promising Practices**

#### *a. Waiver of SAT/ACT Scores for Transfer Students and Other Flexibilities*

UM does not require transfer students or students out of school for more than one year to submit SAT/ACT scores. This may help to remove a potential barrier for non-traditionally aged learners, who may not score well on a standardized test after being out of school for any length of time. In addition, military personnel may petition for credit for schooling received in the Armed forces, which can reduce their course load. Even though the UM requires that students meet all General Education Requirements in addition to meeting program requirements, it allows for credits with certain Advanced Placement (AP) scores, International Baccalaureate (IB) exam, or transfer credits.

#### *b. Demonstrated Commitment through Information Dissemination*

The institution demonstrates its commitment to current and prospective UM and RSMAS students by providing a Web site with a broad range of information, services, and tools, many of which are available 24 hours a day, 7 days a week. This allows non-traditionally aged, including those with family and/or work considerations, the ability to access to information, services, and tools outside of regular business or course hours. The UM Web site offers information on numerous opportunities for tutoring and workshops, offering academic support programs and graduate school preparation workshops, which could benefit non-traditionally aged students.

#### *c. Commitment to Student Retention*

It appears that UM makes every effort to help students succeed, regardless of age or other demographic category. UM's Counseling Center assists students in coping with pressures associated with balancing home, work, and school. Computer labs, the Math lab, the Writing Center, and the Academic Resource Center offer students the opportunity to improve skills, stay current, and meet the demands of UM's and RSMAS's rigorous programs. While these services are not aimed specifically at the non-traditionally aged learner, such services signal an environment that is understanding of the stresses on adult learners and seeks to promote their ability to succeed.

### **C. Access to Programs and Facilities**

#### **1. Analysis**

This aspect of NASA's inquiry focused on access of students to the UM's and RSMAS's programs, facilities, amenities, and services, and the extent to which the UM and RSMAS ensure equal access regardless of age. In this regard, UM offers a wide variety of programs and facilities that are available to all of its students such as advising, health services, student activities and organizations, transportation services, and tutoring services. UM also tailors certain programs to the adult or non-traditionally aged learner, including offering weekend and evening hours for certain services, and a variety of evening courses at the undergraduate level.

*a. Classes and Labs*

The University as a whole offers classes and degree programs specifically designed for non-traditional learners. Its Saturday Bachelor of General Studies degree program is designed for non-traditional students, and provides students with the option of completing two and one half years of their degree program entirely with Saturday courses.<sup>61</sup> In addition, the Division of Continuing and International Education (DCIE) stated that its mission is to “provide educational programs to meet the needs of non-traditional students, including adults, pre-college students, part-time students and international students.”<sup>62</sup> The University, in coordination with the Osher Lifelong Learning Institute (OLI), offers programs and courses to older adults. It provides these courses to seniors on-site in their independent living communities.<sup>63</sup>

RSMAS reported that its courses are not offered during weekend and evening hours. However, several research and special projects, particularly at the graduate level, do not have set class times. This provides students with the flexibility to arrange convenient times with faculty to conduct the research or special project. RSMAS courses are available at different campuses and research opportunities are available to part-time students. RSMAS indicated that although they have not found a need or market for on-line, evening, or weekend courses for “core” course offerings, they are open to adding these should the need or market arise.<sup>64</sup>

Graduate students, particularly PhD students, are offered a fellowship that covers tuition and a monthly stipend, eliminating the need to look for work outside of RSMAS. At the PhD level, only two students had a job “outside” RSMAS, though the work they did was related to their PhD programs. The remainder of the PhD students were either Research Assistants, Teaching Assistants, or in the program with a scholarship and monthly stipend from another source, such as their home country. Of the four students pursuing a Master’s Degree, two were on a scholarship and monthly stipend from their home countries and two worked for RSMAS. One worked part-time and the other full-time, and indicated they did not see a need for evening courses.

However, at the undergraduate level, students thought there was more of a need for evening programs. There were two undergraduate students in particular that indicated evening courses would be beneficial. At the undergraduate level, a search of the online catalog reveals a wide variety of courses available to students in the evening. While these courses may not be the “core” courses needed for the undergraduate RSMAS program, many chemistry, math and lab courses are offered during evening hours. While not “core” RSMAS courses, they are needed for the undergraduate

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<sup>61</sup> See, UM’s Response to NASA Information Request, page 132.

<sup>62</sup> See, *id.* page 133.

<sup>63</sup> See, *id.* pages 126-130, and UM’s Web site at [www.miami.edu/olli/](http://www.miami.edu/olli/).

<sup>64</sup> See, RSMAS’s Self-Evaluation Tool.

degree. The Associate Dean for RSMAS's undergraduate program indicated that there were two or three timeslots for RSMAS courses in the evening.<sup>65</sup>

RSMAS is also taking steps to offer programs that would appeal to the non-traditionally aged student through its Masters of Professional Science degree. This program began in the fall of 2010, and RSMAS began offering a Masters of Professional Science degree in the fields of Marine Biology and Fisheries, Marine Affairs and Policy, and Meteorology and Physical Oceanography. The school stated that the degree can be completed in 12 months and provides "training and real-world experience." The University and RSMAS consider this type of program particularly appealing to students who already have a career, but are looking for an advanced degree to help them advance in the workplace.<sup>66</sup> Since this program is in its early stages, RSMAS was unable to comment with particularity on this program other than to indicate it is designed for working professionals and that many employers were giving their employees leaves-of-absence from work to complete the program and then return to work.

*b. Academic Advising and Other Faculty-Student Interaction*

Academic advising for the University is generally arranged directly with the individual programs, such as RSMAS. As such, RSMAS's undergraduate students are matched with advisors based on their major, while transfer students are matched based upon major and the number of credit hours they are transferring.<sup>67</sup> Once assigned, students are able to make arrangements with their academic advisors for guidance on courses, course load, and other pertinent topics. An on-line appointment schedule is available for students to make appointments.<sup>68</sup> In addition to program specific advisors, the University has an Academic and Career Advisors in Residence Program, which offers individual appointments and walk-in hours.<sup>69</sup>

Many of the non-traditionally aged students interviewed expressed overall satisfaction with all aspects of their UM/RSMAS experiences, including advising, access to programs, services and facilities, and the overall academic environment. For example, students uniformly agreed that RSMAS advising at both the graduate and undergraduate levels was highly accessible, with advisors responding to emails promptly and making themselves available during off-hours.

Some concerns were evinced regarding the challenges presented for returning or transfer students who had work and family responsibilities in addition to their courses. As discussed earlier in this report, during interviews, NASA heard about a recent incident in which a student alleged that a faculty member had made inappropriate remarks that, given the circumstances alleged, could be

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<sup>65</sup> They included a Research Diving course; a Survey of Oceanography course along with an Atmospheric Dynamics (a required course); and Broadcast Meteorology.

<sup>66</sup> See, RSMAS's Web site at <http://mps.rsmas.miami.edu>.

<sup>67</sup> See, UM's Response to Information Request, page 8.

<sup>68</sup> See, RSMAS's Web site at <http://www.rsmas.miami.edu/>.

<sup>69</sup> See, UM's Web site at <http://www6.miami.edu/provost/oe/acars.html/>.

construed as age-related in nature.<sup>70</sup> However, the program's senior leadership are to be commended for immediately taking action once notified of the comments.

*c. General Student Services*

Many offices offering general student services are open with evening and/or weekend hours. For example, the Admissions Office and the Health Center have evening and/or weekend hours. Student service offices without evening or weekend hours generally allow students to make evening or weekend appointments or have information and services available on-line. On-line, students are able to handle and apply for financial aid, loans, and scholarships; request transcripts; view grades; and locate a variety of other services.

In addition to the flexibility offered with on-line access and the various offices that offer evening and/or weekend hours, the Commuter Student Involvement Office works to meet the "practical, social, informational, and advocacy needs of commuter students."<sup>71</sup> A commuter advisory board advocates for commuter students. Services provided to commuter students, who may be more likely to be non-traditionally aged, are a model for accessibility.

With respect to the hours various offices are available to students, the University Registrar stated UM had previously tried evening hours for registration, but "did not get any traffic." He noted that these days almost everything can be done on-line; however, if a student requests an appointment in the evening or on the weekend, the office will make arrangements to have someone available. He stated this is true for all the offices, including financial aid, and counseling. RSMAS graduate students interviewed stated that they had no need to go to the main campus and the hours and availability of services was of no consequence. The undergraduate students had more interest in the hours and availability of services on the main campus, however, only one thought evening and weekend hours would be valuable.

*d. Career Services*

Career services are provided through individual academic departments and through the UM's Career Services Office, the Toppel Career Center. Career counseling is also offered through UM's Academic and Career Advisors in Residence Program. The Career Services Office maintains normal business hours. A non-traditionally aged learner, particularly one with a family and/or work priorities, might need access to these services after normal hours. Appointments can be made at various times and

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<sup>70</sup> In brief: according to this non-traditionally aged student, during a meeting with a professor, the professor suggested to this student that the student was not as serious about the program as traditionally aged students. Two such traditionally aged students were also present and pointed to by the professor as examples of individuals for whom the program represented their life and future livelihood, not a hobby to be worked in around job and family responsibilities. The affected student indicated that once the incident was related to an academic advisor who informed the Dean, immediate steps were taken to counsel the faculty member on the inappropriateness of the remarks.

<sup>71</sup> See, UM's Web site at [http://www.miami.edu/index.php/student\\_life/commuter\\_student\\_involvement](http://www.miami.edu/index.php/student_life/commuter_student_involvement).

there is on-line access to information, employer recruiting, and other resources and services. The Career Center offers a wide assortment of programs at a variety of times, covering everything from dining etiquette to job hunting. There are programs and seminars, such as a home buying seminar, that appear to be oriented to the non-traditionally aged learner, and there are seminars over the web that can be attended during lunch from a remote location.<sup>72</sup> Of the nine career fairs held each year, two are in the late day or evening. With respect to career positions for the RSMAS School graduates, the students generally go through the various professors.

*e. Student Housing*

Neither the University's Web site nor the documents submitted by it indicate that on-campus housing is available for couples or those with families. However, assistance is provided in finding off-campus housing. RSMAS indicates on its Web site that housing is not available on the RSMAS campus. Of the undergraduate students interviewed, none live in campus housing. Since the undergraduate program is offered primarily on the main campus, these students have access to campus housing. With respect to the graduate students, four indicated that they would greatly like on-campus housing at RSMAS, and the remainder indicated that either they would not use on-campus housing or that it was not needed because of the variety of rentals available in the area.

*f. Child Care*

Most of the graduate students that had an opinion on the subject thought that childcare at the RSMAS campus would be particularly valuable. However, none of these students had children. One student spoke of a friend in the program that had to leave a young child with her parents in her home country, but indicated that this was both because of the time involved in completing the PhD program and the lack of child care. One professor in particular said he would gladly make use of the child care if it were offered by RSMAS; however, he stated that there were just not enough students and faculty with children that would use the program to make it financially feasible.

*g. Leave of absence*

Inactive status is permitted for undergraduate students who leave the University, but intend to return. Graduate students are permitted to take a leave of absence with the permission of the Dean of the Graduate School. With respect to the RSMAS, a leave of absence is normally permitted for one year.<sup>73</sup> In addition, a leave of absence is permitted for military service and the University allows a 100% tuition refund for students who must withdraw for military reasons.<sup>74</sup> This type of flexibility may benefit an older student who may be more likely to have to take a temporary leave of absence to care for family members or serve in the military.

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<sup>72</sup> See, UM's Response to NASA Information Request pages 160-172 and UM's Web site at <http://www.sa.miami.edu/toppel/mainSite/students/Default.aspx/>.

<sup>73</sup> See, *id.* page 322.

<sup>74</sup> See, *id.* page 143.

*h. Services to Military Service Members*

Several of the undergraduate students were former members of the military and/or in the military reserves. One student stated that some credit was allowed for military training and the others stated that credit was not allowed for training received in the military. However, many of these students had transfer credit from other Universities and perhaps already had courses for which they received credit that would have covered the military training. Some of the students indicated that some sort of formal program or association for former/current military members would be a good idea, and the University Registrar indicated that he was aware that more and more veterans were enrolling in the University, and while he did not notice any problems with assimilation into the University population, he has talked with the counseling center with respect to establishing a veteran's group. He stated that while it has not happened yet, it is something the University is working on.

*i. Summary*

Overall, NASA's review found very few concerns regarding access to programs and services. With respect to course offerings, the lack of evening or weekend courses at RSMAS may have the effect of, among other things, discouraging an otherwise well-qualified nontraditionally aged learner from applying to the University's programs and, in particular, the RSMAS program. There was also consensus between both the graduate and undergraduate students that all professors should be required to use Blackboard

As to the experiences of nontraditionally aged students in RSMAS, there appears to be no cause for concern that the environment is anything less than welcoming and inclusive. The graduate RSMAS students interviewed all indicated that they loved the school, advisors, and the program as a whole. Many comments fell along the lines of: "I am treated just like anyone else;" "If anything, being older is a benefit because the professors know I have maturity and experience for the 'real world;" and "Age is not an issue at the graduate level."

One concern that a couple of the non-traditionally aged undergraduate students had was the length of time between their prior courses and current courses. Comments were also made that they did not think their high school science courses were as rigorous and those of the younger students. Other comments were along the line of: "I did have concerns about fitting in because I was older;" "I just don't have that much in common with the 18 year olds;" and "There are not a whole lot of people here my age." But, of the undergraduate students interviewed, a majority indicated that while the main campus was a young campus, they were not there to socialize and the professors treated them with more respect than the younger students and appreciated them in classroom discussions.



## **2. Recommendations**

### *a. Program Assessment*

RSMAS should undertake careful assessment of programs designed to appeal to a broadly diverse student population, such as its Masters of Professional Science degree, which program administrators indicated is designed especially for students who already have careers. Such assessments should include review of application, admittance, acceptance, and retention rates by age, as well as exit surveys geared toward assessing whether the program is functioning to meet the needs of students, both traditionally and non-traditionally aged. For example, while the Age Act regulations do not require recipients of federal financial assistance to take such steps, the RSMAS program may wish to utilize such survey instruments to inquire as to whether there is a need for greater emphasis on night and weekend course offerings and other forms of alternative program delivery in order to improve learning opportunities for working adults or those with family responsibilities that interfere with their ability to take daytime courses.

### *b. Child Care Services*

As child care services may have an impact on students' decisions to attend the University, RSMAS may wish to consider specific mechanisms for providing assistance to students in this regard, for example, provide interested students the Web site and phone number for the Miami-Dade Department of Human Services, Child Services Development Bureau, to search online for daycare providers.<sup>75</sup>

## **3. Promising Practices**

### *a. General Access to Services*

In terms of access to services and facilities, it is clear that the University demonstrates its commitment to all students and makes a substantial effort with respect to non-traditional students. The broad range of information and services provided is accessible both on-line and during non-traditional business hours. The University should be commended on the broad range of services available to the non-traditional learner, including the office for Commuter Student Involvement; the availability of services during office hours; the option for a leave of absence and, for military deployment purposes, a 100% of tuition refund for such leave; and late night transportation and security escort services. The University's program for a General Studies Degree that can (for the most part) be completed on Saturdays is a model for practices involving nontraditional students.

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<sup>75</sup> More information regarding the Miami-Dade Child Services Development Bureau may be found at <http://www.miamidade.gov/dhs/children.asp>.

## **CONCLUSION**

Based on an evaluation of the information provided by UM and from on-site interviews and observations, we find UM and the RSMAS program to be in compliance with NASA Age Act regulations. More specifically, we find that UM and the RSMAS program are meeting Age Act legal obligations and are implementing policies and procedures appropriate to achieving equality of access for all students, regardless of age. In fact, there are many strengths in UM's and RSMAS's programs regarding Age Act compliance. For example, both UM and RSMAS take steps to show diversity of the student population through visual imagery on its Web site depicting the presence and participation of adult learners in both undergraduate and graduate studies.

Importantly, the University undertakes a number of efforts to help students succeed, regardless of age or other demographic category, by offering remediation, coping programs, and programs to support recruitment and retention to students and prospective students. The University does not require transfer students, or students who have been out of school for more than one year, to submit SAT/ACT scores. UM has a variety of programs that serve to address the needs of non-traditionally aged students, such as its Saturday Bachelor of General Studies Program, RSMAS's Master of Professional Science program, and the institutional partnership with the Osher Lifelong Learning Institute.

As to opportunities for improvement, NASA recommends that the University clarify the application of the Age Act in its information and training materials for faculty, staff and stakeholders. NASA also recommends that the University clarify and disseminate information about its internal discrimination complaints policy and procedures. Further, orientation topics addressing issues for non-traditionally aged learners and students transferring from community colleges could help to provide realistic expectations for those incoming students. In addition, NASA recommends that UM and RSMAS regularly examine student statistics and information obtained from surveys and exit interviews to ensure there is not a disparity based on age for degree seeking students. NASA also recommends that UM and RSMAS undertake efforts to survey students, again with reference to age, to better understand and respond to the needs of both traditionally and non-traditionally aged students specifically regarding University programs and services.